2005 ASSEMBLY BILL 100

February 9, 2005 − Introduced by JOINT COMMITTEE ON FINANCE, by request of Governor Jim Doyle. Referred to Joint Committee on Finance. Referred to Joint Survey Committee on Tax Exemptions.

AN ACT **relating to:** state finances and appropriations, constituting the executive budget act of the 2005 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the "executive budget bill" under section 16.47 (1) of the statutes. It contains the governor's recommendations for appropriations for the 2005−07 fiscal biennium.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, thereby setting the appropriation levels for the 2005−07 fiscal biennium. The descriptions that follow relate to the most significant changes in the law that are proposed in the bill. In most cases, changes in the amounts of existing spending authority and changes in the amounts of bonding authority under existing bonding programs are not discussed.

For additional information concerning this bill, see the Department of Administration's publication *Budget in Brief* and the executive budget books, the Legislative Fiscal Bureau's summary document, and the Legislative Reference Bureau's drafting files, which contain separate drafts on each policy item. In most cases, the policy item drafts contain a more detailed analysis than is printed with this bill.

GUIDE TO THE BILL

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

Treatments of prior session laws (styled "laws of [year], chapter ...." from 1848 to 1981, and "[year] Wisconsin Act ...." beginning with 1983) are displayed next by year of original enactment and by act number.

The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four−digit section number indicate the type of provision:

91XX Nonstatutory provisions.
92XX Appropriation changes.
93XX Initial applicability.
94XX Effective dates.

The remaining two digits indicate the state agency to which the provision relates:

XX01 Administration.
XX02 Aging and long−term care board.
XX03 Agriculture, trade and consumer protection.
XX04 Arts board.
XX05 Building commission.
XX06 Child abuse and neglect prevention board.
XX07 Circuit courts.
XX08 Commerce.
XX09 Corrections.
XX10 Court of appeals.
XX11 District attorneys.
XX12 Educational communications board.
XX13 Elections board.
XX14 Employee trust funds.
XX15 Employment relations commission.
XX16 Ethics board.
XX17 Financial institutions.
XX18 Fox River Navigational System Authority.
XX19 Governor.
XX20 Health and Educational Facilities Authority.
XX21 Health and family services.
XX22 Higher educational aids board.
XX23 Historical society.
XX24 Housing and Economic Development Authority.
XX25 Insurance.
XX26 Investment board.
XX27 Joint committee on finance.
XX28 Judicial commission.
XX29 Justice.
XX30 Legislature.

XX31 Lieutenant governor.
XX32 Lower Wisconsin state riverway board.
XX33 Medical College of Wisconsin.
XX34 Military affairs.
XX35 Natural resources.
XX36 Public defender board.
XX37 Public instruction.
XX38 Public lands, board of commissioners of.
XX39 Public service commission.
XX40 Regulation and licensing.
XX41 Revenue.
XX42 Secretary of state.
XX43 State employment relations, office of.
XX44 State fair park board.
XX45 Supreme Court.
XX46 Technical college system.
XX47 Tourism.
XX48 Transportation.
XX49 Treasurer.
XX50 University of Wisconsin Hospitals and Clinics Authority.
XX51 University of Wisconsin Hospitals and Clinics Board.
XX52 University of Wisconsin System.
XX53 Veterans affairs.
XX54 Workforce development.
XX55 Other.

For example, for general nonstatutory provisions relating to the historical society, see SECTION 9123. For any agency that is not assigned a two−digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two−digit identification number or any provision that does not relate to the functions of a particular agency, see number "55" (**other**) within each type of provision.

To facilitate amendment drafting and the enrolling process, separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

Following is a list of the most commonly used abbreviations appearing in the analysis.

DATCP . . . Department of Agriculture, Trade and Consumer Protection
DETF . . . . . Department of Employee Trust Funds
DFI . . . . . Department of Financial Institutions
DHFS . . . . Department of Health and Family Services
DMA . . . . . Department of Military Affairs

DNR ..... Department of Natural Resources
DOA ..... Department of Administration
DOC ..... Department of Corrections
DOJ ..... Department of Justice
DOR ..... Department of Revenue
DOT ..... Department of Transportation
DPI ..... Department of Public Instruction
DRL ..... Department of Regulation and Licensing
DVA ..... Department of Veterans Affairs
DWD ..... Department of Workforce Development
JCF ..... Joint Committee on Finance
OCI ..... Office of the Commissioner of Insurance
PSC ..... Public Service Commission
UW ..... University of Wisconsin
WHEDA .. Wisconsin Housing and Economic Development Authority
WHEFA ... Wisconsin Health and Educational Facilities Authority

---

AGRICULTURE

Under current law, DATCP administers the Soil and Water Resource Management Program, which awards grants to counties for land and water resource management projects and for the construction of animal waste management systems. This bill increases the general obligation bonding authority for the Soil and Water Resource Management Program by $7,000,000.

This bill authorizes DATCP to award grants to increase the use of agricultural products and wastes as energy sources, to reduce the generation or increase the beneficial use of agricultural wastes, and to encourage the development of biochemicals from agricultural products. A grant may not exceed $300,000.

This bill authorizes DATCP to make loans for the development of rural business enterprises or for rural economic development using federal funds.

Under current law, DATCP generally pays partial reimbursement to owners for the value of their livestock, including farm−raised deer, that DATCP orders to be destroyed because of exposure to disease. Under this bill, if DATCP orders an animal to be destroyed because it is suspected to have a transmissible spongiform encephalopathy, such as chronic wasting disease, and the owner disposes of the animal as directed by DATCP, DATCP reimburses the owner also for the costs of destroying and disposing of the animal.

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Current law authorizes the Department of Commerce (department) to award, from the Wisconsin development fund (WDF): 1) a grant to a person for capitalizing a revolving loan fund to promote local or regional economic development; 2) a “rapid response” loan to a person to purchase equipment or purchase, renovate, or construct a building; 3) a grant to a business group to investigate reorganizing or reincorporating an existing business as an employee−owned business; 4) a grant to a small business for preparing a proposal for a federal program; 5) a grant to fund

the preliminary stages of the expansion or start−up of a business located in an urban area; and 6) grants to the Wisconsin Procurement Institute to secure federal government contracts and create jobs.

Current law also authorizes the department, at the request of the Development Finance Board (board), to award, from the WDF, a grant or loan to any of the following: 1) a business or consortium for technical research related to technology development; 2) a business for customized labor training; 3) a major economic development project (defined as a project that is necessary to retain or create a significant number of jobs, that will lead to significant capital investment in the state, or that will make a significant contribution to the state's economy), if the project is not eligible for technology development or customized labor training grants or loans; and 4) a business, public entity, or nonprofit organization for researching, developing, and marketing products and processes related to certain types of pollution or waste.

This bill eliminates the technology development, customized labor training, major economic development, and technology and pollution control and abatement programs, as well as the programs for revolving loan fund capitalization, rapid response loans, employee ownership assistance, urban area early planning, and the Wisconsin Procurement Institute. The bill authorizes the department, at the request of the board, to award a grant or make a loan of WDF funds to an eligible governing body or person for any of the following: capital financing; worker training; entrepreneurial development; assisting technology−based businesses or businesses at a foreign trade show; promoting urban or regional economic development; establishing revolving loan funds; providing working capital; and promoting employee ownership.

Under the bill, in deciding whether to award a WDF grant or loan, the board must consider, among other factors, whether the project serves a public purpose and whether the project might not occur without the grant or loan. The bill eliminates certain factors from the board's consideration of whether a project will be located in a targeted area. The bill requires the department to establish procedures and conditions for WDF grants and loans, including a matching requirement of at least 25 percent.

This bill requires the department to designate certain areas as extremely depressed areas and authorizes the department to award a grant for up to five years to a business that locates in an extremely depressed area (which must be an area with an unemployment rate equal to or exceeding 150 percent of the statewide average unemployment rate) if the business will create at least 100 qualifying jobs in the area. Under the bill, the department may award a grant only if the business agrees to pay at least 90 percent of the new employees a family−supporting wage and to make every reasonable effort to fill at least 75 percent of the new jobs with individuals who reside in the extremely depressed area.

This bill authorizes the department to award a grant to an employer to provide a job training program for the employer's employees if the employer will create a significant number of high−paying jobs or will retain a significant number of jobs. The department may also award a grant to an employer for training employees who

do not earn a family−supporting wage if the employer agrees to pay a family−supporting wage to employees who complete the training program and there is significant potential for additional wage increases. Employers must develop training programs with a technical college or other training provider, and grant proceeds may be paid directly to the technical college or other training provider.

This bill appropriates to the Department of Tourism, from the transportation fund, an amount equal to 40 percent of the fees imposed on certain rental vehicles to pay for tourism marketing.

Currently, under the Enterprise Development Zone Program, the department may allocate tax credits to eligible businesses that conduct certain economic activities in areas designated as enterprise development zones. The department may not designate more than 79 enterprise development zones unless it obtains the approval of JCF. This bill eliminates the cap on the number of enterprise development zones the department may designate without JCF's approval and limits the total amount of tax benefits allocated under the program to $243,000,000.

Currently, the department may award a gaming economic development grant to improve the profitability of a business that has been negatively affected by a casino, a gaming economic diversification grant to diversify the economy of a community or to remediate brownfields, and a business employees' skills training grant for training a business's current or prospective employees. Under current law, the department awards these grants directly to qualified businesses. This bill authorizes the department to contract with and pay the grant directly to persons who provide the qualified businesses the assistance for which the grants are made.

This bill prohibits Forward Wisconsin, Inc., from spending $1,000,000 of appropriated money in the 2006−07 fiscal year unless DOA certifies that Forward Wisconsin, Inc., has raised $2,000,000 in private donations.

COMMERCE

Under current law, the department awards grants to technology−based nonprofit organizations to support a manufacturing extension center. This bill transfers administration of this grant program to the Technical College System Board and prohibits the board from awarding a grant to a technical college district or to a corporation or foundation created for the benefit of a district.

Under current law, alcohol beverages are generally distributed to consumers under a three−tier distribution system (manufacturer, wholesaler, and retailer). DOR issues intoxicating liquor wholesalers' permits authorizing the sale of intoxicating liquor (wine and distilled spirits) at wholesale from the premises described in the permit to intoxicating liquor retailers and to other wholesalers. With limited exceptions, a manufacturer may not hold any direct or indirect interest in a wholesaler and a manufacturer or wholesaler may not hold any direct or indirect interest in a retailer.

Under this bill, any intoxicating liquor sold by a wholesaler must be physically unloaded at the wholesaler's premises prior to being delivered to a retailer or to another wholesaler, and the wholesaler's premises must be capable of warehousing intoxicating liquor. Also, a wholesaler must annually sell and deliver intoxicating liquor to at least ten retailers that do not have any direct or indirect interest in each

other or in the wholesaler. If a wholesaler violates these requirements, in addition to the current penalty of a fine or imprisonment or both, a court may order the forfeiture of profits gained from the violation and the wholesaler's permit revoked. A retailer that receives a benefit from a wholesaler violation, with knowledge of the circumstances giving rise to the violation, is subject to similar penalties.

Under current law, DOR may suspend or revoke any alcohol beverages permit if the permit holder violates any legal requirement. This bill allows DOR to suspend or revoke wholesalers' permits based upon written allegations, including allegations of third parties, without a hearing.

Under current law, upon request by the secretary of revenue, the attorney general may represent this state or assist a district attorney in prosecuting any alcohol beverages violation, but DOR may not prosecute such violations. This bill authorizes DOR to represent the state in prosecuting violations of the wholesaler requirements created by the bill. The bill also allows wholesalers, retailers, and trade associations to prosecute violations of the wholesaler requirements created by the bill if DOR fails to timely render a decision on a complaint made to DOR.

HOUSING

Currently, DOA may not allocate more than $3.2 million of federal funds to pay for assistance to meet weather−related or fuel supply shortage emergencies. This bill eliminates this restriction.

Under current law, WHEDA maintains a surplus fund, which generally consists of assets that are not required to pay the cost of issuing bonds or notes, to make loans, or to honor agreements with bondholders and noteholders. This bill requires WHEDA to pay $2,500,000 in each fiscal year of the 2005−07 biennium to the state from this surplus fund.

OTHER COMMERCE AND ECONOMIC DEVELOPMENT

This bill increases the fees that DFI charges a foreign corporation when the corporation files its annual report or applies for a certificate of withdrawal (which withdraws authority for the corporation to transact business in this state).

This bill doubles the maximum fee that the department may charge for licenses and registrations issued to plumbers, utility contractors, pipelayers, and contractors installing or maintaining automatic fire sprinklers. The bill also doubles the maximum term for these licenses and registrations, as well as the term for plumbing supervisors that the department employs.

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Under current law, DOC and DHFS operate the Drug Abuse Correctional Center Program in Winnebago, which provides substance abuse treatment for prison inmates transferred there. If DOC determines that an inmate has successfully completed the program, the inmate is released early to parole or extended supervision. Inmates convicted of certain violent crimes or certain offenses against children are not eligible for early release under this program. Inmates who are sentenced under the "Truth in Sentencing" law are eligible only if the court

authorizes their participation. This bill authorizes DOC to establish similar treatment and release programs at any state prison.

Under current law, DOC may lease space within adult or juvenile correctional institutions to one or two private businesses to employ inmates or residents to manufacture products or provide services for sale on the open market. The earnings of an inmate or resident employed under this program must be used for compensating victims of crimes, supporting the person's dependents, and paying for room and board, among other things. This bill eliminates DOC's authority to operate the private business prison employment program.

Current law provides that, with certain exceptions, DOC must charge each person on probation, parole, or extended supervision a fee to cover some of the costs of supervising the person. This bill authorizes DOC to charge a person who is required to register as a sex offender and is on probation, parole, or extended supervision or otherwise in DOC's custody an annual fee of up to $50. DOC may use the proceeds of the fee to cover some of its costs of supervising persons on probation, parole, or extended supervision.

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids, generally referred to as "youth aids," DOC must allocate various state and federal moneys to counties to pay for state−provided juvenile correctional services and local delinquency−related and juvenile justice services. DOC charges counties for the costs of services provided by DOC according to per person daily cost assessments specified by law. This bill increases the assessments for care in a juvenile correctional facility, treatment facility, foster home, or group home, for corrective sanctions services, and for aftercare services and decreases the assessments for care in a residential care center for children and youth or treatment foster home.

Current law requires DOC, under the Community Intervention Program, to distribute $3,750,000 each year to counties for early intervention services for juvenile first offenders and for intensive community−based intervention services for seriously chronic juvenile offenders. This bill transfers administration of the Community Intervention Program to the Office of Justice Assistance in DOA.

COURTS AND PROCEDURE

CIRCUIT COURTS

In all criminal proceedings, and in a limited number of civil proceedings, a circuit court must provide an interpreter for an indigent party or witness who has limited English proficiency. This bill requires the court, in all criminal and civil proceedings, to provide an interpreter for a party or witness who has limited English proficiency, regardless of indigence.

This bill creates a $20 child abuse prevention and child mental health surcharge and requires a court to impose the surcharge on each misdemeanor offense or count and on each felony offense or count when it imposes a sentence or places a person on probation. Of the surcharge $6 is used by the Child Abuse and Neglect Prevention Board for grants to organizations, and $14 is used by DHFS for grants to certain counties and tribal governing bodies for programs for alcohol and other drug abuse problems. If an inmate in a state prison or a person sentenced to a state

prison has not paid the surcharge, DOC must assess the amount owed from the inmate's wages or other moneys.

Under current law, the clerk of circuit court must charge a justice information system surcharge of $9 from persons who must pay certain specified fees. Under current law, two−ninths of the surcharge is used for the development and operation of automated justice information systems and six−ninths is issued for the operation of circuit court automated information systems. This bill increases the surcharge to $12, five−twelfths of which is used for for the development and operation of automated justice information systems and one−half of which is used for the operation of circuit court automated information systems. One−twelfth is deposited into the general fund and is not earmarked for any particular program.

Under current law, if a court imposes a sentence or places a person on probation, the court must impose a crime victim and witness assistance surcharge. The surcharge is $50 for each misdemeanor offense or count and $70 for each felony offense or count. Of the surcharge $30 for each misdemeanor and $50 for each felony is used to reimburse counties for services to victims and witnesses of crimes. This bill increases the surcharge to $60 for each misdemeanor and $85 for each felony. Of the surcharge $40 for each misdemeanor and $65 for each felony is used to reimburse counties for the services to victims and witnesses of crimes.

Under current law, with some exceptions, if a court imposes a sentence, places a person on probation, or imposes a forfeiture for a violation of state law or a violation of a municipal or county ordinance, a court must impose a $7 crime laboratories and drug law enforcement surcharge. This bill increases the surcharge to $8.

This bill increases the penalty surcharge, which a court imposes whenever it imposes a fine or forfeiture for most violations of state laws or local ordinances, from 24 percent to 25 percent of the fine or forfeiture imposed. The bill also increases the percentage of the money collected from this surcharge that is used to train law enforcement, jail, and secure detention officers and for crime laboratory equipment from 48 percent to 49.5 percent.

OTHER COURTS AND PROCEDURE

This bill appropriates money to the Office of Justice Assistance in DOA and directs the office to pay the amounts appropriated to the Wisconsin Trust Account Foundation, Inc., to be awarded as grants to programs that provide civil legal services to indigent persons. The Wisconsin Trust Account Foundation, Inc., was created by the Supreme Court to allocate the money received from interest on lawyers' trust accounts to programs that provide civil legal services to indigents. The grants may be used only for assisting Wisconsin Works participants with medical claims, developing discharge plans for mentally ill inmates, coordinating insurance benefits for medical assistance recipients, providing ancillary services to juvenile offenders, obtaining child support, and acting as a guardian ad litem in cases with the Bureau of Milwaukee Child Welfare.

This bill authorizes DOJ to bring an action for injunctive or other equitable relief against a person who interferes with the exercise or enjoyment by an individual of a right secured by the constitution or laws of this state or of the United States.

Generally, under current law, a county elects its own district attorney, but the district attorney and deputy and assistant district attorneys are state employees. DOA provides administrative assistance to district attorney offices. This bill transfers the administrative assistance duties to DOJ.

CRIMES

Under current law, the term of probation for a person convicted of a single misdemeanor is six months to two years. Under this bill, if a person is convicted of a Class A misdemeanor (for which the maximum term of imprisonment is generally nine months), the initial maximum term of probation is one year. If a person is convicted of any other type of misdemeanor, the initial maximum term of probation is six months, and there is no minimum term. Neither of these maximum terms of probation applies, however, if the person committed the misdemeanor while possessing a firearm or if the conviction is for an act of domestic abuse, for having nonconsensual sexual contact with another person, or for a misdemeanor under chapter 948 of the statutes (which covers certain crimes against children). In such a case, the initial maximum term of probation is two years.

This bill directs the Sentencing Commission to review sentences imposed on individuals who are convicted of nonviolent offenses, other than those relating to operating a vehicle while under the influence of an intoxicant, or with a restricted controlled substance or a prohibited level of alcohol in his or her blood, and to develop recommendations for alternative dispositions for these individuals that may be used by courts at or before sentencing.

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law allows a school board to enter into a five−year renewable achievement guarantee (SAGE) contract with DPI to reduce class size and improve academic achievement in grades kindergarten to three in exchange for receiving $2,000 for each low−income pupil enrolled in grades eligible for SAGE funding in the school district. The most recent set of SAGE contracts expires at the end of the 2005−06 school year.

This bill authorizes another set of SAGE contracts, starting in the 2006−07 school year, and increases the $2,000 per pupil payment to $2,250 in the 2005−06 fiscal year and $2,500 in subsequent fiscal years for these new contracts and for renewals of existing contracts.

Beginning in the 2006−07 fiscal year, this bill authorizes DPI to award grants to school boards to implement four−year−old kindergarten programs. A school board is eligible for an initial grant of up to $3,000 for each pupil enrolled in a four−year−old kindergarten program in the school district and a second grant of up to $1,500 for each such pupil.

This bill directs DPI to award grants of up to $100,000 to no more than 20 school districts for the design, development, and implementation of a differentiated compensation program for teachers in the 2005−07 fiscal biennium. To be eligible for a grant, a program must base all or part of teacher salary increases on one or more of the following factors:

1. An increase in a teacher's knowledge about teaching or about the subjects he or she teaches or an improvement in a teacher's teaching skills.

2. The assumption by a teacher of additional responsibilities, including mentoring other teachers.

3. The assignment of a teacher to a grade level or subject area in which there are teacher shortages.

4. The assignment of a teacher to a school that is difficult to staff or that is low in pupil performance.

The bill directs DPI to establish a competitive process for awarding grants, to give preference in awarding grants to school districts in which the teachers, the community, and the businesses in the community support the grant, and to make reasonable efforts in awarding grants to reflect the diversity of school districts on various factors.

Current law limits the amount of revenue that a school district may obtain from general school aids, computer aid, and the property tax levy. If a school district's revenue in any school year is less than its revenue limit for that school year, the revenue limit otherwise applicable in the subsequent school year is increased by an amount equal to 75 percent of the difference between the revenue limit in the preceding school year and the school district's actual revenue for that school year.

This bill increases that subsequent revenue limit for such a school district to the entire difference between the revenue limit in the preceding school year and the actual revenue for that school year.

Under current law, a school district's revenue limit is based on a three−year rolling average of its enrollment. This bill sets a school district's revenue limit at the amount calculated using a three−year or five−year rolling average of its enrollment, whichever yields the higher amount.

Currently, a school district with per pupil revenue below $7,800 in any school year is exempt from school district revenue limits. This bill raises the amount to $8,100 in the 2005−06 school year and to $8,400 in subsequent school years.

Current law requires a school board annually to publish a summary of its proposed budget before it holds a public hearing on the budget. This bill requires the summary to include, for the proposed budget, the current budget, and the budget in the previous fiscal year, the school district's general fund balance at the end of the fiscal year divided by the school district's general fund expenditures in that fiscal year, expressed as a percentage. The budget summary must also include, for the current and previous fiscal years, the statewide average school district general fund balance at the end of the fiscal year divided by the statewide average school district general fund expenditures in that fiscal year, expressed as a percentage.

The bill also provides that if a school board adopts a proposed budget in which the school district's general fund balance at the end of the fiscal year divided by the school district's general fund expenditures in that fiscal year will exceed an amount equal to 90 percent of the statewide average school district general fund ratio of balance to expenditures in the previous fiscal year, the school board must approve the excess by a separate vote.

Under current law, the state reimburses school boards and private schools 10 cents for each breakfast served under the School Breakfast Program. This bill raises the reimbursement rate to 15 cents.

This bill increases the reimbursement rates for school district pupil transportation and changes the funding source for school transportation aid from the general fund to the transportation fund.

Under current law, a school board, board of control of a cooperative educational service agency, county children with disabilities education board, or an independent charter school established by the University of Wisconsin−Milwaukee, the University of Wisconsin−Parkside, Milwaukee Area Technical College, or the city of Milwaukee is eligible to receive state aid for certain special education costs, such as salaries for special education personnel and transporting children with disabilities. Other costs, such as providing nursing care or assistive technology for children with disabilities, are not reimbursable under state or federal law. Beginning in the 2006−07 school year, this bill provides state aid for these costs equal to 90 percent of the amount by which these costs exceeded $30,000 per child in the previous school year.

Current law authorizes the employment of teachers, school social workers, school psychologists, and coordinators of special education, who are licensed by DPI, for a special education program. The salaries of these employees are eligible for state reimbursement through special education aid.

Beginning in the 2006−07 fiscal year, this bill allows the employment of licensed school counselors for special education programs and provides that the cost of their salaries is eligible for reimbursement through special education aid.

This bill directs DPI to award grants to persons who employ individuals licensed by DPI as initial educators in positions that require a DPI teaching license. The amount of the grant is equal to the amount that the employer is spending to provide a mentor for the initial educator, but not more than $375 for each initial educator so employed. The employer must use the funds to provide a mentor for each initial educator.

Current law directs DPI to award a grant to any person who is certified by the National Board for Professional Teaching Standards, licensed by DPI as a teacher or employed as a teacher in a private school, and employed as a teacher in this state. This bill provides that a teacher who is licensed by DPI as a master educator is also eligible for the grant.

This bill creates a grant program, funded with Indian gaming revenue, under which a person may apply to DPI for a grant of up to $30,000 to: (1) impart to pupils an appreciation of different value systems and cultures; (2) promote pupils' understanding of human relations, particularly with regard to American Indians; or (3) assist pupils, schools, and communities in appreciating racial and cultural diversity. The bill also appropriates Indian gaming revenue for the American Indian Language and Culture Eduction Program, which DPI administers.

This bill provides state aid to nonsectarian private or tribal schools in which at least 75 percent of the pupils enrolled are American Indian. The amount provided

is $200 for each pupil who completes the fall semester in the school's American Indian Language and Culture Eduction Program.

This bill requires DPI to award a grant to Beloit College to educate children and adults in southern Wisconsin about Native American cultures.

This bill directs DPI to award grants to school districts to partially reimburse them for the costs incurred in offering advanced placement courses in high schools that are not currently offering them. A grant may not exceed $300 per pupil enrolled in advanced placement courses.

This bill directs DPI to award grants to cooperative educational service agencies and the Milwaukee Public Schools for the purpose of providing advanced curriculum and assessments for gifted and talented middle school pupils.

Current law directs DWD annually to allocate $100,000 from federal Temporary Assistance for Needy Families (TANF) moneys to the Wausau school district for English training for three−, four−, and five−year−old Southeast Asian children. This bill shifts funding for this purpose to DPI and to general purpose revenue. The bill also eliminates the Head Start supplement from TANF funds.

This bill directs DPI to award grants to nonprofit organizations in the 2005−06 fiscal year to support programs that train community−based adult literacy staff and to establish new volunteer−based programs in areas of the state that need adult literacy services. A grant may not exceed $25,000.

This bill authorizes DPI to assist in the establishment of, and to participate in, a consortium of state education agencies organized to obtain funds for the purchase of an English language proficiency assessment system.

HIGHER EDUCATION

Generally, current law allows a UW System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not a legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if he or she: 1) graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school; and 3) enrolls in a UW System institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with U.S. Citizenship and Immigration Services as soon as he or she is eligible to do so. The bill also provides that such persons are to be considered residents of this state for purposes of admission to and payment of fees at a technical college.

Current law grants certain veterans an exemption from nonresident tuition at the UW System even if they were not Wisconsin residents at the time of entry or reentry into active duty. This bill grants the exemption only to a veteran who was a Wisconsin resident at the time of entry or reentry into active duty.

Current law authorizes the Board of Regents of the UW System to award nonresident tuition exemptions to different categories of students, but the number of remissions for each category is limited. This bill eliminates these limits.

Currently DHFS and the Department of Commerce, in conjunction with the UW System's State Laboratory of Hygiene (lab), conduct federal Occupational Safety and Health Administration (OSHA) testing, pursuant to a contract with OSHA. This bill transfers the entire responsibility for this testing, along with incumbent employees and positions, to the lab.

This bill requires the Board of Regents of the UW System to file a plan with DOA to eliminate 200 UW System administrative positions. Unless the secretary of administration approves the plan, the board loses the authority to create or abolish faculty and academic staff positions from general program operations funding during the 2006−07 fiscal year.

This bill requires the Board of Regents of the UW System to submit to the secretary of administration by August 1, 2006, a report that describes by position classification and campus the faculty and instructional staff positions that were created from July 1, 2004, to July 1, 2006, to promote access to the UW System.

This bill directs the Board of Regents of the UW System to allocate certain amounts of money from the UW System general program operations appropriation for implementing the recommendations of the UW System Committee on Baccalaureate Expansion and for the UW−Rock County Engineering Initiative.

This bill requires DOA annually to lapse from three UW System appropriations the amount of money equal to the amount spent from a DOJ appropriation for legal advice regarding UW's public broadcasting.

Current law authorizes a technical college district board to charge an additional fee for a short−term, professional development, vocational−adult seminar or workshop offered to individuals who are employed in a related field. The additional fee may not exceed an amount equal to the full cost of the seminar or workshop less the normal program fee. This bill eliminates this restriction on the amount of the additional fee but provides that the seminar or workshop may not consist of more than 24 hours of instruction.

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, DOA administers an Educational Telecommunications Access Program under which DOA provides Internet access and two−way interactive video links to educational agencies. Under that program, an educational agency, subject to certain exceptions, may request access to either one data line for Internet access or one video link and is charged a monthly fee for that access. Any costs incurred by DOA that exceed that monthly fee are paid from the universal service fund, which is a separate trust fund that consists of contributions made by certain telecommunications providers and that is used to promote universal access to telecommunications services (universal service). In addition, DOA receives aid from a federal program that supports universal service, commonly referred to as the E−Rate Program, that DOA uses to pay administrative expenses and to reimburse the Building Commission for public debt incurred in providing educational technology infrastructure to school districts and public libraries.

This bill permits an elementary school, a secondary school, or a library to request data lines, video links, and bandwidth access in addition to what is provided under the Educational Telecommunications Access Program. The bill requires DOA to apply for aid under the E−Rate Program to cover the costs of the additional data lines and video links and the additional bandwidth access and, to the extent that the aid does not cover those costs, to require an elementary school, secondary school, or library to pay DOA a monthly fee that is sufficient to cover those costs.

Under current law, the Educational Approval Board (EAB) inspects and approves private trade, correspondence, business, and technical schools (EAB−approved schools) to protect the students, prevent fraud, and encourage accepted educational standards at those schools. Currently, the EAB is attached to DVA. This bill transfers the EAB to the Technical College System Board.

Under current law, the EAB may seek a court order to take possession of an EAB−approved school's records if the records are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable. Current law, however, exempts from the oversight of the EAB tax−exempt schools that were incorporated in this state before January 1, 1992, or that had their headquarters and principal places of business in this state before 1970; schools that are licensed or approved, and supervised, by other state agencies; schools approved by DPI for the training of teachers; and schools accredited by accrediting agencies recognized by the EAB (schools not approved by the EAB).

This bill permits the EAB to take possession of the student records of an EAB−approved school or a school not approved by the EAB if the school discontinues its operations, proposes to discontinue its operations, or is in imminent danger of discontinuing its operations as determined by the EAB and if the EAB determines that those records are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those records. The bill also permits the EAB to seek a court order authorizing the EAB to take possession of the student records of an EAB−approved school or a school not approved by the EAB if necessary to protect those records from being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those records.

Under current law, the Higher Educational Aids Board awards Wisconsin higher education grants (WHEG grants) to undergraduates enrolled at least half time at nonprofit public institutions of higher education or tribally controlled colleges in this state. Currently, a WHEG grant may not exceed $2,500 for any academic year. WHEG grants for UW System students are funded in part from moneys received by the UW System for auxiliary enterprises, such as dining halls and parking facilities. This bill increases the maximum grant amount to $3,000 for any academic year and eliminates the UW System's auxiliary enterprises as a funding source for WHEG grants.

Under current law, the Arts Board must provide grants to individuals or groups of exceptional talent engaged in the arts and may contract with individuals, organizations, units of government, and institutions for services furthering the development of the arts and humanities. This bill requires the Arts Board to provide grants to American Indian individuals or groups of exceptional talent engaged in the

arts and permits the Arts Board to contract with American Indian individuals, organizations, institutions, and tribal governments for services furthering the development of the arts and humanities.

Current law authorizes six unclassified division administrator positions for the State Historical Society of Wisconsin. This bill reduces that number to five.

EMPLOYMENT

Under current law, in local government employment other than law enforcement and fire fighting employment, if a dispute relating to the terms of a proposed collective bargaining agreement has not been settled after a reasonable period of negotiation and after mediation by the Wisconsin Employment Relations Commission (WERC), either party, or the parties jointly, may petition WERC to initiate compulsory, final, and binding arbitration with respect to any dispute relating to wages, hours, and conditions of employment. If WERC determines, after investigation, that an impasse exists and that arbitration is required, WERC must submit to the parties a list of seven arbitrators, from which the parties alternately strike names until one arbitrator is left. As one alternative to a single arbitrator, WERC may provide for an arbitration panel that consists of one person selected by each party and one person selected by WERC. As another alternative, WERC may provide a process that allows for a random selection of a single arbitrator from a list of seven names submitted by WERC. Under current law, an arbitrator or arbitration panel must adopt the final offer of one of the parties on all disputed issues, which is then incorporated into the collective bargaining agreement.

Under current law, however, this process does not apply to a dispute over economic issues involving a collective bargaining unit consisting of school district professional employees if WERC determines, subsequent to an investigation, that the employer has submitted a qualified economic offer (QEO). Under current law, a QEO consists of a proposal to maintain the percentage contribution by the employer to the employees' existing fringe benefit costs and the employees' existing fringe benefits and to provide for an annual average salary increase having a cost to the employer at least equal to 2.1 percent of the existing total compensation and fringe benefit costs for the employees in the collective bargaining unit plus any fringe benefit savings. This bill eliminates the QEO exception from the compulsory, final, and binding arbitration process.

Under the current prevailing wage law, certain laborers, workers, mechanics, and truck drivers employed on a state or local project of public works must be paid at the rate paid for a majority of the hours worked in the person's trade or occupation in the county in which the project is located. Current law requires each contractor, subcontractor, and agent performing work on a project that is subject to the prevailing wage law to keep records indicating the name and trade or occupation of every person performing work that is subject to the prevailing wage law and an accurate record of the number of hours worked by each of those persons and the actual wages paid for those hours worked. This bill requires a contractor, subcontractor, or agent performing work on a project that is subject to the prevailing wage law, other than a state highway project, to submit on a weekly basis a certified

record of that information for the preceding week to the local governmental unit or state agency authorizing the work.

Under current law, DWD collects an annual assessment from each worker's compensation insurer and self−insured employer doing business in this state and uses the assessments to administer the worker's compensation program. This bill requires DWD to use a portion of the assessments to conduct a study of injuries to health care workers caused by lifting; to develop and distribute informational materials that promote a lift−free working environment for health care workers; and to distribute grants to health care facilities and providers to assist in implementing a lift−free working environment for health care workers.

Current law requires the Wisconsin Technical College System (WTCS) Board to provide a school−to−work program, including a school−to−work program for children−at−risk in Milwaukee County, and a work−based learning program under which the WTCS Board awards grants to tribal colleges for programs that provide occupational training and work−based learning experiences to youths and adults. This bill transfers administration of these programs to the Governor's Work−Based Learning Board.

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, Wisconsin makes loans at subsidized interest rates for projects for controlling water pollution, including sewage treatment plants. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2005−07 biennium at $136,600,000. The bill also increases the general obligation bonding authority for the Clean Water Fund Program by $9,600,000.

Under the Safe Drinking Water Loan Program, Wisconsin makes loans at subsidized interest rates to local governmental units for projects for the construction or modification of public water systems. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2005−07 biennium at $13,500,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by $6,100,000.

Under current law, DNR provides financial assistance for measures to reduce water pollution from nonpoint (diffuse) sources. This bill increases the general obligation bonding authority for nonpoint source financial assistance by $6,000,000.

Under current law, DNR also provides financial assistance for the management of urban storm water runoff and for flood control and riparian restoration projects. This bill increases the general obligation bonding authority for these projects by $4,700,000.

Under current law, DNR compensates landowners or lessees of properties on which contaminated wells are located for the costs of treating the well water or of constructing a new well or obtaining clean water from another source. This bill authorizes DNR also to provide compensation for claims solely for the costs of abandoning a well that is unused or that poses a hazard to health or safety.

AIR QUALITY

The federal Clean Air Act requires certain stationary sources of air pollution, such as large factories, to obtain operation permits from DNR. State law requires additional stationary sources of air pollution to obtain operation permits. Under current law, DNR sets the fees to be paid by the operator of any stationary source for which an operation permit is required. The fees are based on the amount of pollutants that a stationary source emits.

This bill sets different fees for stationary sources of air pollution for which an operation permit is required under state law, but not under the Clean Air Act. The fees are $1,500 per year or $3,000 per year depending on the type of operation permit. The bill also sets fees of $300 per year for stationary sources that are exempt from the requirement to obtain an operation permit but that annually emit more than three tons of a regulated pollutant.

OTHER ENVIRONMENT

This bill transfers $10,860,600 in fiscal year 2005−06 and $20,000,000 in fiscal year 2006−07 from the petroleum inspection fund to the general fund. The bill transfers $5,842,100 in fiscal year 2005−06 and $5,742,100 in fiscal year 2006−07 from the recycling fund to the general fund. The bill also transfers $4,200,000 in fiscal year 2005−06 and $800,000 in fiscal year 2006−07 from the environmental fund to the general fund.

Under the Land Recycling Loan Program, Wisconsin makes interest−free loans to political subdivisions for projects to remedy contamination at sites owned by the political subdivisions where the contamination has affected, or threatens to affect, groundwater or surface water. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2005−07 biennium at $3,300,000.

Current law authorizes DNR to remedy environmental contamination in some situations. This bill increases the authorized general obligation bonding authority to finance that remedial action by $3,000,000.

This bill authorizes DNR to contract with a nonprofit organization for services to assist businesses to reduce the amount of solid waste they generate or to reuse or recycle solid waste.

Current law imposes a recycling fee of $3 per ton on most solid waste that is disposed of at a landfill. This bill exempts from the recycling fee waste material that is disposed of by companies that make paper or paperboard from wastepaper, that cannot be used to make paper or paperboard, and that was acquired in the normal course of recycling.

Current law authorizes persons, including government agencies, to use electronic means to conduct transactions. This bill authorizes DNR to charge fees to cover the costs of electronically conducting transactions under the environmental programs administered by DNR.

GAMBLING

Current law prohibits any employee in the Lottery Division of DOR (division) from being employed by a lottery vendor while an employee in the division and for two years following the person's termination of employment. This bill eliminates the

two−year provision if DOR has entered into a contract with the vendor to perform lottery functions that were previously performed by the employee while he or she was employed in the division. In addition, the bill provides that DOR may not enter into a contract for lottery services unless the contract requires the vendor to offer employment to those employees in the division who performed those services and whose positions were terminated.

Under current law, DOR may contract with retailers to sell lottery tickets. However, DOR may not contract with retailers who are delinquent in paying state taxes or in making contributions to the unemployment reserve fund. This bill prohibits DOR from contracting with retailers who owe payments to the work injury supplemental benefit fund as a result of the death or maiming of an employee or who owe payments to the uninsured employers fund (which is used to pay compensation to injured employees of employers who do not have worker's compensation insurance).

This bill authorizes DOR to use the procedures under current law for assessing, collecting, and reviewing delinquent income and franchise taxes to assess, collect, and review any unpaid amount owed by a retailer to DOR in connection with the state lottery.

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Under current law, DHFS must collect and analyze health care information from health care providers other than hospitals and ambulatory surgery centers and, from the data collected, prepare certain reports. The Board on Health Care Information, attached to DHFS, advises DHFS on the collection, analysis, and dissemination of health care information, oversees the reports issued by DHFS, and develops direction for health care information collection.

This bill eliminates the Board on Health Care Information on October 1, 2005, and replaces it with a nine−member Health Care Quality and Patient Safety Board (HCQPSB), attached to DOA, which assumes the duties and powers of the Board on Health Care Information. In addition, the bill directs the HCQPSB to study and make recommendations concerning the feasibility of creating a centralized physician information database; study and make recommendations regarding the rules required and authorized to be promulgated by DHFS concerning the collection, analysis, and dissemination of health care information; develop a plan to deploy health care information systems technology for health care quality, safety, and efficiency; annually assess the extent to which health care providers use automated information and decision support systems; develop a plan to automate all health care systems by 2010; and award grants or make loans to clinics, health maintenance organizations, hospitals, or physicians for various projects.

The bill prohibits DHFS from enforcing rules promulgated before the date this bill becomes law that relate to the collection from physicians of workforce and practice information, health care plan affiliations, and hospital privileges and from dentists, chiropractors, and podiatrists of workforce and practice information. Beginning July 1, 2007, the bill also prohibits DHFS from enforcing rules promulgated before that date that relate to physician claims data. DHFS may

promulgate rules that relate to the collection and dissemination of health care information only after HCQPSB approves them.

The bill creates the health care quality improvement fund, a segregated fund that consists of moneys transferred from the injured patients and families compensation fund, the net proceeds of certain revenue obligations, a portion of the annual assessments levied on health care providers other than hospitals and ambulatory surgery centers, the repayment of any loans made by the HCQPSB, and any moneys transferred by the secretary of administration. Moneys in the health care quality improvement fund are used for the general program operations of the HCQPSB, for grants awarded or loans made by the HCQPSB, and for benefits under the Medical Assistance (MA) program, including payments for direct graduate medical education, a major managed care supplement, a pediatric services supplement, rural hospital supplements, and an essential access city hospital.

Under current law, WHEFA provides financial assistance to health facilities and hospitals. This bill prohibits WHEFA from providing financial assistance unless the health facility or hospital demonstrates to the HCQPSB that the health facility or hospital is making progress to improve medical information systems technology.

Under current law, certain health care providers are required to carry health care liability insurance with specified liability limits. The injured patients and families compensation fund pays, on behalf of a health care provider who is subject to the health care liability insurance requirements, the portion of a medical malpractice claim that exceeds the limits of the health care provider's health care liability insurance. Moneys in the fund are derived from annual assessments paid by the health care providers who are subject to the health care liability insurance requirements.

This bill transfers $169,703,400 in fiscal year 2005−06 and $9,714,000 in fiscal year 2006−07 from the injured patients and families compensation fund to the health care quality improvement fund, as created in the bill.

This bill creates a program for the issuance of revenue obligations to fund MA costs. The amount of expenditures for the program that may be paid from these revenue obligations may not exceed $130,000,000. The bill provides that the principal and interest costs on the revenue obligations are to be paid from excise taxes that are currently imposed on the sale of liquor, fermented malt beverages, cigarettes, and tobacco products.

Currently, DHFS administers several programs under waivers of federal Medicaid laws under which MA recipients who reside in certain institutions or who meet certain levels of care requirements are relocated into their communities and provided home and community−based services and long−term care support services.

This bill authorizes DHFS to request a waiver of federal Medicaid laws to provide home or community−based services to MA recipients who have serious mental illnesses and who meet certain level of care requirements for services in nursing homes. If DHFS receives the waiver, DHFS may use federal Medicaid funds to contract with a county or a private agency to administer the home or community−based services under the Community Opportunities and Recovery Program created in the bill.

This bill requires DHFS to collect assessments on health maintenance organizations (HMOs) that contract with DHFS to provide health care to recipients of MA or the Badger Care health care program (BadgerCare). The assessment is 6 percent of each HMO's annual gross revenues. The first assessment is due on March 31, 2006. The assessments are deposited into the MA trust fund, from which DHFS annually must distribute moneys to supplement MA payments and BadgerCare payments to HMOs, to assist in meeting increasing costs, and for other reimbursement needs that DHFS identifies.

Under current law, a family, or a child who does not reside with his or her parent, may be eligible for health care coverage under BadgerCare if the child's or family's income does not exceed 185 percent of the federal poverty line and the child or family meets certain nonfinancial criteria.

This bill expands BadgerCare to provide health care coverage to an unborn child whose mother is not eligible for BadgerCare or for MA, except for certain emergency services. Current income requirements apply. The unborn child and the unborn child's mother must also meet the current nonfinancial eligibility requirements, except that the unborn child is not required to have a social security number and the unborn child's mother need not be a U.S. citizen or a qualifying alien, may be an inmate of a public institution, and need not provide a social security number if she is not a U.S. citizen or qualifying alien.

Under current law, nursing homes and intermediate care facilities for the mentally retarded (ICFMRs) must pay to the state an assessment on each bed for which they are licensed. The assessments are $75 per calendar month per licensed bed of a nursing home and $445 per calendar month per licensed bed of an ICFMR. A portion of the bed assessment revenue is used to pay MA benefits.

This bill increases the amount of the assessment per licensed bed of a nursing home to up to $125 per calendar month and the amount of the assessment per licensed bed of an ICFMR to up to $523 per calendar month in fiscal year 2005−06 and up to $587 per calendar month in fiscal year 2006−07.

Under current law, DHFS reimburses school districts, cooperative educational service agencies (CESAs), and DPI 60 percent of the amount that the state receives as federal Medicaid reimbursement for health care services that school districts, CESAs, and DPI provide in schools to pupils who are eligible for MA. DHFS may supplement MA payments for these services if the total of the reimbursement and the supplements does not exceed federal Medicaid payment limitations. This bill eliminates the authority for DHFS to supplement MA payments for school−based services provided to pupils who are eligible for MA.

Currently, DHFS administers a Community Integration Program (CIP II), under which MA is paid to counties to provide home and community−based services to elderly and physically disabled persons who meet the requirements for MA−reimbursed nursing home care or who are relocated from facilities to the community.

This bill authorizes DHFS to provide enhanced CIP II funding for home and community−based services to an MA−eligible person who relocates from a facility to

the community, if the number of people served does not exceed the number of nursing home beds delicensed by DHFS.

Under current law, DHFS provides MA payments to nursing homes and some community−based residential facilities under a detailed formula that assigns cost−based payment for certain items and flat−rate payment for others. Beginning July 1, 2006, this bill changes the payment formula from cost−based to flat−rate for nonbillable direct care costs for registered nurses, licensed practical nurses, and nurse's assistants.

Currently, in calculating amounts payable for direct care costs, DHFS must establish separate standards for facilities that primarily serve the developmentally disabled. Further, DHFS must establish the direct care component of the facility payment rate for each facility by comparing actual allowable direct care cost information for that facility, as adjusted for inflation, to the applicable standard. Beginning July 1, 2006, this bill eliminates differences in standards for payment of direct care costs between facilities that primarily serve the developmentally disabled and those that do not, and eliminates the requirement that DHFS compare a facility's actual allowable direct care costs to the standard.

Under current law, children who are in foster care and under the age of 18 are eligible to receive MA. This bill extends eligibility for MA on January 1, 2007, to an individual who is 18 or 19 years old, and on January 1, 2008, to an individual who is 20 years old, and who on his or her 18th birthday was in foster care or treatment foster care.

Current law authorizes DHFS to recover overpayments that DHFS made under MA that resulted from a misstatement or omission of fact by an applicant that would have affected an MA recipient's eligibility for MA benefits.

This bill provides that DHFS may also recover MA overpayments that resulted from the failure of a recipient to report changes in status that would have affected the recipient's eligibility for benefits or his or her cost−sharing requirements. The bill provides that DHFS may recover BadgerCare overpayments for the same reasons for which DHFS may recover MA overpayments.

The bill also provides that if an MA or BadgerCare recipient fails to repay the overpaid amount, DHFS may bring an action to enforce repayment or issue an order to compel repayment. This bill provides for the recovery of overpayments through a state income tax refund setoff process.

Under current law, the Community Aids Program (CAP) is funded from state general purpose revenues and federal block grant moneys; under it, DHFS distributes moneys to county departments of social services, human services, community programs, and developmental disabilities services for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and certain other services. Until January 1, 2006, DHFS may, from general purpose revenues for CAP, pay for certain MA services provided by the county departments and by local health departments and pay providers of MA personal care, home health, and respiratory care services. This bill eliminates the January 1, 2006, sunset on these payments.

Under current law, during 2006, DHFS must make payments from the MA trust fund to hold county departments and local health departments harmless for the elimination, from July 26, 2003, to January 1, 2006, of the community services deficit reduction benefit (CSDRB), under which counties and local health departments could claim federal Medicaid matching funds to cover costs for MA services provided that were not fully reimbursed. This bill eliminates that requirement, authorizes payments from the general purpose revenues for CAP to city health departments for this purpose, and eliminates the recommencement of CSDRB.

Current law prohibits DHFS from reimbursing a provider for certain elective surgical procedures under MA unless the patient receives a second medical opinion regarding the appropriateness of the procedure. This bill eliminates the requirement for second medical opinions for elective surgical procedures under MA.

Under current law, as a benefit under MA, DHFS pays the charge for transportation by an emergency medical vehicle to obtain emergency medical care and transportation by a specialized medical vehicle or, if first approved by the county department of human services or social services (county department), by a common carrier or private motor vehicle to obtain nonemergency medical care. Under the bill, DHFS pays on behalf of an MA recipient the charge for transportation by an emergency medical vehicle to obtain emergency medical care and to obtain nonemergency medical care if transportation by other means is contraindicated. Otherwise, DHFS pays the charge for transportation to obtain nonemergency medical services only if it is provided through an entity with which DHFS has contracted to manage transportation services for MA.

Under BadgerCare, a child or family with an income of at least 150 percent of the federal poverty level is required to contribute up to 5 percent of income to the cost of the health care, including a copayment of $1 for each prescription for a generic drug and a copayment of $3 for each prescription for a brand name drug.

This bill directs DHFS to request one or more waivers from the federal Department of Health and Human Services to implement cost−saving measures under BadgerCare that may include: 1) a three−tiered prescription drug copayment requirement that does not exceed the maximum copayment amount established by the Group Insurance Board for state employees; 2) a benchmark plan, which is described in federal regulations as health care coverage that is substantially equal to the health care coverage offered to federal or state employees or to a health insurance plan offered by a health maintenance organization that has the largest commercial enrollment in the state of persons who do not have coverage under; and 3) mandatory copayments for benefits in addition to the copayments for prescription drugs.

Also under current law, when an MA recipient or a person with coverage under BadgerCare or SeniorCare, which provides prescription drug assistance for low−income elderly persons, purchases a prescription drug, he or she pays a copayment and then DHFS reimburses the pharmacy an amount that is based on a national average wholesale price, plus a percentage or amount for a dispensing fee. Under this bill, DHFS must investigate alternatives to using this methodology for reimbursement for brand name drugs purchased or dispensed under MA,

BadgerCare, and SeniorCare, and must report its findings, conclusions, and recommendations to DOA.

Currently under CIP, MA recipients who reside in state centers for the developmentally disabled or other institutions or who meet certain levels of care are relocated into their communities and provided home and community−based services by counties. DHFS reimburses the counties. Counties may not use the money to purchase land or construct buildings. This bill permits counties to use the moneys to purchase land or construct buildings if the purchase or construction is determined necessary by DHFS.

PUBLIC ASSISTANCE

Under current law, DHFS administers a number of public assistance programs under which eligible persons receive financial, health care, or other types of assistance. This bill authorizes DHFS to recover benefits incorrectly paid under any of these assistance programs, and provides that DHFS may recover overpayments by reducing the benefits of a family or individual who received the overpayments and who is still receiving benefits. The bill authorizes DHFS to specify by rule other methods for recovering incorrectly paid benefits, and provides for recovery of these incorrectly paid benefits through a state income tax refund setoff process.

Current law directs DWD to investigate suspected fraud on the part of participants in the Aid to Families with Dependent Children (AFDC) Program and participants in the Wisconsin Works (W−2) Program and to reduce payment errors in W−2. DHFS may contract with DWD for DWD to investigate suspected fraud and to conduct activities to reduce payment errors under MA and the food stamp program, both of which DHFS administers.

Under the bill, DHFS must investigate suspected fraud and reduce payment errors in the programs that it administers, and DWD may contract with DHFS for DHFS to investigate suspected fraud and conduct payment error reduction activities in the programs that DWD administers. In addition, the bill adds three DHFS−administered programs to the programs for which fraud must be investigated and payment error reduction activities must be conducted: BadgerCare, the program under which DHFS provides state supplemental payments to persons eligible to receive supplemental security income (SSI), and the program under which DHFS makes monthly payments for the support of dependent children to custodial parents who are receiving SSI or state supplemental payments.

Under current law, DHFS contracts with county departments, and may contract with American Indian tribal governing bodies, to administer MA, BadgerCare, the food stamp program, and the cemetery, funeral, and burial expenses program, known collectively as “income maintenance” programs, and reimburses the county departments and tribal governing bodies for their costs of administering those programs.

This bill provides that DHFS, a county department, or a tribal governing body may request from any person information that is appropriate and necessary for determining or verifying eligibility or benefits for a recipient under any of the income maintenance programs. A person who receives a request for information must provide the information. The bill also authorizes DHFS, a county department, or a

tribal governing body to compel production of evidence for determining or verifying eligibility or benefits for an income maintenance program recipient, and prohibits DHFS, a county department, or a tribal governing body from disclosing, for any purpose not connected with administration of the income maintenance program, information obtained as a result. In addition, the bill provides that no person is liable for allowing access to information in response to a request from DHFS, a county department, or a tribal governing body or for any other action taken in good faith to comply with such a request.

Under current law, DHFS reimburses pharmacists and pharmacies for prescription drugs purchased by persons enrolled in SeniorCare. The reimbursement rate is equal to 105 percent of the prescription drug reimbursement rate under MA, plus a dispensing fee, and minus a copayment paid by the SeniorCare enrollee. This bill reduces the reimbursement rate under SeniorCare to 100 percent of the prescription drug reimbursement rate under MA, plus the dispensing fee, and minus the copayment.

Under current law, for each fiscal year DWD allocates moneys, including federal Child Care Development Funds (CCDF) and federal moneys received under the federal Temporary Assistance for Needy Families (TANF) block grant program, for various public assistance programs and for child care−related purposes. This bill sets the amounts of these allocations for fiscal years 2005−06 and 2006−07 and adds an allocation to pay for a share of the costs of a mail−order lending library and information center operated by DPI's Division for Libraries, Technology, and Community Learning. The bill eliminates an allocation for grants for developing early childhood centers for providing outreach and training for parents and training for child care providers, and eliminates the program.

Under current law, county departments pay cemetery, funeral, and burial expenses for decedents who received certain public assistance benefits and whose estates are insufficient to pay those expenses. DHFS must reimburse the county departments for those payments. This bill provides that DHFS must reimburse the county departments for those payments only to the extent that funds are available for this purpose.

This bill appropriates moneys to DWD from recovered overpayments and incorrect or disallowed payments and voluntary repayments of federal CCDF block grant moneys, federal TANF block grant moneys, and state moneys paid to meet the maintenance−of−effort requirements under those two federal block grant programs. The federal block grant moneys and state maintenance−of−effort moneys are used for various public assistance programs. The appropriation may be used for the recovery costs, activities to reduce errors in W−2 and the child care subsidy program, and any of the other purposes for which CCDF and TANF moneys are used.

WISCONSIN WORKS

Under current law, a person who is eligible for W−2 and who is the custodial parent of a child who is not more than 12 weeks old may receive a monthly grant of $673 and may not be required to work in a W−2 employment position. Current law also provides generally that the period during which one receives a monthly grant as the custodial parent of an infant counts toward the limits that apply to the period

during which an individual may receive certain benefits only if the child was born more than ten months after the date on which the individual was first determined to be eligible for W−2.

Under the bill, a custodial parent of a child who is not more than 26 weeks old may receive the monthly grant. The custodial parent is not required to work in a W−2 employment position only if the child is not more than 12 weeks old. In addition, the bill provides that an unmarried woman who would be eligible for W−2 except that she is not a custodial parent, and who is in the third trimester of a medically verified pregnancy that is at risk and renders the woman unable to participate in the workforce, may also receive a monthly grant of $673 and not be required to work in a W−2 employment position. Under the bill, the period during which one receives a monthly grant as the custodial parent of an infant counts toward the limits that apply to the period during which an individual may receive certain benefits regardless of when the child was born in relation to when the individual was first determined to be eligible for W−2. If a pregnant woman who is not a custodial parent receives a monthly grant, however, the period does not count.

Current law directs DWD to continue the creation and implementation of a subsidized work program under W−2. This bill eliminates this directive and instead requires DWD to conduct, from January 1, 2006, to June 30, 2007, a pilot project for a trial jobs plus program. The pilot project must be limited to 1,000 participants and must be conducted in at least one of the geographical areas established for administering the W−2 program that is located in Milwaukee County and in at least two of those geographical areas that are not in Milwaukee County. Under the project, a W−2 agency pays a wage subsidy, as well as a reimbursement of up to 100 percent of federal social security taxes, state and federal unemployment contributions, and worker's compensation insurance premiums, to an employer that employs a project participant and that agrees to make a good faith effort to retain the participant as an unsubsidized employee after the wage subsidy ends if the participant completes the trial job plus. The wage subsidy may not exceed the federal minimum wage for up to 30 hours of work per week, and any required training activities are counted toward the participant's work hours. An individual may participate in a trial job plus for up to six months, with a possible three−month extension.

Under current law, DWD makes job access loans to persons who are eligible for W−2 and who need such loans to obtain or continue employment. The loans are funded with federal TANF block grant moneys, general purpose revenue, and job access loan repayments. This bill eliminates the federal moneys and the general purpose revenue as funding for job access loans, and provides that job access loan repayments may be used for administrative costs associated with collecting delinquent job access loan repayments as well as for job access loans.

Under current law, a child care subsidy is available under W−2 to an individual who needs child care to maintain employment or pursue basic or technical college education. Under this subsidy program, DWD reimburses child care providers directly and distributes funds to county departments and American Indian tribal governing bodies for child care services. County departments are required to set maximum reimbursement rates for child care providers under the subsidy program.

This bill authorizes DWD to establish a tiered reimbursement system for the child care subsidy program, under which the amount that a child care provider would be reimbursed is based on a child care quality rating system established by DWD. The amount paid to a child care provider under the tiered reimbursement system may exceed the maximum reimbursement rate set by the county department.

This bill changes the procedure for collecting benefits that were overpaid under W−2. Under current law, DWD semiannually pays fees to the clerk of circuit court for filing warrants constituting liens on the real and personal property of overpaid persons but pays fees for filing satisfactions, releases, or withdrawals of warrants when those documents are filed. The bill makes the payment of filing fees for satisfactions, releases, and withdrawals of warrants semiannual also.

Under current law, DWD must issue and file a notice of withdrawal of a warrant if a person who received an overpayment complies with a payment schedule arranged with DWD. This bill makes the issuing and filing of a notice of withdrawal discretionary with DWD.

Under current law, a levy against the property of a person who received an overpayment is effective until it is satisfied or released, or until one year from the date the levy was served, whichever occurs first. Also, any third party in possession of property subject to levy, such as a financial institution at which an overpaid person has an account, is entitled to deduct a levy fee of $5 from the proceeds of the levy. This bill eliminates the one−year time limit so that a levy is effective until satisfied or released, and provides that, if a third party retains a levy fee, the third party must increase the amount of the levy by the fee amount before deducting the fee from the proceeds.

CHILDREN

Under current law, the court assigned to exercise jurisdiction under the Children's Code (juvenile court) may appoint a relative of a child as his or her guardian if the juvenile court makes certain findings, including a finding that the child has been adjudged to be in need of protection or services and has been placed outside of his or her home under an order of the juvenile court for one year or longer.

This bill permits any person, not just a relative, to be appointed as the guardian of a child who has been adjudged to be in need of protection or services. The bill also eliminates the one−year waiting period and permits a child who has been adjudged to be in need of protection or services or whose parents' parental rights have been terminated to be placed directly in the home of a guardian without first having been placed in another out−of−home placement. In addition, the bill permits the parental rights of a parent of a child in need of protection or services for whom a guardian has been appointed to be terminated on the grounds of abandonment if, when the juvenile court appointed the guardian, the juvenile court provided the parent with notice of any grounds for termination of parental rights that may be applicable and of the conditions necessary for the child to be returned home and the parent has failed to communicate with the child for at least three months.

Currently, a relative who is appointed as the guardian of a child in need of protection or services and who meets certain other requirements is eligible to receive long−term kinship care payments of $215 per month for providing care and

maintenance for the child. This bill permits a county department or, in Milwaukee County, DHFS to provide monthly subsidized guardianship payments to a person who is appointed as the guardian for a child in need of protection of services, was the licensed foster parent or treatment foster parent of the child before that appointment, has passed a home inspection and criminal background investigation, and has entered into a subsidized guardianship agreement with the county department or DHFS. The bill also permits a county department or DHFS, upon the death, incapacity, resignation, or removal of the subsidized guardian, to provide monthly subsidized guardianship payments for a period of up to 12 months to an interim caretaker who has passed a home inspection and criminal background investigation.

Under the bill, the amount of a monthly subsidized guardianship payment is equal to the amount of the monthly foster care or treatment foster care payment received by the guardian immediately before the guardianship order was granted. In addition, a subsidized guardian who meets the applicable eligibility requirements is eligible for adoption assistance and for a child care subsidy under W−2 and a child who is in the care of a subsidized guardian and who meets the applicable eligibility requirements is eligible for MA.

Under current law, DHFS administers a child abuse and neglect prevention program under which DHFS awards grants to counties and Indian tribes that offer voluntary home visitation services to first−time parents who are eligible for MA. Current law requires DHFS to determine the amount of a grant awarded to a county or an Indian tribe in excess of the statutory minimum grant amount of $10,000 based on the number of births that are funded by MA in that county or the reservation of that Indian tribe in proportion to the number of those births in all of the counties and the reservations of all of the Indian tribes to which grants are awarded. Currently, no more than six rural counties, three urban counties, and two Indian tribes may participate in the program.

This bill requires DHFS to determine the amount of a grant in excess of the statutory minimum based on the number of births that are funded by MA in a county or a reservation of an Indian tribe without regard to the number of those births in other counties and reservations. The bill also eliminates the caps on the number of counties and Indian tribes that may participate in the program.

In addition, the bill directs DHFS to award grants to applying county departments, local health departments, Indian tribes, private nonprofit agencies, and local partnerships to provide voluntary, onetime home visits to all first−time parents in the community served by the organization. The purposes of the home visits are to provide the parents with basic information regarding infant health and nutrition, the care, safety, and development of infants, and emergency services for infants; to identify the needs of the parents; and to provide the parents with referrals to programs, services, and other resources that may meet those needs.

Under current federal law, the state receives payments under Title IV−B of the federal Social Security Act (Title IV−B) for child and family services and under Title IV−E of the federal Social Security Act (Title IV−E) for foster care and adoption assistance. The state is required to have state plans that meet the requirements of

the titles, and the programs administered by the state under these titles must be in substantial conformity with the state plan requirements. If the programs are not in substantial conformity, federal law requires a certain percentage of Title IV−B and Title IV−E funds to be withheld from the state. Federal law also requires the state to implement a corrective action plan to achieve substantial conformity and requires the federal Department of Health and Human Services to suspend the withholding of the funds while the corrective action plan is in effect.

This bill appropriates general purpose revenues to DHFS to achieve substantial conformity with the state plan requirements of Title IV−B and Title IV−E.

Under current law, information received by DHFS, DOC, a county department, or a licensed child welfare agency (collectively "agency") about an individual who is in the care or legal custody of the agency is confidential and may not be disclosed except under certain conditions. Similarly, treatment records concerning an individual who has received services for mental illness, developmental disabilities, alcoholism, or drug dependence that are maintained by DHFS, a county department, or a treatment facility are confidential and may be released without the informed consent of the subject of the record only under certain circumstances.

This bill permits an agency to enter information received about an individual in its care or legal custody, and a person maintaining treatment records to enter information concerning the subject of the record, into the statewide automated child welfare information system (WISACWIS). The bill also permits DHFS, DOC, a county department, or any other organization that has entered into an information sharing and access agreement with DHFS, DOC, or a county department and that has been approved for access to WISACWIS by DHFS to have access to information concerning a client that is maintained on WISACWIS if access is necessary to enable DHFS, DOC, the county department, or other organization to perform its duties or to delivery services to a client.

This bill transfers from DHFS to DWD the authority to license day care centers, to promulgate rules establishing minimum requirements for day care center licensure and minimum standards for day care center operation, to inspect and investigate day care centers, and to impose sanctions and penalties for operating a day care center without a license or for violating a provision of day care center licensure or a minimum standard for the operation of a day care center.

This bill requires DWD to provide a child care quality rating system for child care providers licensed by DWD, certified by a county department for reimbursement under W−2, or established or contracted for by a school board. The rating information must be made available, including on DWD's Internet site, to parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider.

This bill increases the age−related basic maintenance rates that are paid by the state or a county department to a foster parent for the care and maintenance of a child.

This bill permits DHFS or a county department to recover an overpayment of foster care, treatment foster care, kinship care, long−term kinship care, subsidized

guardianship, or adoption assistance payments by reducing future payments. The bill also permits DHFS to specify by rule other methods for recovering those payments.

Under current law, $340,000 in federal TANF block grant moneys is transferred from DWD to the Child Abuse and Neglect Prevention Board (CANPB) in each fiscal year. This bill eliminates this transfer and instead appropriates general purpose revenues to the CANPB to award grants to organizations for the establishment of child abuse and neglect prevention programs, early childhood family education centers, and right from the start projects.

Under current law, the Office of Justice Assistance in DOA provides $185,000 annually to DHFS for grants for children's community programs, including grants to the Career Youth Development Center in Milwaukee, the Milwaukee Police Athletic League, court−appointed special advocate programs, and the Children's Safe House Child Care Program in Kenosha County. This bill eliminates these grants.

HEALTH

Under current law, DHFS must establish minimum standards for, register, and otherwise regulate sanitarians, who apply environmental control measures under the public health laws to prevent and control preventable diseases. This bill transfers the duty to regulate sanitarians from DHFS to DRL.

Under current law if DHFS is notified that a child under six years of age has an elevated blood lead level, DHFS must ensure that an investigation is conducted of the dwelling where the child resides and any educational or child care facility the child attends. DHFS may investigate a dwelling or educational or child care facility if a child under six years of age who resides in the dwelling or attends the facility has blood lead poisoning or lead exposure. If DHFS determines that a lead hazard is present in the dwelling or educational or child care facility, DHFS may take a variety of actions, including, notifying the owner or ordering the owner to reduce or eliminate the hazard. If DHFS notifies an owner of a dwelling that a child under six years of age who resides in the dwelling has an elevated blood lead level, the owner must obtain either a certificate of lead−free status or a certificate of lead−safe status for the dwelling. DHFS may not authorize the issuance of successive certificates of lead−safe status valid for less than 12 months unless the applicant shows a special need for such a certificate. DHFS must maintain a statewide registry of all issued certificates of lead−free or lead−safe status.

This bill provides that if DHFS determines that a lead hazard is present in a child's dwelling or in an educational or child care facility, the local health department must issue, and DHFS may issue, an order requiring the owner of the premises to reduce or eliminate the lead hazard. The bill eliminates the requirement that the owner of a dwelling obtain a certificate of lead−free or lead−safe status if DHFS notifies the owner that a child under six years of age who resides in the dwelling has an elevated blood lead level.

Under current law, DHFS funds certain preventive health care services for low−income, underinsured, and uninsured women under the Well−Woman Program. Current law requires that DHFS charge women whose income exceeds 150 percent

of the federal poverty line a copayment for breast cancer screenings provided under the Well−Woman Program.

This bill eliminates the copayment for breast cancer screenings under the Well−Woman Program but provides that women whose income exceeds 250 percent of the federal poverty line are not eligible for breast cancer screenings under the program. The bill also allows DHFS to reimburse providers for case management services under the Well−Woman Program.

Under current law, DHFS makes grants to entities, including technical colleges, to provide training programs and administer examinations that fulfill the emergency medical technician — basic licensure and relicensure requirements. This bill directs DHFS to provide the emergency medical technician — basic training and examination funding directly to ambulance service providers rather than to the entities that provide the training and administer the examinations. The bill requires ambulance service providers to report to DHFS on expenditures of the funds as a condition of relicensure and requires the Emergency Medical Services Board to recommend a formula for disbursing the funds among ambulance service providers.

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, annually DHFS may allocate funds to public or nonprofit private entities to provide mental health services to homeless individuals with chronic mental illness. This bill transfers to the Department of Commerce the program to provide mental health services to homeless individuals with chronic mental illness.

This bill requires DHFS to award grants to organizations in fiscal years 2005−06 and 2006−07 to provide screening, assessment, and treatment for female prisoners and offenders from Milwaukee County who have committed nonviolent crimes, to assist in community reintegration, and to provide at−risk assessments and support services for the dependent children of the prisoners and offenders.

The bill also requires DHFS, during the 2005−07 fiscal biennium, to award grants to counties with populations of less than 500,000 and to tribal governing bodies in the counties to promote collaboration among county departments and tribal agencies for the mental health and substance abuse screening, assessment, and treatment of abused and neglected children and their parents.

Under the current Guardianship Grant Program, DHFS annually awards grants to private, nonprofit agencies and county departments for the purposes of recruiting, training, monitoring, and assisting guardians for persons who are adjudicated incompetent. This bill eliminates the requirement that grant recipients recruit individuals or organizations to act as guardians and monitor their performance and eliminates community need for guardians as a basis for awarding grants.

Under current law, DHFS must distribute federal funds to phase in initial recovery−oriented mental health system changes, strategies for prevention and early intervention, and consumer and family involvement for individuals with mental illness. DHFS must eliminate funding for each grant recipient after three years and must require that community mental health services developed under a

grant are continued by use of savings made available from strategies developed under the grant. This bill eliminates the latter two requirements.

Under current law, DHFS annually must reduce by $500,000 the amount by which accumulated expenses of providing care for patients of the state mental health institutes exceed the revenues received for providing that care until the expenses are in balance with the revenues. DHFS also must implement a plan to assure that revenues are sufficient to cover anticipated expenditures for providing care for mental health institute patients and report to DOA every three months concerning implementation of the plan. DHFS must report to JCF annually the amount of expenses that exceed revenues and the actions of DHFS to reduce those expenses. This bill eliminates all of these requirements.

OTHER HEALTH AND HUMAN SERVICES

Under the current Domestic Abuse Grants Program, DHFS awards grants to organizations that provide various types of domestic abuse services. This bill requires DHFS to award a grant of $563,500 in each fiscal year to the Refugee Family Strengthening Project for providing domestic abuse services to the refugee population, including the cost of hiring bilingual staff persons, especially those who speak Hmong.

Currently, DHFS administers Family Care, a program that provides a flexible long−term care benefit called the family care benefit. A person must be at least 18 years of age, meet functional and financial eligibility requirements, and have a physical disability, a developmental disability, or infirmities of aging to qualify for the family care benefit. Currently, the family care benefit is an entitlement for certain persons who are eligible for MA. By January 1, 2006, DHFS must extend entitlement to certain persons who are not MA eligible. This bill delays this requirement until January 1, 2008.

The Health Insurance Risk−Sharing Plan (HIRSP) under current law provides major medical health insurance coverage for persons who are covered under Medicare because they are disabled; persons who have tested positive for human immunodeficiency virus (HIV); persons who have been refused coverage, or coverage at an affordable price, in the private health insurance market because of their mental or physical health condition; and persons who do not currently have health insurance coverage, but who were covered under certain types of health insurance coverage for at least 18 months in the past. Specifically excluded from coverage under HIRSP are persons who are eligible for coverage under MA.

This bill provides that persons who are eligible for only certain limited services provided under MA are not ineligible for HIRSP coverage solely because of their eligibility for those MA services.

The bill also specifically provides that persons who are eligible for the following programs or benefits are ineligible for HIRSP coverage: BadgerCare; a program providing long−term care for children with disabilities and their families, including in−home habilitation services for children with autism spectrum disorders; the community integration programs (known as “CIP IA,” “CIP IB,” and “CIP II”); the waiver program under the Long−Term Support Community Options Program (known as “COP−Waiver”); the Program for All−inclusive Care for the Elderly

(known as PACE); the Wisconsin Partnership Program (known as Partnership); and medical assistance provided under the Family Care Program.

Under current law, a person with coverage under HIRSP (called an "eligible person") who is not covered under Medicare pays a deductible under HIRSP that ranges from $500 to $2,500, an eligible person with Medicare coverage pays a deductible that is equal to the deductible under part A of Medicare. Current law also provides that HIRSP pays at least 80 percent of an eligible person's covered costs after those costs exceed the person's deductible, and pays 100 percent of covered costs after the aggregate of covered costs not paid by HIRSP and the deductible exceeds $2,000 for an eligible person not covered under Medicare and $500 for an eligible person covered under Medicare. Currently, however, the deductible under part A of Medicare exceeds $500. Thus, under the law, HIRSP begins paying 100 percent of covered costs incurred by an eligible person covered under Medicare before the person has paid the deductible.

This bill corrects this inconsistency and provides that HIRSP pays 100 percent of covered costs for an eligible person covered under Medicare after the covered costs exceed the lesser of $2,000 or the person's deductible, which is equal to the deductible under part A of Medicare.

Under current law, HIRSP payment rates for prescription drugs are the same as payment rates under MA. This bill allows DHFS, with the approval of the HIRSP Board of Governors, to set HIRSP prescription drug payment rates.

Current law authorizes DHFS to establish, for prescription drug coverage, copayment amounts, coinsurance rates, and copayment and coinsurance out−of−pocket limits over which HIRSP pays 100 percent of the covered costs incurred by the covered person during the remainder of the calendar year. This bill allows DHFS to establish a three−tiered copayment structure for prescription drug benefits. The bill allows DHFS to establish the out−of−pocket limit for prescription drug coverage at $300 for persons who are also covered under Medicare and at $300 or $400 for other covered persons, depending on coverage selected. The bill allows DHFS to provide that only certain copayment amounts count toward the out−of−pocket limit.

Under current law, DHFS may request from health insurers information to enable DHFS to identify MA beneficiaries who are eligible, or who would be eligible as dependents, for health insurance coverage. An insurer that receives a request must provide the information. Under this bill, DHFS must provide any information that it receives from a health insurer to DWD for purposes of DWD's program related to child and spousal support, paternity establishment, and medical support liability. DWD may allow county and tribal child support agencies access to the information, subject to use and disclosure restrictions under current law, and must consult with DHFS regarding procedures to safeguard the confidentiality of the information.

Currently, DHFS and certain providers of direct care or treatment services must conduct background checks of caregivers. DHFS may charge a background check fee, which may not exceed the reasonable costs of conducting the background check. The revenue from these fees along with revenue from other licensing and regulatory fees are appropriated to DHFS for its licensing and regulatory activities.

This bill eliminates the reasonable cost restriction on the amount of background check fees. The bill also authorizes DHFS to use revenue from background check, licensing, and regulatory fees to investigate abuse, neglect, or misappropriation by caregivers.

Currently, direct care and treatment providers who are subject to the background check requirement may not employ or contract with a caregiver who has been convicted of a serious crime. If a caregiver is not a Wisconsin resident or resided outside Wisconsin before serving as a caregiver, the provider may request that the caregiver provide fingerprints for a search of criminal history records maintained by the Federal Bureau of Investigation (FBI). A provider may share criminal history information concerning a caregiver with other providers.

This bill provides that if a direct care and treatment provider obtains information from the FBI regarding a caregiver's arrest or conviction record, the provider may use the information only to determine whether the caregiver is disqualified from serving as a caregiver. (A provider may still share criminal history information concerning a caregiver with other providers.) The bill grants to a provider immunity from civil liability for using arrest and conviction information provided by the FBI to make an employment determination regarding the caregiver. The limitation on the use of arrest and conviction information and the civil liability immunity provision apply only to information that a provider requests from the FBI before September 30, 2007.

This bill authorizes DHFS, upon the request of a county board, to assist in recruiting and training people to provide personal care services. Personal care services are medically oriented activities that assist a person with activities of daily living, such as assistance with bathing, toileting, skin care, and meal preparation.

Under current law, the state registrar or a local registrar must charge $12 for issuing a copy of a birth certificate. Of this sum, $7 is appropriated to the Child Abuse and Neglect Prevention Board (CANPB) for CANPB expenses, for the Early Childhood Family Education Center Grant Program, for technical assistance, and for grants to organizations for services related to child abuse and neglect. This bill increases the fee for issuance of a copy of a birth certificate to $15, and appropriates $9 to CANPB.

Under current law, for the filing of a birth certificate more than 365 days after the birth, the state registrar must charge $20 plus a fee of $5 for issuance of the birth certificate. This bill increases the latter fee from $5 to $15, and appropriates $9 to CANPB.

Under current law, DHFS makes two−year loans to establish programs to provide housing for groups of persons who are recovering from alcohol or other drug abuse. This bill eliminates this loan program.

LOCAL GOVERNMENT

This bill creates levy limits that apply to cities, villages, towns, and counties (political subdivisions) for the property tax levies that are imposed in December 2005 and 2006. Generally, the bill prohibits a city, village, or town from increasing its levy by a percentage that exceeds the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the region in which the city,

village, or town is located plus the rate of inflation. The bill generally prohibits a county from increasing its levy by a percentage that exceeds the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the county plus the rate of inflation.

This bill provides adjustments to the levy limit for political subdivisions that transfer the provision of services, for cities or villages that annex town territory, and for a county levy that relates to a county Children with Disabilities Education Board. The levy limit may be exceeded if a political subdivision's governing body adopts a resolution to do so and the resolution is approved in a referendum. A town with a population of less than 2,000 may exceed the levy limit if a resolution to do so is approved by the electors at an annual or special town meeting.

Under the bill, a political subdivision's levy limit does not generally apply to any amount levied to pay debt service or to the amount that a first class city (presently only Milwaukee) levies for school purposes. Currently, a first class city school district is not authorized to levy a tax; the city in which the school district is located levies a tax for school purposes.

Under the current Expenditure Restraint Program, the state makes an annual payment to any municipality that has a property tax rate greater than five mills and that limits the growth of its municipal budget according to a formula based, generally, on the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the municipality plus the rate of inflation.

This bill eliminates the Expenditure Restraint Program and replaces it with the Municipal Levy Restraint Program, under which the state, beginning in 2007, makes an annual payment to any municipality that has a property tax rate greater than five mills and that limits its property tax levy to an amount that is no greater than the maximum allowable levy according to a formula that is based, generally, on the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the region in which the municipality is located plus the rate of inflation.

This bill creates the County Levy Restraint Program, under which the state makes an annual payment, beginning in 2007, to any county that limits its property tax levy to an amount that is no greater than the maximum allowable levy according to a formula that is based, generally, on the sum of 60 percent of the percentage change in the equalized assessed value of new construction located in the county plus the rate of inflation.

Under current law, municipalities may enter into agreements to share revenues from taxes and special charges with other municipalities and with federally recognized American Indian tribes or bands if the signatory to an agreement is contiguous to at least one other signatory. A municipal revenue sharing agreement must be for a minimum term of ten years, describe the boundaries within which the revenues are to be shared, and describe the method of determining the amount of revenues to be shared.

This bill authorizes a county, as well as municipalities, to enter into a revenue sharing agreement and expands the types of revenues that may be subject to a

revenue sharing agreement to include fee revenues and payments received from the state.

Under current law, the state, Indian tribes and bands, and local units of government may enter into intergovernmental cooperation agreements for the receipt or furnishing of services or joint exercise of powers and may create a commission to perform the service or exercise the joint power. This bill provides that if a commission is created under such an agreement, the employees of the commission are not employees of the units of government that created the commission unless the contract creating the commission specifies otherwise.

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

This bill modifies a number of the fees for fish and game licenses and for fish and hunting licenses and stamps and for duplicates of certain licenses. The bill also increases the wildlife damage surcharge. The wildlife damage surcharge is generally used for the funding of the wildlife damage program that compensates farmers for damages caused by deer, geese, bear, and turkey.

Under current law, no person may hunt waterfowl or pheasant without a license authorizing the hunting of small game and a waterfowl or pheasant hunting stamp, which is attached to or imprinted on the license. DNR charges a fee for both the hunting license and the stamp. This bill creates a grouse and woodcock hunting stamp which, with certain exceptions, must be attached to, or imprinted on, the license in order for a person to hunt ruffed grouse or woodcock. The bill establishes a fee for this stamp. The fees are appropriated to DNR for the development and management of the ruffed grouse and woodcock populations.

This bill requires that lake sturgeon that are taken by hook and line, instead of by spearing, be tagged with a sturgeon hook and line tag issued by DNR. The bill establishes a fee for this tag. The fees are appropriated to DNR for managing the lake sturgeon fishery in inland lakes.

Under current law, DNR issues wild turkey hunting licenses and tags according to a cumulative preference system, which give priority to applicants based on residency, land ownership, and the receipt of licenses for earlier seasons. Applicants apply for a specific wild turkey hunting zone or specific time period and the preference system is used separately in each zone and for each time period. In a zone where, or for a time period when, the number of applicants is less than the number of tags available, the bill authorizes DNR to issue the surplus tags and establishes a fee for these tags.

Under current law, with certain exceptions, no person born on or after January 1, 1973, may obtain a hunting approval without a certificate of accomplishment, which DNR issues to persons who complete DNR's hunter education program or bow hunter education program. Current law prohibits DNR from charging a fee for the course of instruction under either program.

This bill requires DNR to charge a fee for its hunter education and bow hunter education courses, authorizes DNR to offer advanced courses, and allows DNR to charge an additional fee for the advanced courses.

This bill increases the fees for commercial fishing and fishing guide licenses and for wholesale fish dealer licenses. The bill also authorizes DNR to charge fees for certain permits that it issues in regulating the commercial harvesting of certain species of fish.

Under current law, DNR may issue, at a reduced fee, a conservation patron license to a resident or a nonresident who is under the age of 18. A conservation patron license gives the licensee the privileges of a combination of various fish and game licenses, admission to state parks and other recreational areas, and an annual subscription to the Wisconsin Natural Resources magazine. Under this bill, a conservation patron licensee who is under the age of 18 does not receive the privilege of admission to state parks or other recreational areas and does not receive the magazine subscription.

Under current law, DNR may issue a conservation patron license to any person who is at least 14 years old. Current law also specifies a reduced fee for a conservation patron license issued to a person who is at least 12 but less than 18 years old. This bill clarifies that DNR may issue a conservation patron license to any person who is at least 12 years old.

Under current law, no person may hunt pheasant without a license issued by DNR. With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to, or imprinted on, the person's license. DNR charges a fee for both the hunting license and the stamp.

This bill generally requires a person to obtain an additional permit from DNR to hunt pheasant on certain pheasant−stocked lands under DNR's management and control. Under the bill, DNR must issue the permit to any person who applies for the permit and who has a valid conservation patron license or a valid pheasant hunting stamp attached to or imprinted on the person's small game or sports license. The bill authorizes DNR to charge a fee for the permit.

Under current law, the Lac du Flambeau band of the Lake Superior Chippewa (band) agrees to limit its treaty−based, off−reservation rights to fish in exchange for being able to issue DNR fishing licenses and stamps as an agent of DNR. In addition, DNR agents may issue these licenses and stamps on the band's reservation. Current law authorizes DNR to pay the band the amount that the band would have received if the band issued those licenses and stamps. This bill requires DNR to make an annual payment of $50,000 to the band, in addition to the payment under current law. The band must use the money for fishery management within the band's reservation.

NAVIGABLE WATERS

Under current law, a person may not place a boat, boat trailer, or boating equipment in the Lower St. Croix River if the person has reason to believe that the boat, trailer, or equipment has zebra mussels attached. Also under current law, a person must remove zebra mussels from a boat, boat trailer, or boating equipment before placing it in the St. Croix River if required to do so by a law enforcement officer.

This bill expands the scope of these two provisions to cover any navigable water. The bill also authorizes a law enforcement officer to require a person to remove any aquatic plants or zebra mussels from a boat, boat trailer, or boating equipment before

or while transporting the boat, trailer, or equipment on a highway or other thoroughfare open to the public.

Under current law, a variety of activities affecting navigable waters, dams, and wetlands are prohibited without a permit or other approval issued by DNR. Generally, DNR charges a fee for these permits and approvals. Current law specifies that, if more than one fee is applicable to a project, DNR may charge only the highest applicable fee rather than charging a separate fee for each permit or approval. Under this bill, an applicant must pay the permit or approval fee for each activity for which the applicant seeks a permit or other approval.

Current law directs DNR to make available in each fiscal year at least $500,000 for cost−sharing grants to be awarded to local governmental units for the control of invasive species that are aquatic species. This bill specifies that nonprofit conservation organizations and qualified lake associations are also eligible to receive a portion of these grants.

RECREATION

Under current law, a person may not operate a vehicle in state parks or certain other state recreational lands unless DNR has issued a vehicle admission receipt for that vehicle. The base fee varies depending on whether the receipt is issued on an annual or a daily basis, on the kind of vehicle for which the receipt is issued and, for certain types of receipts, on whether the receipt is issued to a resident or to a nonresident. DNR charges a reduced fee for receipts issued to certain persons, including persons who share a household with a person who has been issued a current annual vehicle admission receipt (additional receipt).

This bill increases the base fee charged for annual resident and nonresident vehicle admission receipts, the base fee charged for a daily resident vehicle admission receipt, and the base fee charged for an additional receipt for residents and nonresidents.

Under current law, DNR operates state campgrounds, classifies these campgrounds by category, and charges a campsite fee that varies depending on how the campground is categorized. This bill increases the nightly campsite fees by $2.

Current law authorizes DNR to appoint agents, who are not DNR employees, to issue all−terrain vehicle (ATV) and snowmobile registration certificates, and certificates of number and registration certificates for boats. Under current law, DNR may implement both a noncomputerized procedure and a computerized procedure for issuing original and duplicate registration documents and for transferring and renewing these documents. Under the noncomputerized procedure, agents collect a service fee of $3 from the registrant; there is no service fee if the application is submitted directly to DNR. Under the computerized procedure, both agents and DNR collect the $3 service fee; if the $3 fee is collected by an agent, the agent sends $1 of the fee to DNR.

For all three types of registrations, this bill eliminates the separate computerized and noncomputerized procedures. Instead, for ATV and snowmobile registrations, the bill allows DNR to implement two procedures, one under which the applicant is issued a validated receipt showing the registration of the vehicle at the time of application, and another procedure under which the applicant receives, in

addition to the receipt, a decal that can be immediately placed on the vehicle. For an application submitted directly to DNR, there is no fee for receiving only the receipt, and the fee for the receipt plus a decal is $5. For an application submitted to an agent, the fee for just the receipt is $3. The fee for a receipt and a decal is $5 with the agent sending $1 of the $5 to DNR.

For boat registration, the bill allows DNR to implement the procedure under which the applicant receives a receipt and one decal that can be immediately placed on the boat. The fee for this type of registration is $5, with the agent sending $1 of the $5 to DNR.

This bill increases the amount that the state pays per mile for the maintenance and grooming of state and county snowmobile trails.

Current law requires DNR to distribute funds to local units of government and federal agencies for the operation of off−the−road Type I motorcycle trails and facilities and for such trails at the Black River State Forest and the Bong State Recreation Area. This bill eliminates this payment.

OTHER NATURAL RESOURCES

This bill creates a five−member Managed Forest Land Board in DNR to award grants to cities, towns, counties, DNR, and nonprofit conservation organizations to acquire land for certain outdoor recreation activities such as fishing, hiking, sight−seeing, and cross−country skiing. The grants are funded from a portion of the payments made by certain land owners in lieu of property taxes.

RETIREMENT AND GROUP INSURANCE

Under current law, the Group Insurance Board offers health care coverage plans for state employees, local government employees, school district employees, and annuitants under the Wisconsin Retirement System (WRS). This bill provides that domestic partners of state employees and annuitants are eligible to receive coverage under the health care coverage plans offered by the Group Insurance Board and that state employees and state annuitants are able to purchase the policies for their domestic partners. Under the bill, a domestic partner is defined as any individual who is in a relationship with any other individual that satisfies all of the following:

1. Each individual is at least 18 years old and otherwise competent to enter into a contract.

2. Neither individual is married to, or in a domestic partnership with, another individual.

3. The two individuals are not related by blood in any way that would prohibit marriage under current law.

4. The two individuals consider themselves to be members of each other's immediate family.

5. The two individuals agree to be responsible for each other's basic living expenses.

Under current law, the Historical Society may contract with the Wisconsin Historical Foundation, Inc., for the purpose of administering certain Historical Society programs and functions. This bill provides that if the Historical Society enters into such a contract, any Wisconsin Historical Foundation, Inc., employee who

was previously employed by the Historical Society is eligible to receive health care coverage under a state employee health care plan.

STATE GOVERNMENT

STATE FINANCE

In the 2003−05 fiscal biennium, the state issued obligations to pay its unfunded liabilities under WRS. These liabilities had been incurred as a result of unfunded WRS benefit improvements and their cost had been allocated to each state agency as part of its required WRS contributions. This bill requires the secretary of administration, during the 2005−07 fiscal biennium, to lapse or transfer to the general fund from appropriations to each state agency, other than DETF and the State of Wisconsin Investment Board (SWIB), moneys that would otherwise have been expended by the state agency to pay the WRS unfunded liabilities had the obligations not been issued. In addition, the bill requires the secretary in each future fiscal biennium to lapse or transfer these moneys to the general fund based on each state agency's proportionate share of all state retirement contributions that are required to be paid in that fiscal biennium.

Current law authorizes the Building Commission to contract public debt to refund the whole or any part of any unpaid indebtedness used to finance tax−supported or self−amortizing facilities or for veterans' housing loans. Such indebtedness includes any premium and interest that is currently payable on the unpaid indebtedness. Current law also sets caps on the amount of public debt that may be contracted for these purposes. This bill eliminates these caps.

Current statutes contain several rules of procedure governing legislative action on certain bills. One rule provides that no bill directly or indirectly affecting general purpose revenues (GPR) may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be less than a certain amount of the total GPR appropriations for that fiscal year. For fiscal year 2005−06, the amount is $75,000,000; for fiscal year 2006−07 and each fiscal year thereafter, the amount is 2 percent of total GPR appropriations for that fiscal year. This bill provides that for fiscal year 2005−06 through fiscal year 2008−09, the amount is $65,000,000, and for fiscal year 2009−10 and each fiscal year thereafter, the amount is 2 percent of total GPR appropriations for that fiscal year.

Another rule of procedure provides that, with certain exceptions, the amount appropriated from GPR may not exceed the amount appropriated from GPR in the prior fiscal year, increased by the percentage increase in the state's aggregate personal income. In the 2005−07 fiscal biennium, this bill excludes from this limitation a GPR appropriation for county and municipal aid payments. The bill also excludes from the limitation any amount appropriated to pay WRS unfunded liability obligations.

A third rule provides that in fiscal year 2005−06 and in fiscal year 2006−07, the amount appropriated from GPR for state operations generally may not exceed the amount appropriated from GPR for state operations in fiscal year 2004−05, less $100,000,000. This bill eliminates this rule for fiscal year 2006−07 and excludes a number of appropriation expenditures from the calculation for fiscal year 2005−06.

Under current law, the Board of Commissioners of Public Lands (BCPL) may invest moneys deposited into the common school fund, the normal school fund, the university fund, and the agricultural college fund (the trust funds) only in certain specified investments. This bill authorizes BCPL to invest moneys derived from the future sale of public lands in the purchase of land in this state, subject to certain conditions. The bill also provides that, if the land sold was at the time of purchase subject to an assessment or property tax levy, BCPL must make annual payments in lieu of property taxes to the appropriate local governmental unit in an amount equal to 74 cents per acre.

This bill also authorizes BCPL to delegate to SWIB the authority to invest part or all of the moneys belonging to the trust funds. Under the bill, if BCPL delegates the authority, SWIB may invest the moneys belonging to the trust funds in any fixed income investment or fund that invests in fixed income instruments.

Current law requires the secretary of administration to prepare a statement of estimated GPR receipts and expenditures in the biennium following the succeeding biennium based on recommendations in the executive biennial budget bill or bills that is to accompany the biennial budget report. Current law also requires the Legislative Fiscal Bureau (LFB) to prepare the same statement but based on the recommendations in the executive biennial budget bill or bills as modified in the legislative process. Current law specifies the methodology to use to prepare these statements. This bill allows DOA and LFB to develop their own methodologies.

This bill requires the secretary of administration to lapse or transfer to the general fund, from the unencumbered balances of most state operations appropriations, an amount equal to $35,500,000 during the 2005−07 fiscal biennium. The secretary of administration must lapse or transfer these moneys from allocations for human resources and payroll functions and server and network support, from moneys saved as a result of restructuring procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space management improvements in that fiscal biennium under those appropriations.

In addition, the bill requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of these state operations appropriations an amount equal to $55,000,000 during each fiscal year of the 2007−09 fiscal biennium. The secretary of administration must lapse or transfer these moneys from allocations for human resources and payroll functions and server and network support, from moneys saved as a result of restructuring procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space management improvements in that fiscal biennium under those appropriations.

This bill transfers $36,000,000 from the general fund to the budget stabilization fund.

The bill also requires the secretary of administration to lapse moneys to the general fund from a number of program revenue appropriation accounts. The appropriations are made to the following state entities: the Office of State Employment Relations in DOA, DATCP, DHFS, DOJ, DPI, DOC, DORL, DOR, and

DVA, the Department of Commerce, BCPL, the Child Abuse and Neglect Prevention Board, the Technical College System Board, and OCI.

PUBLIC UTILITY REGULATION

This bill establishes maximum late payment charges that telecommunications utilities are allowed to charge retail consumers. A telecommunications utility is an entity that provides local calling service to consumers, excluding entities that provide such service on a resale basis.

With two exceptions, the bill prohibits a telecommunications utility from imposing on retail consumers a late payment charge at a rate greater than 1.5 percent per month computed upon the declining principal balance of any amount that is not paid when due. The first exception applies to retail consumers that are not residential consumers. For these consumers, for any month in which the maximum late payment charge otherwise allowed under the bill is less than $5, the bill allows the telecommunications utility to impose a late payment charge of $5 for that month. Under the bill's second exception, the PSC may allow a telecommunications utility to impose a late payment charge that is greater than that otherwise allowed under the bill if the PSC determines that the greater charge is consistent with factors specified under current law for determining whether a charge is just and reasonable.

The bill also requires telecommunications utilities that impose late payment charges to pay to the PSC, on a semiannual basis, 5 percent of the charges they collect from consumers that are not residential consumers. The PSC must use the money for consumer education purposes.

This bill transfers $18,185,300 in fiscal year 2005−06 and $16,949,400 in fiscal year 2006−07 from the utility public benefits fund to the general fund.

OTHER STATE GOVERNMENT

Under current law, DATCP administers most laws regarding consumer protection and trade practices. Current law also authorizes DATCP to enforce some of these laws by initiating court actions. The district attorney enforces other laws. Where DATCP has enforcement authority, that authority may be exclusive, or DATCP may share enforcement authority with the district attorney or with DOJ.

This bill transfers the administration of certain of these laws from DATCP to DOJ, including laws relating to ticket refunds, dating service contracts, mail−order sales, fraud, methods of competition and trade practices, telecommunications services, cable television subscriber rights, hazardous substances, product safety, products containing or made with ozone−depleting substances, future services plans, landlord and tenant, and time−share ownership. The bill also transfers enforcement authority for these laws to DOJ or to DOJ jointly with the district attorney. The bill leaves intact DATCP's administration of certain other laws, but transfers their enforcement authority to DOJ or to DOJ jointly with the district attorney. These laws include laws regarding unfair trade practices in the dairy industry and in the procurement of vegetable crops, and laws regarding discrimination in the purchase of milk. The bill does not affect DATCP's authority to administer and enforce certain other laws, including laws relating to music royalty collection, energy savings or safety claims, and motor fuel dealerships.

Under current law, if a court imposes a fine or forfeiture for a violation of certain consumer protection laws or the laws regulating weights and measures, the court is required to impose also a consumer protection surcharge. These surcharges are, up to a certain limit, appropriated to DATCP to fund consumer protection, information, and education. Under the bill, these surcharges are, with certain exceptions, appropriated to DOJ, rather than DATCP. The bill also requires a court to impose the surcharge when it imposes a fine or forfeiture for certain violations involving trusts and monopolies.

Under current law, DATCP is governed by the Board of Agriculture, Trade and Consumer Protection. The board currently consists of nine members, seven of whom must have an agricultural background and two of whom represent consumers. This bill requires that all nine members have agricultural backgrounds.

The bill also changes the name of DATCP to the Department of Agriculture, Trade, and Rural Resources and changes the board's name to the Board of Agriculture, Trade, and Rural Resources.

This bill creates a Division of Legal Services in DOA to provide legal services to executive branch agencies. With certain exceptions, the bill transfers all attorney positions in executive branch agencies to the Division of Legal Services effective on January 1, 2006. The bill also transfers all positions identified as hearing examiners, hearing officers, or administrative law judges, other than such positions in DWD, to the Division of Hearings and Appeals in DOA. Attorney positions in DOJ (except for two attorney positions with tax−litigating duties), the Office of the State Public Defender, the PSC, the UW System, the Employment Relations Commission, the State of Wisconsin Investment Board, the Elections Board, the Ethics Board, and the Office of the Governor are exempt, as are all state employees working in an office of a district attorney. In addition, the bill retains a general counsel or lead attorney position in each of 17 major state agencies and offices.

Under the bill, executive branch agencies that are authorized or required to employ or retain an attorney may do so only in the following ways: (1) employ an attorney in a position authorized by law, (2) contract with DOA for legal services, (3) allow DOJ to furnish legal services if DOJ is required by law to furnish the services, (4) allow or contract with the Division of Hearings and Appeals to furnish legal services if the Division of Hearings and Appeals is required or authorized by law to furnish the services, or (5) employ or retain any attorney who is not a state employee subject to the approval of the governor.

The bill also requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of agency appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to $724,900 during the 2005−07 fiscal biennium. The secretary of administration must lapse or transfer these moneys from allocations for agency legal services that would have been provided in that fiscal biennium with funding from those appropriations.

This bill directs the secretary of administration, no later than July 1, 2006, to review all holdings of state−owned real property for potential sale, except property under the jurisdiction of the Board of Regents of the UW System, property under the

jurisdiction of DNR (except central or district office facilities), and certain other specified property. Potential sales may include surplus or nonsurplus property, and may be evaluated with or without the approval of the state agency that administers the affected property.

Under the bill, if the Building Commission votes, on or before June 30, 2007, to approve the sale of any property reviewed by DOA, DOA may sell the property if DOA believes that the sale is in the best interests of the state, subject to certain exceptions. The bill does not authorize DOA to close or sell any facility or institution the operation of which is provided for by law.

With certain exceptions, all net proceeds of property sales, after retirement of any outstanding debt on the affected properties and after any required reimbursement of the federal government for any federal financial assistance used to acquire the properties, must be deposited into the general fund.

Currently, the Land Information Board, attached to DOA, serves as a state clearinghouse for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and most of its functions are abolished effective on July 1, 2005.

This bill assigns to DOA most of the functions of the Land Information Board.

Currently, counties collect a fee for recording and filing most instruments that are recorded or filed with the register of deeds. Until July 1, 2005, counties must remit a portion of each fee collected to the Land Information Board, which the board uses to fund its operations and to make grants to counties for land records modernization projects. On July 1, 2005, the fee for recording or filing the first page of an instrument is reduced and no portion is remitted to the state. This bill reinstates the current fees but requires that the state's share be remitted to DOA instead of to the Land Information Board.

Current law directs the Wisconsin Land Council in DOA to do the following: 1) identify and recommend to the governor land use goals and priorities; 2) study the development of a computer−based land information system and make recommendations to the governor; and 3) establish a state agency resource working group that is composed of representatives of various state agencies. Current law directs this group to discuss, analyze, and address land use issues and related policy issues. Currently, the Wisconsin Land Council sunsets on September 1, 2005. This bill transfers almost all of the functions and responsibilities of the Wisconsin Land Council to DOA.

This bill provides that a person who knowingly presents or causes to be presented a false claim under any contract or order for materials, supplies, equipment, or contractual services to be provided to the state or a local government is subject to a forfeiture (civil penalty) of not less than $5,000 nor more than $10,000, plus three times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a result of the false claim.

Under current law, a county that has a federally recognized Indian reservation within or partly within its boundaries may develop a cooperative county−tribal law enforcement program with a tribe located in the county. The county and the tribe may apply for aid from DOJ for the program. The Office of Justice Assistance (OJA) administers a separate grant program to fund county law enforcement services in counties that border Indian reservations. A county is eligible for a grant under the OJA program only if: 1) the county demonstrates a need for those services; 2) there is a neighboring tribe with which the county does not have a county−tribal law enforcement agreement; and 3) the county meets criteria established by rule by OJA. Both of these grant programs are funded from Indian gaming receipts.

This bill makes OJA responsible for administering the cooperative county−tribal grant program and extends its applicability to cases in which a county borders a reservation. The bill eliminates the existing OJA grant program for counties that border Indian reservations.

Currently, the Joint Committee on Legislative Organization must recommend to the legislature, in the form of a joint resolution, a Wisconsin newspaper to be the official state newspaper. This bill provides that the secretary of administration designates a Wisconsin newspaper to be the official state newspaper.

TAXATION

INCOME TAXATION

This bill adopts, for state income and franchise tax purposes, changes made to the Internal Revenue Code by the Jobs and Growth Tax Relief Reconciliation Act, not including changes related to bonus depreciation and expensing provisions and an increase in the alternative minimum tax exemption; the Military Family Tax Relief Act; the Medicare Prescription Drug, Improvement and Modernization Act, not including changes related to health savings accounts; the Social Security Protection Act; the Pension Funding Equity Act; the Working Families Tax Relief Act, not including changes related to deductions for charitable contributions of computer equipment and expensing provisions related to brownfields remediation costs; the American Jobs Creation Act, not including changes related to the expensing of film and television production costs; and the YMCA retirement fund.

Under current law, spouses that file a joint income tax return are both liable for the payment of any tax related to that return. However, DOR may relieve a person of that tax liability if the person's spouse did not notify the person of any tax liability or understatement of taxes related to the joint return. This bill requires a spouse to apply for relief from tax liability within two years from the date on which DOR begins collection activities on the spouse's tax liability or within two years from the effective date of the provision, whichever is later.

In general, current law provides a subtraction from federal adjusted gross income for up to $3,000 paid per year per student for tuition to attend a university, college, technical college, or other school that is approved by the Educational Approval Board and that is located in this state or that is subject to the Minnesota−Wisconsin reciprocity agreement. This bill increases the amount of the allowable subtraction from $3,000 per year per student to $5,100 or twice the average amount charged by the UW System Board of Regents at four−year institutions for

resident undergraduate tuition for the most recent fall semester, whichever is greater.

This bill authorizes DOR to prepare a list of delinquent taxpayer accounts in excess of $25,000 that are unpaid for more than 90 days after all appeal rights have expired. The list must include the name, address, and type and amount of tax due, including interest, penalties, fees, and costs for each person on the list. If the person listed is a corporation, the list must also include the name and address of each of the corporation's officers.

The bill also authorizes DOR to maintain the list on the Internet. However, DOR may not post on the Internet the name of any person who has reached an agreement with DOR or DOJ regarding the payment of delinquent taxes, and is in compliance with that agreement, or the name of any person who is protected by a stay in effect under the federal Bankruptcy Code. DOR must update these provisions on the Internet site each business day.

Under current law, an individual may on his or her income tax return designate any amount of additional payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund. The bill also allows a corporation that files a state tax return to designate on its return any part of its refund, or any amount in addition to taxes owed, as a donation to the veterans trust fund.

This bill requires a partnership, a limited liability company, a tax−option corporation, an estate, or a trust that is treated as a pass−through entity for federal income tax purposes to withhold income taxes from income that the entity distributes to a nonresident partner, member, shareholder, or beneficiary.

Under current law, a taxpayer may claim an income or franchise tax credit based, generally, on the taxpayer's business activities in a location designated by the Department of Commerce as a development zone, opportunity zone, enterprise zone, or agricultural development zone. The taxpayer may claim the credit against the taxes imposed on the income derived from the taxpayer's business activities in a zone. In addition, the taxpayer may claim a credit, in part, based on the number of full−time jobs that the taxpayer creates in the development zone that are filled by a member of a targeted group, which includes an individual who resides in an area that the federal government designates as an empowerment zone or enterprise community.

Under this bill, generally, the taxpayer may claim a credit against the taxes imposed on all of the taxpayer's Wisconsin income. In addition, the targeted group includes an individual who resides in an area that the federal government designates as an economic revitalization area.

Under current law, a person may claim an income or franchise tax credit against the person's state income or franchise tax liability for 10 percent of the amount that the person paid in the taxable year to modernize or expand the person's dairy farm. Under the bill, a person may claim the credit for 10 percent of the amount that the person paid in the taxable year to modernize or expand the person's livestock farm.

Under current law, for purposes of computing corporate income taxes and franchise taxes, a formula is used to attribute a portion of a corporation's income to this state. The formula has three factors: a sales factor, a property factor, and a payroll factor. The sales factor represents 50 percent of the formula and the property and payroll factors each represent 25 percent of the formula. Under current law, beginning on January 1, 2008, the sales factor will be the only factor used to attribute a portion of a corporation's income to this state. This bill modifies the sales factor to provide for the apportionment of income derived from the lease, rental, or licensing of real property and moving property, the use of computer software, and the sale or use of intangible property and services.

This bill adopts the substantive provisions of the streamlined sales and use tax agreement for administering and collecting state, county, and stadium district sales and use taxes. States that wish to enter into the agreement must adopt uniform definitions related to the administration of sales and use taxes and uniform policies related to sourcing sales of goods and services, bad debt allowances, refunds, and, to some extent, exemptions.

Under current law, generally, a person needs a permit from DOR to sell cigarettes in this state as a distributor, jobber, vending machine operator, or multiple retailer. Also, a person needs a permit from DOR to sell tobacco products in this state as a distributor or subjobber. A "jobber" is any person who acquires cigarettes from manufacturers or distributors, stores the cigarettes, and sells the cigarettes to retailers for resale. A "subjobber" is any person, other than a manufacturer or distributor, who buys tobacco products from a distributor and who sells such products to any person other than the ultimate consumer.

This bill prohibits a direct marketer from selling cigarettes or tobacco products to consumers in this state without the appropriate permit from DOR. The fee for the permit is based on the number of cigarettes that the direct marketer sells annually to consumers in this state.

Under the bill, DOR may not issue a permit to a direct marketer unless the direct marketer certifies to DOR that all sales of cigarettes or tobacco products to consumers in this state will be credit card transactions; that the invoices for all shipments of cigarettes or tobacco products will bear the direct marketer's name, address, and permit number; and that the direct marketer will provide DOR any information that DOR considers necessary for cigarette and tobacco products tax and permit purposes. The direct marketer may not sell any cigarettes or tobacco products unless the sales tax, use tax, cigarette tax, or tobacco products tax, as appropriate, has been paid on the sale of the cigarettes or tobacco products. In addition, a direct marketer may not sell cigarettes or tobacco products in this state unless the direct marketer has a mechanism, approved by DOR, for verifying the age of the purchaser, and the direct marketer receives from the purchaser, at the time of purchase, a copy or facsimile of an identification card and the name specified on the identification matches the name of the purchaser.

Under the bill, cigarettes and tobacco products may not be shipped to a person who is under 18 years of age and may not be shipped to a post−office box.

Under current law, the state imposes a sales tax on all retailers at the rate of 5 percent of the gross receipts from the sale, lease, or rental of tangible personal property and the sale of certain services. For sales tax purposes, a retailer includes a seller who sells any tangible personal property or taxable service. A retailer who is subject to the sales tax must obtain a seller's permit, collect the sales tax, and remit the collected tax to DOR. The Wisconsin Supreme Court has held that a religious organization that sells tangible personal property is not a retailer subject to the sales tax if the sales are not mercantile in nature. This bill subjects a retailer to the sales tax regardless of whether the sale is mercantile in nature.

Under current law, a nonprofit organization that sells tangible personal property or services is required to have a seller's permit if it sells property or services on more than 20 days during the year and the gross receipts from such sales exceed $15,000. This bill increases this amount to $25,000.

Under current law, the sales of tangible personal property or taxable services made by a nonprofit organization at an event involving entertainment are subject to the sales tax and the use tax if the organization's payment for the entertainment exceeds $300. This bill increases this amount to $500.

This bill authorizes DOT, DRL, and DWD to provide information, such as names, addresses, and social security numbers, to DOR for the purpose of administering state taxes. The bill also authorizes other state agencies that issue occupational licenses to provide such information to DOR for the purpose of administering state taxes.

Under current law, generally, a license, credential, permit, or certificate (license) issued by the state may be denied or revoked if the person who holds the license is liable for delinquent state taxes. Under current law, DOR certifies to the Wisconsin Supreme Court and to the licensing entity that the license holder or license applicant owes delinquent taxes. The Supreme Court and the licensing entity deny or revoke the license based on DOR's certification. The license holder or applicant is then entitled to a hearing conducted by DOR. If, as a result of the hearing, DOR affirms the person's tax delinquency, the Supreme Court and the licensing entity affirm the license revocation or denial. Then the person may appeal the revocation or denial to the Dane County Circuit Court.

Under this bill, if as a result of a hearing DOR affirms the tax delinquency of a person who has applied for or who holds a license to practice law, the license holder or applicant may appeal DOR's determination to the Dane County Circuit Court. If the Dane County Circuit Court upholds DOR's determination, DOR affirms the person's tax delinquency, and the state Supreme Court decides whether to revoke or deny the license to practice law.

Under current law, a state agency may certify to DOR any debt owed to the agency so that DOR may collect the debt from any tax refund owed to the debtor, but only if the debt has been reduced to a judgment. Under current law, generally, a county or municipality may certify to DOR any debt owed to the county or municipality for a similar collection if the debt has been reduced to a judgment or if the county or municipality has provided the debtor reasonable notice and an opportunity to be heard with regard to the debt.

Under this bill, a state agency may certify to DOR any debt owed to the agency so that DOR may collect the debt from any tax refund owed to the debtor if the debt has been reduced to a judgment or if the state agency has provided the debtor reasonable notice and an opportunity to be heard with regard to the debt.

Under current law, the state imposes a rental vehicle fee of 3 percent of the gross receipts from the rental of automobiles, mobile homes, motor homes, and camping trailers if such vehicles are rented or leased without drivers. This bill increases this rental vehicle fee to 5 percent.

Under current law, a county retains 20 percent of all real estate transfer fees collected by the county and submits the balance to the state. Under this bill, the real estate transfer fees retained by the county that are collected in conjunction with the transfer of real estate in a first class city are transmitted to the first class city.

This bill imposes the sales tax and the use tax on audiovisual works, finished artwork, literary works, and audio works that are delivered electronically to a purchaser.

This bill increases the administrative fees that DOR imposes for the enforcement of intoxicating liquor taxes from three cents per gallon on each gallon of intoxicating liquor subject to taxation to 11 cents per gallon on each gallon of intoxicating liquor subject to taxation.

This bill increases the total amount of the school levy property tax credits in 2007 by $150,000,000, from $469,305,000 to $619,305,000.

TRANSPORTATION

HIGHWAYS

Under current law, DOT, under specified circumstances, may contract up to $565,480,400 in public debt for the purpose of funding major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects. Prior to July 1, 2005, debt service on this debt is paid from the transportation fund. Beginning on July 1, 2005, debt service on this debt is paid from the general fund.

This bill increases by $250,000,000 this authorized general obligation bonding limit from $565,480,400 to $815,480,400. The bill also creates new general obligation bonding authority for DOT, allowing DOT to contract up to an additional $213,100,000 in public debt for the purpose of funding southeast Wisconsin freeway rehabilitation projects. Debt service on this debt is paid from the transportation fund.

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed $2,095,583,900. This bill increases the revenue bond limit to $2,516,117,900.

DRIVERS AND MOTOR VEHICLES

Under current law, any person who obtains a vehicle must obtain a certificate of title. If a person obtains a vehicle from a motor vehicle dealer, the dealer must prepare the application for certificate of title, collect the application fees, and submit the application to DOT within seven business days of the sale.

Under this bill, all motor vehicle dealers must process applications for certificate of title electronically. A dealer who fails to do so may have its license revoked or suspended by DOT. In addition, this bill increases the fee for a new certificate of title or a certificate of title after transfer from $18.50 to $28.50 and increases the fee for a replacement certificate of title from $8 to $20.

Under current law, a person pays a $55 annual fee to DOT to register his or her automobile. The fee for a motor truck or dual purpose motor home varies depending on the vehicle's weight. This bill increases the annual fee for registering an automobile from $55 to $65 and increases the annual fees for registering a motor truck or dual purpose motor home.

Under current law, DOT must revoke a person's motor vehicle operating privilege for five years if the person is a habitual traffic offender. A person is a habitual traffic offender if the person, within a five−year period, has accumulated at least four convictions of specified offenses of a more serious nature or at least 12 convictions of moving violations of traffic regulations or of specified crimes related to the operation of a motor vehicle.

Under this bill, a habitual traffic offender is a person who, within a five−year period, has accumulated at least four convictions of specified offenses of a more serious nature or at least 12 convictions of violations of those laws, punishable by either civil or criminal penalty, that relate to rules of the road.

This bill allows DOT to certify driver records electronically as public records qualifying for self−authentication in court if the electronic certification is made in a manner determined by DOT to satisfactorily support a finding that the document is what it purports to be. Accordingly, driver records may be self−authenticating by certification generated by a DOT computer system rather than a DOT employee.

Current law requires DOT to establish new designs for most vehicle registration plates every seven years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners. This bill eliminates the requirement that DOT establish new designs for registration plates.

Under current law, a person may purchase a specialized registration plate for his or her motor vehicle by paying an additional fee. This bill creates a specialized registration plate for persons who are interested in supporting veterans. The bill requires DOT to deposit all of the additional fees collected for specialized registration plates that are related to veterans or the armed forces into the veterans trust fund. The bill specifies that the additional fee assessed for these specialized plates may be claimed as a tax−deductible charitable contribution.

Under current law, a registrant is required to pay an environmental impact fee of $9 upon registering a new motor vehicle with DOT or upon applying for a new certificate of title following a transfer of a vehicle. The environmental impact fees are earmarked for environmental management activities. The fee expires on December 31, 2005. This bill eliminates the expiration date.

Current law prohibits a person from operating a motor vehicle on the highway during any period in which the person's motor vehicle operating privilege is revoked. A person convicted of violating this prohibition on or after May 1, 2002, is subject to

a criminal penalty and must be fined not more than $2,500 or imprisoned for not more than one year or both.

This bill decriminalizes the first offense of operating a vehicle while revoked and requires a person to forfeit not more than $600 if the underlying operating privilege revocation did not result from specified alcohol or controlled substance−related traffic violations.

TRANSPORTATION AIDS

Under current law, DOT makes a general transportation aid payment to a county based on a share−of−costs formula, and to a village, city, or town (municipality) based on the greater of a share−of−costs formula or an aid rate per mile, which is $1,825. This bill increases the aid rate per mile to $1,862 for 2006 and $1,899 thereafter.

The bill also increases the maximum amount of general transportation aids that may be paid to counties from $90,044,600 in any year to $91,845,500 in 2006 and $93,682,400 thereafter. The bill also increases the maximum amount of aid that may be paid to municipalities from $283,291,100 in any year to $286,124,000 in 2006 and $297,736,000 thereafter.

Under current law, DOT provides state aid, for each of four classes of mass transit systems, to local public bodies in urban areas served by mass transit systems to assist with their costs. This bill increases in 2006 and 2007 the total amount of state aid to each class of mass transit system.

OTHER TRANSPORTATION

This bill transfers from the transportation fund to the general fund $250,000,000 in fiscal year 2005−06 and $18,058,100 in fiscal year 2006−07.

Under current law, DOT collects a supplemental vehicle title fee and the Department of Commerce collects a supplemental manufactured home title fee. These fees are deposited into the transportation fund. By October 1 of each year, DOT must certify to DOA the amount of these fees collected during the previous fiscal year and that amount, minus $555,000, is transferred from the general fund to the environmental fund.

Under this bill, this transfer mechanism is eliminated and these fees are deposited directly into the environmental fund for nonpoint source water pollution abatement.

This bill allows DOT, through its Rail Passenger Route Development Program, to fund capital costs related to Amtrak service extension routes or other rail service routes between Chicago and Milwaukee and between Madison and La Crosse.

This bill provides transportation fund moneys for the federal Soo Locks project.

The bill also increases the authorized general obligation bonding limit for the acquisition and improvement of rail property from $32,500,000 to $39,000,000.

This bill increases the authorized general obligation bonding limit from $28,000,000 to $39,400,000 to provide grants for harbor improvements.

Under current law, DOT may award grants to partially reimburse eligible applicants for certain harbor improvements. This bill requires DOT to award a grant of $6,000,000 to a city in northeastern Wisconsin that has a harbor facility for constructing or improving boatlift facilities, and to award a grant of $2,100,000 for

a boat slip repair and reconstruction project in northeastern Wisconsin, if certain conditions are met.

VETERANS AND MILITARY AFFAIRS

Under current law, an eligible veteran may receive a home−improvement loan of up to $25,000 from the Veterans Housing Loan Program. This bill removes the limit on the amount of the loan.

The bill also provides that a person who completes six continuous years under honorable conditions in the national guard or a reserve component of the U.S. armed forces is eligible to receive a housing loan.

Currently, a veteran may receive a housing loan to pay for balances due on a construction or bridge loan or for the payment of a loan if the loan's balance does not exceed the amount requested in the veteran's prior loan application and the debt was incurred after the veteran made an application for a loan that was denied by DVA. This bill allows the use of a housing loan to refinance the balance due on any indebtedness as long as the previous loan was obtained for the same purposes as the program.

Under current law, DVA may lend a veteran, a veteran's unremarried surviving spouse, or a deceased veteran's child up to $25,000 for any use, but the loan must be repaid within ten years. This bill authorizes DVA to adjust the maximum term of the loan based upon financial market conditions, funds available, needs of the trust fund, and other relevant factors.

Under the current part−time classroom study program, DVA reimburses veterans for costs associated with correspondence courses and classroom study at proprietary schools, schools approved for the training of veterans, and institutions of higher education. Under the current tuition reimbursement program, DVA reimburses tuition to veterans who are enrolled as undergraduates for at least 12 credits during a semester. To be eligible for the tuition reimbursement program, the veteran must begin the course within ten years after leaving active service, and the annual income of the veteran and the spouse may not exceed $50,000 plus $1,000 for each dependent in excess of two dependents. Reimbursement is limited to 120 credits or eight full semesters at an institution of higher education or 60 credits or four semesters if the institution provides a degree after the completion of 60 credits.

Under the part−time classroom study program, reimbursement is limited to tuition paid for taking fewer than 12 credits if an undergraduate, or fewer than nine credits if a graduate student, for attending a summer session or for taking a correspondence class. The reimbursement amount and income eligibility are the same as for the full−time tuition reimbursement program. A veteran with a master's degree is not eligible for reimbursement.

This bill combines these two programs and makes the following changes in the new, combined program:

1. Eligibility is limited to a veteran whose annual income combined with his or her spouse's income is less than the median household income for the state.

2. Veterans with undergraduate degrees are not eligible.

3. If funds are insufficient to reimburse all of the veterans who apply, DVA may reduce the reimbursement percentage, except for courses taken by certain disabled veterans.

4. Reimbursement is limited to 30 credits if the veteran served on active duty for 90 to 180 days, 60 credits if the veteran served for 181 days to 730 days, and 120 credits if the veteran served more than 730 days.

5. The limit on reimbursement to courses taken within ten years after leaving service does not apply to up to 60 credits of part−time classroom study courses.

Under current law, DVA may grant aid to any incapacitated veteran or dependent of a veteran in an amount that DVA determines is necessary to prevent want or distress. The aid may be paid for no more than three months in any 12−month period. Currently, DVA may grant temporary health care aid to a veteran or dependent of a veteran to meet medical or hospital bills. The amount of aid is limited to $5,000 in any 12−month period and may be used to provide for the treatment of alcoholism or other drug addiction.

Under this bill, the aid is limited to incapacitated veterans and the maximum amount is $2,000 in a 12−month period. The bill limits the payment for health care assistance to dental, vision, and hearing care, with a limit in a 12−month period of $2,500 for dental care, $500 for vision care, and $1,500 for hearing care. The bill places a lifetime limit of $5,000 on the amount that a veteran may receive under the program.

Current law prohibits the admission of surviving spouses or parents of veterans to the southeastern facility for veterans at Union Grove, but permits the admission of these persons to the Wisconsin Veterans Home at King if the Board of Veterans Affairs determines that the home's overall occupancy level is below an optimal level.

This bill allows surviving spouses or parents of veterans to be admitted to the southeastern facility for veterans at Union Grove under the same standard that is used for admission to the Wisconsin Veterans Home at King.

This bill raises the maximum amount of grants that DVA may award to the governing bodies of federally recognized American Indian tribes and bands from $2,500 to $10,000 for the purpose of employing tribal veterans' service officers.

Under current law, DVA coordinates the provision of military honors funerals to deceased veterans by members of local veterans organizations and the national guard. As part of that program, DVA reimburses the local veterans organization an amount not to exceed $50 for its costs in providing the military honors funeral. This bill eliminates reimbursement for such costs.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

***−0609/3.1* SECTION 1.** 13.101 (6) (a) of the statutes, as affected by 2003 Wisconsin Act 64, is amended to read:

13.101 **(6)** (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (af), (bc), (bh), (cg), ~~(cr), and~~ (r), and (qr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af), (aq), ~~and~~ (ar), and (au), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

***−1513/4.1* SECTION 2.** 13.101 (13) of the statutes is repealed.

***−1734/1.1* SECTION 3.** 13.121 (1) of the statutes is amended to read:

13.121 **(1)** CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~, each member of the legislature shall be paid, in equal installments, the salary provided under s. 20.923.

***−1734/1.2* SECTION 4.** 13.123 (1) (c) of the statutes is amended to read:

13.123 **(1)** (c) Each member shall certify to the chief clerk of the house in which the member serves, as promptly as may be following the 1st of each month, the number of days during the previous calendar month on which the member was in Madison on legislative business and for which the member seeks the allowance provided by this subsection. Such allowances shall be paid from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~ within one week after each calendar month; and shall be paid, upon the filing with the department of administration, the chief clerk's affidavit stating the number of days in Madison on legislative business for all members of the chief clerk's house.

***−1734/1.3* SECTION 5.** 13.123 (2) (intro.) of the statutes is amended to read:

13.123 **(2)** INTERIM EXPENSES. (intro.) From the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~, each member of the legislature shall be entitled to an expense allowance for postage and clerical assistance for each full calendar month during which the legislature is in actual session 3 days or less. No allowance is payable to a representative to the assembly unless the speaker of the assembly files with the chief clerk of the assembly a written authorization for the allowance to be paid. No allowance is payable to a senator unless the majority leader of the senate files with the chief clerk of the senate a written authorization for the allowance to be paid. An authorization filed under this subsection becomes effective for the month in which

it is filed and continues in effect through the month in which the speaker of the assembly or the majority leader of the senate files a written revocation of the authorization with the chief clerk of the appropriate house. The rate of such allowance shall be as follows:

***−1734/1.4* SECTION 6.** 13.123 (3) (a) of the statutes is amended to read:

13.123 **(3)** (a) Any senator authorized by the committee on senate organization to attend a meeting outside the state capital, any representative to the assembly authorized by the committee on assembly organization to attend an out−of−state meeting or authorized by the speaker to attend a meeting within this state outside the state capital, and all members of the legislature required by law, legislative rule, resolution or joint resolution to attend such meetings, shall be paid no additional compensation for such services but shall be reimbursed for actual and necessary expenses from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~, but no legislator may be reimbursed under this subsection for expenses on any day for which the legislator submits a claim under sub. (1).

***−1734/1.5* SECTION 7.** 13.125 of the statutes is amended to read:

13.125 Chaplains. The officiating chaplain of the senate and assembly shall be paid such amount as may be established by each house for each day of service from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~. Payment shall be made on certification by the chief clerk of the senate or of the assembly, respectively, showing the amount to which each chaplain is entitled.

***−1734/1.6* SECTION 8.** 13.14 (2) of the statutes is amended to read:

13.14 **(2)** FLORAL PIECES. The senate and assembly may procure floral pieces for deceased or ill members of the legislature and state officers who, in the judgment of the presiding officer and chief clerk, have been identified with the legislative

process. Such expenses shall be by voucher, signed by the presiding officer or chief clerk of the respective house, and shall be drawn on the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

***−1734/1.7* SECTION 9.** 13.14 (3) of the statutes is amended to read:

13.14 **(3)** TRAVEL; LEGISLATIVE PERSONNEL. The actual and necessary expenses of legislative policy research personnel, assistants to legislators, and research staff assigned to legislative committees incident to attending meetings outside the state capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

***−1711/5.1* SECTION 10.** 13.40 (3) (fm) of the statutes is amended to read:

13.40 **(3)** (fm) An appropriation for the ~~2003−05~~ 2005−07 fiscal biennium to make payments to counties, towns, villages, and cities under s. 79.035.

***−1711/5.2* SECTION 11.** 13.40 (3) (jm) of the statutes is created to read:

13.40 **(3)** (jm) An appropriation under s. 20.505 (1) (br).

***−1711/5.3* SECTION 12.** 13.40 (3m) (a) of the statutes is repealed.

***−1711/5.4* SECTION 13.** 13.40 (3m) (ae) of the statutes is created to read:

13.40 **(3m)** (ae) In this subsection, an "excluded appropriation" consists of all of the following:

1. State operations appropriations for the Board of Regents of the University of Wisconsin System.

2. Appropriations for fuel and utility costs.

3. An appropriation under s. 20.505 (1) (br).

4. An appropriation under s. 20.855 (4) (c) and (cm).

***−1711/5.5* SECTION 14.** 13.40 (3m) (am) of the statutes is amended to read:

13.40 **(3m)** (am) In addition to the ~~limitations~~ limitation under sub. (2) ~~and par. (a)~~, the amount appropriated from general purpose revenue for state operations in fiscal year 2005−06 ~~and in fiscal year 2006−07,~~, less any excluded appropriation and excluding the estimated amount to be expended from general purpose revenue for debt service for that fiscal year, may not exceed the amount appropriated from general purpose revenue for state operations in fiscal year 2004−05, less any excluded appropriation and excluding the estimated amount to be expended from general purpose revenue for debt service for that fiscal year, as shown in the schedule under s. 20.005 (3) published in the 2003−04 Wisconsin Statutes, less $100,000,000.

***−1711/5.6* SECTION 15.** 13.40 (3m) (b) of the statutes is repealed.

***−1734/1.8* SECTION 16.** 13.45 (3) (a) of the statutes is amended to read:

13.45 **(3)** (a) For any day for which the legislator does not file a claim under s. 13.123 (1), any legislator appointed to serve on a legislative committee or a committee to which the legislator was appointed by either house or the officers thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) ~~or (5)~~ for actual and necessary expenses incurred as a member of the committee.

***−1513/6* SECTION 17.** 13.48 (14) (a) of the statutes is amended to read:

13.48 **(14)** (a) In this subsection, "agency" has the meaning given for "state agency" in s. 20.001 (1), except that prior to July 1, 2007, the term does not include the Board of Regents of the University of Wisconsin System.

***−1513/4.2* SECTION 18.** 13.48 (14) (d) 4. of the statutes is amended to read:

13.48 **(14)** (d) 4. If the commission proposes to sell or transfer a parcel of surplus land having a fair market value of at least $20,000, the commission shall notify the joint committee on finance in writing of its proposed action. If the cochairpersons of the committee do not notify the commission that the committee has scheduled a

meeting for the purpose of reviewing the proposed sale or transfer within 14 working days after the date of the commission's notification, the parcel may be sold or transferred by the commission. If, within 14 working days after the date of the commission's notification, the cochairpersons of the committee notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer, the parcel may be sold or transferred under this subdivision only upon approval of the committee. This subdivision does not apply to surplus land that is authorized to be sold under s. 16.848.

***−1513/4.3* SECTION 19.** 13.48 (22) of the statutes is amended to read:

13.48 **(22)** SALE OR LEASE OF CAPITOL AREA LANDS. The building commission may lease or resell lands acquired in the capitol planning area for public or private redevelopment and may set such conditions of sale or lease as it deems necessary to ensure development compatible with the needs of the community and the state. This subsection does not apply to lands that are authorized to be sold under s. 16.848.

***−1734/1.9* SECTION 20.** 13.50 (6) (am) of the statutes is amended to read:

13.50 **(6)** (am) The cochairpersons of the joint survey committee on retirement systems or the cochairpersons of the joint committee on finance, with respect to any bill or amendment specified in par. (a), or the presiding officer of either house of the legislature, with respect to any bill or amendment specified in par. (a) that is pending in his or her house, may make a determination, based on any available information, that the bill or amendment may have a significant fiscal impact on the costs, actuarial balance or goals of the Wisconsin Retirement System and order the attachment of an independent actuarial opinion on such impact. The cochairpersons or presiding officer ordering such an opinion shall direct the staff under sub. (4) to

obtain the opinion. The staff shall make payment for the opinion from the appropriation under s. 20.765 (2) (ab) ~~or (5)~~.

***−1734/1.10* SECTION 21.** 13.56 (2) of the statutes is amended to read:

13.56 **(2)** PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint committee for review of administrative rules or their designated agents shall accept service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that the legislature should be represented in the proceeding, it shall request the joint committee on legislative organization to designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b) ~~or shall be paid from the appropriation under s. 20.765 (5), if applicable~~, except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

***−1734/1.11* SECTION 22.** 13.57 (3) of the statutes is amended to read:

13.57 **(3)** All expenses under sub. (1) shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) ~~or (5)~~.

***−1734/1.12* SECTION 23.** 13.81 (6) of the statutes is amended to read:

13.81 **(6)** REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year, the general fund shall be reimbursed, from any other state fund, the amounts actually expended by the joint legislative council under s. 20.765 (3) (e) ~~or (5)~~ for the cost of making and publishing surveys and analyses of activities and policies related to such funds. The council shall bill such state funds at the end of each fiscal year for the costs so incurred, in accordance with cost records maintained by the council.

***−1734/1.13* SECTION 24.** 13.81 (8) of the statutes is amended to read:

13.81 **(8)** CONFERENCE ON LEGISLATIVE PROCEDURES. Following each general election, the joint legislative council shall sponsor a conference to acquaint new

legislators or legislators−elect with legislative procedures. Expenses for the conference shall be paid from the appropriation under s. 20.765 (3) (e) ~~or (5)~~.

***−1734/1.14* SECTION 25.** 13.83 (3) (c) 1. of the statutes is amended to read:

13.83 **(3)** (c) 1. The joint legislative council shall pay the expenses incurred by the members appointed under par. (b) 1., in performing their functions on the special committee, from the appropriation under s. 20.765 (3) (e) ~~or (5)~~.

***−1022/1.1* SECTION 26.** 13.90 (1) (j) of the statutes is repealed.

***−1734/1.15* SECTION 27.** 13.90 (2) of the statutes is amended to read:

13.90 **(2)** The cochairpersons of the joint committee on legislative organization or their designated agent shall accept service made under s. 806.04 (11). If the committee, the senate organization committee or the assembly organization committee, determines that the legislature should be represented in the proceeding, that committee shall designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b) ~~or shall be paid from the appropriation under s. 20.765 (5), if applicable~~, except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

***−1734/1.16* SECTION 28.** 13.90 (4) of the statutes is amended to read:

13.90 **(4)** The cochairpersons of the joint committee on legislative organization shall authorize payment of fees entitling the legislature to membership in national organizations from the appropriation under s. 20.765 (3) (fa) ~~or (5)~~.

***−0752/2.1* SECTION 29.** 13.93 (2) (g) of the statutes is amended to read:

13.93 **(2)** (g) Attend the midwest and national legislative service conferences of the council of state governments. <u>This paragraph does not apply if this state</u>

discontinues membership in the council as a result of an expenditure reduction under s. 20.505 (4) (ba).

***−1734/1.17* SECTION 30.** 13.93 (2) (k) of the statutes is amended to read:

13.93 **(2)** (k) Pay, from the appropriation under s. 20.765 (3) (a) ~~or (5)~~, the expenses of attendance at meetings of members of the Commission on Uniform State Laws who are appointed by the governor.

***−1734/1.18* SECTION 31.** 13.94 (1m) of the statutes is amended to read:

13.94 **(1m)** INDEPENDENT EXPERTS. The legislative audit bureau may contract for the services of such independent professional or technical experts as deemed necessary to carry out the statutory duties and functions of the bureau within the limits of the amount provided under s. 20.765 (3) (c) ~~or (5);~~ and, in the case of postaudits involving the performance and program accomplishments of a department, shall contract for the services of such subject matter and program specialists from any state or federal agency or public institution of higher learning as deemed necessary by the joint committee on legislative organization.

***−1372/2.1* SECTION 32.** 13.95 (1m) of the statutes is repealed and recreated to read:

13.95 **(1m)** DUTIES OF THE BUREAU; BIENNIAL BUDGET BILL. (a) In this subsection, "version of the biennial budget bill or bills" means the executive biennial budget bill or bills, as modified by an amendment offered by the joint committee on finance, as engrossed by the first house, as concurred in and amended by the 2nd house or as nonconcurred in by the 2nd house, or as reported by any committee on conference.

(b) The legislative fiscal bureau shall prepare a statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding

biennium based on recommendations in each version of the biennial budget bill or bills.

***−1734/1.19* SECTION 33.** 14.38 (10) (c) of the statutes is amended to read:

14.38 **(10)** (c) Publish in the official state newspaper within 10 days after the date of publication of an act a notice certifying the number of each act, the number of the bill from which it originated, the date of publication and the relating clause. Each certificate shall also contain a notice of where the full text of each act can be obtained. Costs under this paragraph shall be charged to the appropriation under s. 20.765 (1) (d) ~~or (5)~~.

***−0752/2.2* SECTION 34.** 14.78 (1) of the statutes is amended to read:

14.78 **(1)** MEMBERS; TERMS. There is created a Great Lakes compact commission consisting of 3 commissioners appointed by the governor. The commissioners shall be persons having knowledge of and interest in problems of the Great Lakes basin. One commissioner, appointed for an indefinite term, shall be a state officer or employee and shall serve as secretary of the Great Lakes compact commission. The other commissioners shall be appointed for terms of 4 years. The commissioners shall receive no salaries but shall be reimbursed for actual and necessary expenses, unless the secretary of administration reduces or eliminates reimbursement under s. 20.505 (4) (ba).

***−0752/2.3* SECTION 35.** 14.78 (2) (intro.) of the statutes is amended to read:

14.78 **(2)** DUTIES. (intro.) ~~It~~ Except as provided in sub. (2m), it is the duty of the Wisconsin Great Lakes compact commission:

***−0752/2.4* SECTION 36.** 14.78 (2m) of the statutes is created to read:

14.78 **(2m)** Subsection (2) does not apply if the funding required for compliance is eliminated under s. 20.505 (4) (ba).

***−0752/2.5* SECTION 37.** 14.90 (2) of the statutes is amended to read:

14.90 **(2)** The members of the commission shall serve without compensation but shall be reimbursed from the appropriation under s. 20.505 (4) (ba) for actual and necessary expenses incurred in the performance of their duties, except as provided in sub. (4). The commission has the powers granted and the duties imposed under s. 39.80.

***−0752/2.6* SECTION 38.** 14.90 (3) of the statutes is amended to read:

14.90 **(3)** ~~From the appropriation under s. 20.505 (4) ba), the~~ Except as provided in sub. (4), the department of administration shall pay the costs of membership in and costs associated with the midwestern higher education compact from the appropriation under s. 20.505 (4) (ba).

***−0752/2.7* SECTION 39.** 14.90 (4) of the statutes is created to read:

14.90 **(4)** Payments under subs. (2) and (3) may be reduced or eliminated if the funding for the payments is reduced or eliminated under s. 20.505 (4) (ba).

***−1363/1.1* SECTION 40.** 15.01 (2) of the statutes is amended to read:

15.01 **(2)** "Commission" means a 3−member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the Wisconsin waterways commission which shall consist of 5 members~~,~~ and the parole commission which shall consist of 8 members~~, and the Fox River management commission which shall consist of 7 members~~. A Wisconsin group created for participation in a continuing interstate body, or the interstate body itself, shall be known as a "commission", but is not a commission for purposes of s. 15.06. The parole commission created under s. 15.145 (1) shall be known as a "commission", but is not a commission for purposes of s. 15.06. The sentencing commission created

under s. 15.105 (27) shall be known as a "commission" but is not a commission for purposes of s. 15.06 (1) to (4m), (7), and (9).

***−0955/10.1* SECTION 41.** 15.04 (4) of the statutes is created to read:

15.04 **(4)** LEGAL SERVICES. If a department or independent agency is authorized or required to employ or retain an attorney, the department or independent agency may do so only in the following ways:

(a) Employ an attorney in a position authorized under s. 16.505.

(b) Contract with the department of administration for legal services under s. 16.004 (15).

(c) Allow the department of justice to furnish legal services if the department of justice is required by law to furnish the services.

(d) 1. Allow the division of hearings and appeals created under s. 15.103 (1) to furnish legal services if the division of hearings and appeals is required or authorized by law to furnish the services.

2. Contract under s. 227.43 (1m) for contested case hearing services with the division of hearings and appeals if the department or independent agency is not prohibited by law to do so.

(e) Employ or retain any attorney who is not a state employee subject to s. 20.930.

***−1649/6.1* SECTION 42.** 15.07 (2) (b) of the statutes is repealed.

***−0519/3.1* SECTION 43.** 15.07 (2) (m) of the statutes is created to read:

15.07 **(2)** (m) The member appointed under s. 15.345 (6) (a) shall serve as chairperson of the managed forest land board.

***−1649/6.2* SECTION 44.** 15.07 (2) (n) of the statutes is created to read:

15.07 **(2)** (n) The chairperson of the health care quality and patient safety board shall be designated biennially by the governor.

***−1649/6.3* SECTION 45.** 15.07 (3) (bm) 1. of the statutes is repealed.

***−0955/10.2* SECTION 46.** 15.103 (1g) of the statutes is created to read:

15.103 **(1g)** DIVISION OF LEGAL SERVICES. There is created in the department of administration a division of legal services. The administrator of the division shall be appointed by the secretary of administration in the unclassified service.

***−0745/2.1* SECTION 47.** 15.105 (12) (e) of the statutes is amended to read:

15.105 **(12)** (e) *Executive director.* The board shall appoint an executive director under or outside of the classified service ~~to serve at its pleasure~~.

***−0745/2.2* SECTION 48.** 15.105 (12) (f) of the statutes is amended to read:

15.105 **(12)** (f) *Assistance.* The ~~executive director~~ board may ~~request~~ contract with any state agency to provide assistance necessary for the board to fulfill its duties.

***−1649/6.4* SECTION 49.** 15.105 (13) of the statutes is created to read:

15.105 **(13)** HEALTH CARE QUALITY AND PATIENT SAFETY BOARD. (a) *Creation; membership.* There is created a health care quality and patient safety board, attached to the department of administration under s. 15.03, consisting of the following members:

1. The secretary of health and family services, the secretary of employee trust funds, and the secretary of administration or their designees.

2. One physician, as defined in s. 448.01 (5).

3. One representative of hospitals.

4. One employer purchaser of health care.

5. One representative of the insurance industry.

6. One representative of health maintenance organizations, as defined in s. 609.01 (2).

7. One member who shall represent the public interest.

(b) *Terms.* The board members specified in par. (a) 2. to 7. shall be appointed for 4−year terms.

***−1243/P3.1* SECTION 50.** 15.13 of the statutes is amended to read:

15.13 Department of agriculture, trade, and ~~consumer protection~~ rural resources; creation. There is created a department of agriculture, trade, and ~~consumer protection~~ rural resources under the direction and supervision of the board of agriculture, trade, and ~~consumer protection~~ rural resources. The board shall consist of ~~7~~ 9 members with an agricultural background ~~and 2 members who are consumer representatives~~, appointed for staggered 6−year terms. Appointments to the board shall be made without regard to party affiliation, residence or interest in any special organized group.

***−1243/P3.2* SECTION 51.** 15.137 (1) (a) (intro.) of the statutes is amended to read:

15.137 **(1)** (a) (intro.) There is created in the department of agriculture, trade, and ~~consumer protection~~ rural resources an agricultural producer security council consisting of the following members appointed by the secretary of agriculture, trade, and rural resources for 3−year terms:

***−0280/1.1* SECTION 52.** 15.16 (2) of the statutes is repealed.

***−1649/6.5* SECTION 53.** 15.195 (6) of the statutes is repealed.

***−1363/1.2* SECTION 54.** 15.345 (5) of the statutes is repealed.

***−0519/3.2* SECTION 55.** 15.345 (6) of the statutes is created to read:

15.345 **(6)** MANAGED FOREST LAND BOARD. There is created in the department of natural resources a managed forest land board consisting of the chief state forester or his or her designee and the following members appointed for 3−year terms:

(a) One member appointed from a list of 5 nominees submitted by the Wisconsin Counties Association.

(b) One member appointed from a list of 5 nominees submitted by the Wisconsin Towns Association.

(c) One member appointed from a list of 5 nominees submitted by an association that represents the interests of counties that have county forests within their boundaries.

(d) One member appointed from a list of 5 nominees submitted by the council on forestry.

***−1510/2.1* SECTION 56.** 15.495 of the statutes is renumbered 15.945 and amended to read:

15.945 Same; attached board. (1) EDUCATIONAL APPROVAL BOARD. There is created an educational approval board which is attached to the ~~department of veterans affairs~~ technical college system board under s. 15.03. The board shall consist of not more than 7 members, who shall be representatives of state agencies and other persons with a demonstrated interest in educational programs, appointed to serve at the pleasure of the governor.

***−1737/2.1* SECTION 57.** 16.004 (13) of the statutes is repealed.

***−0955/10.3* SECTION 58.** 16.004 (15) of the statutes is created to read:

16.004 **(15)** LEGAL SERVICES. (a) In this subsection, "state agency" means an office, commission, department, independent agency, or board in the executive branch of state government, and includes the building commission.

(b) The department may provide legal services to state agencies. Annually, the department shall assess each state agency for the cost of the legal services provided to the state agency. The department shall credit all moneys received from state agencies under this paragraph to the appropriation account under s. 20.505 (1) (kr).

(c) An attorney employed by the department may prosecute or defend any action brought by or against the state in any matter relating to tax litigation.

***−1649/6.6* SECTION 59.** 16.03 (3) of the statutes is amended to read:

16.03 **(3)** REPORT. The interagency coordinating council shall report at least twice annually to the health care quality and patient safety board ~~on health care information~~ in the department of ~~health and family services~~ administration, concerning the council's activities under this section.

***−0738/2.1* SECTION 60.** 16.27 (3) (e) 2. of the statutes is repealed.

***−0738/2.2* SECTION 61.** 16.27 (3) (e) 3. of the statutes is amended to read:

16.27 **(3)** (e) 3. Except as provided under subd. 6., allocate the balance of funds received under 42 USC 8621 to 8629 in a federal fiscal year, after making the allocations under pars. (c) and (d) and ~~subds. 1. and 2.~~ subd. 1., for the payment of heating assistance or for the payment of crisis assistance under sub. (6).

***−0752/2.8* SECTION 62.** 16.40 (14) of the statutes is amended to read:

16.40 **(14)** COMMITTEES. Perform administrative services required to properly account for the finances of committees created by law or executive order. The governor may authorize each committee to make expenditures from the appropriation under s. 20.505 (4) (ba) not exceeding $2,000 per fiscal year. The governor shall report such authorized expenditures to the joint committee on finance at the next quarterly meeting of the committee. If the governor desires to authorize expenditures of more than $2,000 per fiscal year by a committee, the governor shall

submit to the joint committee on finance for its approval a complete budget for all expenditures made or to be made by the committee. The budget may cover a period encompassing more than one fiscal year or biennium during the governor's term of office. If the joint committee on finance approves a budget authorizing expenditures of more than $2,000 per fiscal year by such a committee, the governor may authorize the expenditures to be made within the limits of the appropriation under s. 20.505 (4) (ba) in accordance with the approved budget during the period covered by the budget. If after the joint committee on finance approves a budget for such a committee the governor desires to authorize expenditures in excess of the authorized expenditures under the approved budget, the governor shall submit a modified budget for the committee to the joint committee on finance. If the joint committee on finance approves a modified budget, the governor may authorize additional expenditures to be made within the limits of the appropriation under s. 20.505 (4) (ba) in accordance with the modified budget during the period covered by the modified budget. <u>The secretary may reduce or eliminate proposed expenditures under this subsection in any fiscal year if the amount appropriated under s. 20.505 (4) (ba) for that fiscal year is insufficient to fully fund the proposed expenditures.</u>

***−0751/1.1* SECTION 63.** 16.43 of the statutes is amended to read:

16.43 Budget compiled. The secretary shall compile and submit to the governor or the governor−elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even−numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof. The secretary shall not include in the compilation any provision for the development or implementation of an information technology development project

for an executive branch agency that is not consistent with the strategic plan of the agency, as approved under s. 16.976. The secretary may distribute the budget compilation in printed or optical disk format.

***−0751/1.2* SECTION 64.** 16.45 of the statutes is amended to read:

16.45 Budget message to legislature. In each regular session of the legislature, the governor shall deliver the budget message to the 2 houses in joint session assembled. Unless a later date is requested by the governor and approved by the legislature in the form of a joint resolution, the budget message shall be delivered on or before the last Tuesday in January of the odd−numbered year. With the message the governor shall transmit to the legislature, as provided in ss. 16.46 and 16.47, the biennial state budget report and the executive budget bill or bills together with suggestions for the best methods for raising the needed revenues. The governor may distribute the biennial state budget report in printed or optical disk format.

***−1372/2.2* SECTION 65.** 16.46 (5m) of the statutes is repealed and recreated to read:

16.46 **(5m)** A statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding biennium based on recommendations in the budget bill or bills.

***−1742/3.1* SECTION 66.** 16.50 (1) (b) of the statutes is amended to read:

16.50 **(1)** (b) This subsection does not apply to appropriations under ss. 20.255 (2) (ac) ~~and~~, (af), and (r), 20.835, and 20.865 (4).

***−0736/1.1* SECTION 67.** 16.505 (3m) of the statutes is repealed.

***−1886/2.1* SECTION 68.** 16.518 (title) of the statutes is amended to read:

16.518 (title) **Transfers to the budget stabilization fund ~~and the cash building projects~~ health care quality improvement fund.**

***−1886/2.2* SECTION 69.** 16.518 (3) (b) 3. of the statutes is created to read:

16.518 **(3)** (b) 3. In the 2006−07 fiscal year, the secretary shall reduce any amount transferred to the budget stabilization fund under par. (a) by an amount necessary to ensure that the distribution on June 15, 2007, under s. 79.10 (7m) (a) 1. b. is made.

***−1886/4.2* SECTION 70.** 16.518 (3) (b) 4. of the statutes is created to read:

16.518 **(3)** (b) 4. In the 2006−07 fiscal year, the secretary shall reduce any amount transferred to the budget stabilization fund under par. (a) by an amount necessary to fund the appropriation under s. 20.255 (2) (af).

***−1886/5.2* SECTION 71.** 16.518 (4) of the statutes is created to read:

16.518 **(4)** Notwithstanding sub. (3), if the amount of moneys projected to be deposited in the general fund during the 2005−07 fiscal biennium that are designated as "Taxes" in the summary is less than the amount of such moneys estimated to be deposited in the general fund during that fiscal biennium, as determined by the department under s. 79.10 (7m) (a) 1. b., the secretary may transfer any of the excess to the health care quality improvement fund.

***−1742/3.2* SECTION 72.** 16.52 (10) of the statutes is amended to read:

16.52 **(10)** DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the appropriations under s. 20.255 (2) (ac) ~~and~~, (af), and (r).

***−1649/6.7* SECTION 73.** 16.526 (title) of the statutes is repealed and recreated to read:

16.526 (title) **Revenue obligation program to fund costs of the Medical Assistance program.**

***−1649/6.8* SECTION 74.** 16.526 (1) of the statutes is amended to read:

16.526 **(1)** For purposes of subch. II of ch. 18, the purposes of obtaining proceeds to ~~pay the state's anticipated unfunded prior service liability under s. 40.05 (2) (b) and of paying the state's unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40~~ fund costs of the Medical Assistance program is a special fund program, and the excise tax fund is a special fund. The legislature finds and determines that the excise tax fund is a segregated fund consisting of fees, penalties, or excise taxes and that financing the ~~special~~ Medical Assistance program to ~~pay the state's unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40~~ fund costs from the net proceeds of revenue obligations issued under this section is appropriate and will serve a public purpose by improving the quality of, and access of citizens of this state to, health care services.

***−1649/6.9* SECTION 75.** 16.526 (2) of the statutes is amended to read:

16.526 **(2)** The net proceeds of revenue obligations issued under subch. II of ch. 18, as authorized under this section, shall be deposited in a fund in the state treasury, or an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be applied for ancillary payments and for the provision of reserves, as determined by the building commission, and for the payment of part or all of the ~~state's unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the department,~~ costs of the Medical Assistance program, and any remainder shall be

paid into ~~a retirement liability~~ an excise tax revenue obligation redemption fund created under 18.562 (3).

***−1649/6.10* SECTION 76.** 16.526 (5) (b) of the statutes is amended to read:

16.526 **(5)** (b) Except as otherwise provided in this paragraph, the secretary shall determine the requirements for funds to be obtained from revenue obligations issued under this section to pay the ~~state's anticipated unfunded prior service liability under s. 40.05 (2) (b) and funds used for the payment of the state's unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, that are to be paid from revenue obligations issued under this section, shall be determined by the secretary~~ costs of the Medical Assistance program. The ~~sum~~ amount of expenditures to be paid from revenue obligations issued under this section ~~and appropriation obligations issued under s. 16.527, if any~~, excluding any ~~appropriation~~ revenue obligations that have been defeased under a cash optimization program administered by the building commission ~~and any appropriation obligations issued pursuant to s. 16.527 (3) (b) 3.~~, shall not exceed ~~$1,500,000,000~~ $130,000,000.

***−1649/6.11* SECTION 77.** 16.526 (5) (c) of the statutes is created to read:

16.526 **(5)** (c) For the purpose of s. 18.58 (4), the department is carrying out program responsibilities for which the revenue obligations are authorized under this section.

***−1649/6.12* SECTION 78.** 16.527 (3) (b) 2. of the statutes is amended to read:

16.527 **(3)** (b) 2. The sum of appropriation obligations issued under this section, excluding any obligations that have been defeased under a cash optimization program administered by the building commission and any obligations issued

pursuant to subd. 3., ~~and revenue obligations issued under s. 16.526, if any,~~ may not exceed $1,500,000,000.

***−1837/2.1* SECTION 79.** 16.529 of the statutes is repealed and recreated to read:

16.529 Lapses and fund transfers relating to unfunded retirement liability debt service. (1) The definitions in s. 20.001 are applicable in this section, except that "state agency" does not include the department of employee trust funds or the investment board.

(2) Beginning in the 2007−09 fiscal biennium, during each fiscal biennium the secretary shall lapse to the general fund or transfer to the general fund from each state agency appropriation specified in sub. (3) an amount equal to that portion of the total amount of principal and interest to be paid on obligations issued under s. 16.527 during the fiscal biennium that is allocable to the appropriation, as determined under sub. (3).

(3) The secretary shall determine the amounts of the allocations required under sub. (2) as follows:

(a) The secretary shall first determine the total amount of Wisconsin retirement system contributions that are to be paid by the state under s. 40.05 during the fiscal biennium.

(b) The secretary shall then determine the percentage of the total amount determined under par. (a) that is allocable to each state agency appropriation from which Wisconsin retirement system contributions under s. 40.05 are paid. The secretary shall exclude from this determination any appropriation from which a lapse or transfer to pay any principal or interest amount on obligations issued under s. 16.527 would violate a condition imposed by the federal government on the

expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

(c) For each appropriation identified under par. (b), the secretary shall then apply the percentage calculated under par. (b) to the total amount of principal and interest to be paid during the fiscal biennium on obligations issued under s. 16.527. This amount is the portion of the total amount of principal and interest paid on the obligations during that fiscal biennium that is allocable to each appropriation.

***−0738/2.3* SECTION 80.** 16.54 (2) (b) of the statutes is amended to read:

16.54 **(2)** (b) Upon presentation by the department to the joint committee on finance of alternatives to the provisions under s. 16.27, the joint committee on finance may revise the eligibility criteria under s. 16.27 (5)~~,~~ <u>or</u> benefit payments under s. 16.27 (6) ~~or the amount allocated for crises under s. 16.27 (3) (e) 2.~~<u>,</u> and the department shall implement those revisions. Benefits or eligibility criteria so revised shall take into account and be consistent with the requirements of federal regulations promulgated under 42 USC 8621 to 8629. If funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received in the previous federal fiscal year, the department shall submit to the joint committee on finance a plan for expenditure of the funds. The department may not use the funds unless the committee approves the plan.

***−1851/1.1* SECTION 81.** 16.56 of the statutes is created to read:

16.56 Grain inspection funding. On June 30 of each fiscal year, the department shall determine whether the accumulated expenses for the inspection and certification of grain under s. 93.06 (1m) have exceeded the accumulated revenues from conducting that inspection and certification as of that date. If so, immediately before the end of the fiscal year, the department shall transfer the

unencumbered balances in the appropriation accounts under s. 20.115 (1) (a), (2) (a), (3) (a), (7) (a), and (8) (a), up to the amount of the excess, to the appropriation account under s. 20.115 (1) (h).

***−0328/4.1* SECTION 82.** 16.75 (4) (d) of the statutes is amended to read:

16.75 **(4)** (d) In this subsection and s. 16.755, "veteran−owned business" means a small business, as defined in par. (c), that is certified by the department of veterans affairs as being at least 51% owned by one or more veterans, as defined in s. ~~45.35 (5)~~ 45.001 (4).

***−1219/2.1* SECTION 83.** 16.771 of the statutes is created to read:

16.771 False claims. Whoever knowingly presents or causes to be presented a false claim for payment under any contract or order for materials, supplies, equipment, or contractual services to be provided to an agency shall forfeit not less than $5,000 nor more than $10,000, plus 3 times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a result of the false claim. The attorney general may bring an action on behalf of the state to recover any forfeiture incurred under this section.

***−0404/4.1* SECTION 84.** 16.841 (1) (b) of the statutes is amended to read:

16.841 **(1)** (b) "Child care provider" means a provider licensed under s. ~~48.65~~ 49.98, certified under s. ~~48.651~~ 49.156, or established or contracted for under s. 120.13 (14).

***−1513/4.4* SECTION 85.** 16.848 of the statutes is created to read:

16.848 Sale of certain state property. (1) Except as provided in sub. (2) and subject to sub. (3), the department may sell any state−owned real property, if the department determines that the sale is in the best interest of the state. The sale may

be either on the basis of public bids, with the department reserving the right to reject any bid in the interest of the state, or negotiated prices.

(2) (a) Subsection (1) does not authorize the closure or sale of any facility or institution the operation of which is provided for by law.

(b) Subsection (1) does not apply to property under the jurisdiction of the board of regents of the University of Wisconsin System.

(c) Subsection (1) does not apply to property sold by the department under s. 16.98 (3).

(d) Subsection (1) does not apply to lands under the jurisdiction of the board of commissioners of public lands.

(e) Subsection (1) does not apply to property under the jurisdiction of the department of natural resources, except central or district office facilities.

(f) Subsection (1) does not apply to lands acquired with revenues collected under s. 70.58.

(g) Subsection (1) does not apply to property that is subject to sale by the department of veterans affairs under s. 45.72 (7).

(h) The department shall not sell any property under this section that is leased by the state until the lease expires or the lease is modified, renewed, or extended, whichever first occurs, without consent of the lessee.

(3) The department shall not sell any state property under sub. (1) unless the sale is approved by the building commission under 2005 Wisconsin Act .... (this act), section 9101 (4) (b).

(4) Except as provided in s. 13.48 (14) (e), if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold under sub. (1), the department shall deposit a sufficient amount of the net

proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the department shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the department shall adhere to any restriction governing use of the proceeds. Except as required under ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt outstanding, there are no moneys payable to the federal government, and there is no restriction governing use of the proceeds, and if the net proceeds exceed the amount required to be deposited, paid, or used for another purpose under this subsection, the department shall deposit the net proceeds or remaining net proceeds in the general fund.

***−1219/2.2* SECTION 86.** 16.871 of the statutes is created to read:

16.871 False claims. (1) In this section:

(a) "Agency" has the meaning given in s. 16.70 (1e).

(b) "Construction work" has the meaning given in s. 16.87 (1) (a).

(c) "Limited trades work" has the meaning given in s. 16.70 (7).

(2) Whoever knowingly presents or causes to be presented a false claim under any contract for construction work or limited trades work, or for engineering or architectural services, to be provided to any agency shall forfeit not less than $5,000 nor more than $10,000, plus 3 times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a result of the false claim. The attorney general may bring an action on behalf of the state to recover any forfeiture incurred under this subsection.

***−1512/4.1* SECTION 87.** 16.891 of the statutes is created to read:

16.891 Reports on cost of occupancy of state facilities. (1) In this section:

(a) "Agency" has the meaning given in s. 16.70 (1e).

(b) "Total cost of occupancy" means the cost to operate and maintain the physical plant of a building, structure, or facility, including administrative costs of an agency attributable to operation and maintenance of a building, structure, or facility, together with any debt service costs associated with the building, structure, or facility, computed in the manner prescribed by the department.

(2) Except as provided in sub. (4), each agency shall report to the department no later than October 1 of each year concerning the total cost of occupancy of each state−owned building, structure, and facility, excluding public highways and bridges, under the jurisdiction of the agency for the preceding fiscal year. The report shall be made in a format prescribed by the department. Beginning in 2009, if a building, structure, or facility is a part of an institution, the agency having jurisdiction of the institution shall also include in its report the total cost of occupancy of all of the buildings, structures, and facilities within the institution.

(3) No later than December 1 of each year, the department shall compile the information received under sub. (2) and transmit a consolidated report to the building commission on the total cost of occupancy of all buildings, structures, and facilities included in the reports filed under sub. (2), itemized for each building, structure, and facility. The report shall include, for each building, structure, or facility, the recommendations of the department concerning the desired total cost of occupancy for that building, structure, or facility.

(4) The department may exempt an agency from compliance with the reporting requirement under sub. (2) with respect to any building, structure, or facility that the department determines to have a minimal total cost of occupancy.

***−1377/3.1* SECTION 88.** 16.964 (7) of the statutes is repealed.

***−1921/1* SECTION 89.** 16.964 (9) of the statutes is repealed.

***−1670/3.1* SECTION 90.** 16.964 (10) of the statutes is created to read:

16.964 **(10)** Annually, the office shall pay the amount appropriated under s. 20.505 (6) (e) to the Wisconsin Trust Account Foundation, Inc., to provide civil legal services to indigent persons. The Wisconsin Trust Account Foundation, Inc., shall distribute the amount received as grants to programs that provide civil legal services to indigent persons. The grants may be used only for the following civil legal services:

(a) Serving as guardian ad litem for cases with the bureau of Milwaukee child welfare of the department of health and family services.

(b) Coordinating insurance benefits for medical assistance recipients.

(c) Assisting Wisconsin Works participants in applying for supplemental security income program benefits.

(d) Obtaining and enforcing child support, including legal services related to domestic abuse.

(e) Developing discharge plans for mentally ill inmates and assisting those inmates in their community integration planning.

(f) Providing ancillary services to juvenile offenders.

***−0984/4.1* SECTION 91.** 16.966 of the statutes is repealed and recreated to read:

16.966 Geographic information systems. The department may develop and maintain geographic information systems relating to land in this state for the use of governmental and nongovernmental units.

***−0984/4.2* SECTION 92.** 16.967 of the statutes is repealed and recreated to read:

16.967 Land information program. (1) DEFINITIONS. In this section:

(a) "Agency" has the meaning given in s. 16.70 (1e).

(b) "Land information" means any physical, legal, economic, or environmental information or characteristics concerning land, water, groundwater, subsurface resources, or air in this state. "Land information" includes information relating to topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife, associated natural resources, land ownership, land use, land use controls and restrictions, jurisdictional boundaries, tax assessment, land value, land survey records and references, geodetic control networks, aerial photographs, maps, planimetric data, remote sensing data, historic and prehistoric sites, and economic projections.

(c) "Land information system" means an orderly method of organizing and managing land information and land records.

(d) "Land records" means maps, documents, computer files, and any other information storage medium in which land information is recorded.

(e) "Systems integration" means land information that is housed in one jurisdiction or jurisdictional subunit and is available to other jurisdictions, jurisdictional subunits, public utilities, and other private sector interests.

(3) DUTIES OF DEPARTMENT. The department shall direct and supervise the land information program and serve as the state clearinghouse for access to land information. In addition, the department shall:

(a) Provide technical assistance and advice to state agencies and local governmental units with land information responsibilities.

(b) Maintain and distribute an inventory of land information available for this state, land records available for this state, and land information systems.

(c) Prepare guidelines to coordinate the modernization of land records and land information systems.

(d) Review project applications received under sub. (7) and determine which projects are approved.

(e) Review for approval a countywide plan for land records modernization prepared under s. 59.72 (3) (b).

(4) FUNDING REPORT. The department shall identify and study possible program revenue sources or other revenue sources for the purpose of funding the operations of the land information program, including grants to counties under sub. (7).

(5) FEE REVENUE. The department shall credit all fee revenue received under s. 59.72 (5) (a) to the appropriation account under s. 20.505 (1) (ij), except that the department shall credit the amounts appropriated under s. 20.505 (1) (ie) and (if) to those appropriation accounts.

(6) REPORTS. By March 31 of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of commerce, the department of health and family services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the

public service commission, and the board of curators of the historical society shall each submit to the department a plan to integrate land information to enable such information to be readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility. The plans shall include the information that will be needed by local governmental units to prepare comprehensive plans containing the planning elements required under s. 66.1001 (2). Upon receipt of this information, the department shall integrate the information to enable the information to be used to meet land information data needs. The integrated information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

(7) AID TO COUNTIES. (a) A county board that has established a county land information office under s. 59.72 (3) may apply to the department on behalf of any local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially within the county for a grant for any of the following projects:

1. The design, development, and implementation of a land information system that contains and integrates, at a minimum, property and ownership records with boundary information, including a parcel identifier referenced to the U.S. public land survey; tax and assessment information; soil surveys, if available; wetlands identified by the department of natural resources; a modern geodetic reference system; current zoning restrictions; and restrictive covenants.

2. The preparation of parcel property maps that refer boundaries to the public land survey system and are suitable for use by local governmental units for accurate land title boundary line or land survey line information.

3. The preparation of maps that include a statement documenting accuracy if the maps do not refer boundaries to the public land survey system and that are suitable for use by local governmental units for planning purposes.

4. Systems integration projects.

5. To support technological developments and improvements for the purpose of providing Internet−accessible housing assessment and sales data.

(b) Grants shall be paid from the appropriation under s. 20.505 (1) (ij). A grant under this subsection may not exceed $100,000. The department may award more than one grant to a county board.

(8) ADVICE; COOPERATION. In carrying out its duties under this section, the department may seek advice and assistance from the board of regents of the University of Wisconsin System and other agencies, local governmental units, and other experts involved in collecting and managing land information. Agencies shall cooperate with the department in the coordination of land information collection.

(9) TECHNICAL ASSISTANCE; EDUCATION. The department may provide technical assistance to counties and conduct educational seminars, courses, or conferences relating to land information. The department shall charge and collect fees sufficient to recover the costs of activities authorized under this subsection.

***−0984/4.3* SECTION 93.** 16.9675 of the statutes is created to read:

16.9675 Land activities. The department shall do all of the following:

(1) Identify state land use goals and recommend these goals to the governor.

(2) Identify state land use priorities to further the state's land use goals and recommend to the governor legislation to implement these priorities.

(3) Study areas of cooperation and coordination in the state's land use statutes and recommend to the governor legislation to harmonize these statutes to further the state's land use goals.

(4) Study areas of the state's land use statutes that conflict with each other and recommend to the governor legislation to resolve these conflicts to further the state's land use goals.

(5) Identify areas of the state's land use statutes that conflict with county or municipal land use ordinances, and areas of county or municipal land use ordinances that conflict with each other, and recommend to the governor legislation to resolve these conflicts.

(6) Establish a state agency resource working group that is composed of representatives of the departments of administration; agriculture, trade and consumer protection; commerce; natural resources; revenue; transportation; and other appropriate agencies to discuss, analyze, and address land use issues and related policy issues, including the following:

(a) Gathering information about the land use plans of state agencies.

(b) Establishing procedures for the distribution of the information gathered under par. (a) to other state agencies, local units of government, and private persons.

(c) Creating a system to facilitate, and to provide training and technical assistance for the development of, local intergovernmental land use planning.

(7) Study the activities of local units of government in the land use area to determine how these activities impact on state land use goals, and recommend to the governor legislation that fosters coordination between local land use activities and state land use goals.

(8) Identify procedures for facilitating local land use planning efforts, including training and technical assistance for local units of government, and recommend to the governor legislation to implement such procedures.

(9) Gather and analyze information about the land use activities in this state of the federal government and American Indian governments and inform the governor of the impact of these activities on state land use goals.

(10) Study any other issues that are reasonably related to the state's land use goals, including methods for alternative dispute resolution for disputes involving land use issues, and recommend to the governor legislation in the areas studied by the department that would further the state's land use goals.

(11) Gather information about land use issues in any reasonable way, including the following:

(a) Establishing a state−local government−private sector working group to study and advise the department on land use issues.

(b) Holding public hearings or information meetings on land use issues.

(c) Conducting surveys on land use issues.

(d) Consulting with any person who is interested in land use issues.

***−1486/1.1* SECTION 94.** 16.971 (17) of the statutes is created to read:

16.971 **(17)** Provide educational agencies that are eligible for a rate discount on telecommunications services under 47 USC 254 with additional telecommunications access under s. 16.998 and contract with telecommunications providers to provide that access.

***−1486/1.2* SECTION 95.** 16.993 (9) of the statutes is repealed.

***−1486/1.3* SECTION 96.** 16.995 (3m) of the statutes is amended to read:

16.995 **(3m)** PUBLIC DEBT REPAYMENT. To the extent that sufficient moneys for the provision of educational telecommunications access under s. 16.997 are available in the appropriation account under s. 20.505 (4) (mp) after payment of the administrative expenses specified in s. 20.505 (4) (mp), the department shall use those available moneys to reimburse s. 20.505 (4) (es) and (et) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance under this section and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

***−1486/1.4* SECTION 97.** 16.997 (2) (a) of the statutes is renumbered 16.997 (2) (a) (intro.) and amended to read:

16.997 **(2)** (a) (intro.) Allow an educational agency to make a request to the department for access to either one data line or one video link, except ~~that any~~ as follows:

1. Any educational agency may request access to additional data lines if the agency shows to the satisfaction of the department that the additional data lines are more cost−effective than a single data line ~~and except that a~~.

2. A school district that operates more than one high school or a public library board that operates more than one library facility may request access to both a data line and a video link and access to more than one data line or video link.

***−1486/1.5* SECTION 98.** 16.997 (2) (a) 3. of the statutes is created to read:

16.997 **(2)** (a) 3. An educational agency that is eligible for a rate discount on telecommunications services under 47 USC 254 may request access to additional data lines and video links and to increased bandwidth access as provided in s. 16.998.

***−1486/1.6* SECTION 99.** 16.997 (2) (b) of the statutes is amended to read:

16.997 **(2)** (b) Establish eligibility requirements for an educational agency to participate in the program established under sub. (1) and to receive additional telecommunications access under s. 16.998, including a requirement that a charter school sponsor use data lines and video links to benefit pupils attending the charter school and a requirement that Internet access to material that is harmful to children, as defined in s. 948.11 (1) (b), is blocked on the computers of secured correctional facilities that are served by data links and video links subsidized under this section.

***−1486/1.7* SECTION 100.** 16.997 (2) (c) of the statutes is amended to read:

16.997 **(2)** (c) Establish specifications for data lines and video links for which access is provided to an educational agency under the program established under sub. (1) or for which additional access is provided to an educational agency under s. 16.998.

***−1486/1.8* SECTION 101.** 16.997 (2) (f) of the statutes is amended to read:

16.997 **(2)** (f) Ensure that secured correctional facilities that receive access under this section to data lines and video links ~~use them~~ or that receive additional access under s. 16.998 to data lines, video links, and bandwidth use those data lines and video links and that bandwidth only for educational purposes.

***−1486/1.9* SECTION 102.** 16.997 (2g) (intro.) of the statutes is amended to read:

16.997 **(2g)** (intro.) An educational agency that is provided access to a data line under the program established under sub. (1) or to an additional data line under s. 16.998 may not do any of the following:

***−1486/1.10* SECTION 103.** 16.997 (2r) (a) of the statutes is amended to read:

16.997 **(2r)** (a) A public library board that is provided access to a data line under the program established under sub. (1) or to an additional data line under s. 16.998

may enter into a shared service agreement with a political subdivision that provides the political subdivision with access to any excess bandwidth on the data line that is not used by the public library board, except that a public library board may not sell, resell, or transfer in consideration for money or anything of value to a political subdivision access to any excess bandwidth. A shared service agreement under this paragraph is not valid unless the agreement allows the public library board to cancel the agreement at any time after providing notice to the political subdivision.

***−1486/1.11* SECTION 104.** 16.998 of the statutes is created to read:

16.998 Educational telecommunications; additional access. An educational agency that is eligible for a rate discount for telecommunications services under 47 USC 254 may request data lines, video links, and bandwidth access that is in addition to what is provided under the program under s. 16.997 (1). The department shall apply for aid under 47 USC 254 to cover the costs of the data lines, video links, and bandwidth access that are provided under this section and shall credit any aid received to the appropriation account under s. 20.505 (4) (mp). To the extent that the aid does not fully cover those costs, the department shall require an educational agency to pay the department a monthly fee that is sufficient to cover those costs and shall credit any monthly fee received to the appropriation account under s. 20.505 (4) (Lm).

***−1737/2.2* SECTION 105.** 17.11 (4) (intro.) of the statutes is amended to read:

17.11 **(4)** (intro.) If it is determined in the action or proceeding or is found upon the investigation that a district attorney or sheriff suspended under this section is not guilty of an offense, or has not willfully neglected or refused to perform his or her duties, as charged, that fact shall be certified by the governor to the department of ~~administration~~ justice if a district attorney is involved or to the county clerk of the

sheriff's county if a sheriff is involved. Upon the certification, the district attorney or sheriff shall be:

***−0561/3.1* SECTION 106.** 18.01 (4) (intro.) of the statutes is amended to read:

18.01 **(4)** (intro.) "Public debt" or "debt" means every voluntary, unconditional undertaking by the state, other than an operating note ~~or an interest exchange agreement~~, to repay a sum certain:

***−0561/3.2* SECTION 107.** 18.06 (8) (a) of the statutes is renumbered 18.06 (8) (a) (intro.) and amended to read:

18.06 **(8)** (a) (intro.) ~~The~~ Subject to par. (am), at the time of, or in anticipation of, contracting public debt and at any time thereafter while the public debt is outstanding, the commission may enter into agreements and ancillary arrangements ~~for~~ relating to the public debt, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. At the time of contracting for any such agreement or ancillary arrangement, the commission shall determine all of the following, if applicable:

***−0561/3.3* SECTION 108.** 18.06 (8) (a) 1. of the statutes is created to read:

18.06 **(8)** (a) 1. For any payment to be received with respect to the agreement or ancillary arrangement, whether the payment will be deposited into the bond security and redemption fund or the capital improvement fund.

***−0561/3.4* SECTION 109.** 18.06 (8) (a) 2. of the statutes is created to read:

18.06 **(8)** (a) 2. For any payment to be made with respect to the agreement or ancillary arrangement, whether the payment will be made from the bond security and redemption fund or the capital improvement fund and the timing of any transfer of funds.

***−0561/3.5* SECTION 110.** 18.08 (1) (a) of the statutes is renumbered 18.08 (1) (a) (intro.) and amended to read:

18.08 **(1)** (a) (intro.) All moneys resulting from the contracting of public debt or any payment to be received with respect to any agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt shall be credited to a separate and distinct fund, established in the state treasury, designated as the capital improvement fund, except that ~~such~~:

1. Such moneys which represent ~~premium and~~ accrued interest on bonds ~~or notes~~ issued, or are for purposes of funding or refunding bonds pursuant to s. 18.06 (5), shall be credited to one or more of the sinking funds of the bond security and redemption fund or to the state building trust fund~~.~~; and

***−0561/3.6* SECTION 111.** 18.08 (1) (a) 2. of the statutes is created to read:

18.08 **(1)** (a) 2. Any such moneys that represent premium or any payments received pursuant to any agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt may be credited to one or more of the sinking funds of the bond security and redemption fund or to the capital improvement fund, as determined by the commission.

***−0561/3.7* SECTION 112.** 18.08 (2) of the statutes is amended to read:

18.08 **(2)** The capital improvement fund may be expended, pursuant to appropriations, only for the purposes and in the amounts for which the public debts have been contracted, for the payment of principal and interest on loans or on notes, for the payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt, for the purposes identified under s. 20.867 (2) (v) and (4) (q), and for expenses incurred in contracting public debt.

***−0561/3.8* SECTION 113.** 18.08 (4) of the statutes is amended to read:

18.08 **(4)** If at any time it appears that there will not be on hand in the capital improvement fund sufficient moneys for the payment of principal and interest on loans or on notes or for the payment due, if any, under an agreement or ancillary arrangement that has been entered into under s. 18.06 (8) (a) with respect to any public debt and that has been determined to be payable from the capital improvement fund under s. 18.06 (8) (a) 2., the department of administration shall transfer to such fund, out of the appropriation made pursuant to s. 20.866, a sum sufficient which, together with any available money on hand in such fund, is sufficient to make such payment.

***−0561/3.9* SECTION 114.** 18.09 (2) of the statutes is amended to read:

18.09 **(2)** Each sinking fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the bonds giving rise to it ~~and~~, premium, if any, due upon ~~refunding~~ redemption of any such bonds, and payment due, if any, under an agreement or ancillary arrangement that has been entered into under s. 18.06 (8) (a) with respect to any such bonds and that has been determined to be payable from the bond security and redemption fund under s. 18.06 (8) (a) 2.

***−1649/6.13* SECTION 115.** 18.55 (5) of the statutes is amended to read:

18.55 **(5)** EXERCISE OF AUTHORITY. Money may be borrowed and evidences of revenue obligation issued therefor pursuant to one or more authorizing resolutions, unless otherwise provided in the resolution or in this subchapter, at any time and from time to time, for any combination of purposes, in any specific amounts, at any rates of interest, for any term, payable at any intervals, at any place, in any manner and having any other terms or conditions deemed necessary or useful. Revenue

obligation bonds may bear interest at variable or fixed rates, bear no interest or bear interest payable only at maturity or upon redemption prior to maturity. Unless sooner exercised or unless a ~~shorter~~ different period is provided in the resolution, every authorizing resolution, except as provided in s. 18.59 (1), shall expire one year after the date of its adoption.

***−1649/6.14* SECTION 116.** 18.61 (5) of the statutes is amended to read:

18.61 **(5)** The legislature may provide, with respect to any specific issue of revenue obligations, prior to their issuance, that if the special fund income or the enterprise or program income pledged to the payment of the principal and interest of the issue is insufficient for that purpose, or is insufficient to replenish a reserve fund, if applicable, it will consider supplying the deficiency by appropriation of funds, from time to time, out of the treasury. If the legislature so provides, the commission may make the necessary provisions therefor in the authorizing resolution and other proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that it shall make such appropriation.

***−0561/3.10* SECTION 117.** 18.70 of the statutes is amended to read:

18.70 Provisions applicable. The following sections apply to this subchapter, except that all references to "public debt," "debt," or "revenue obligation" are deemed to refer to "operating notes," all references to "evidence of indebtedness" are deemed to refer to "evidence of operating note," and all references to "evidences of indebtedness" are deemed to refer to "evidences of operating notes": ss. 18.03, ~~18.06 (8),~~ 18.07, 18.10 (1), (2), (4) to (9), and (11), 18.17, 18.52 (1m), 18.61 (1), 18.62, and 18.63.

***−0561/3.11* SECTION 118.** 18.73 (5) of the statutes is created to read:

18.73 **(5)** AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF OPERATING NOTES. (a) At the time of, or in anticipation of, contracting operating notes and at any time thereafter while the operating notes are outstanding, the commission may enter into agreements and ancillary arrangements relating to the operating notes, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payment received pursuant to any such agreements or ancillary arrangements shall be deposited in, and any payments made pursuant to any such agreements or ancillary arrangements will be made from, the general fund or the operating note redemption fund, as determined by the commission.

(b) The commission may delegate to other persons the authority and responsibility to take actions necessary and appropriate to implement agreements and ancillary arrangements under par. (a).

(c) Any operating notes may include operating notes contracted to fund interest, accrued or to accrue, on the operating notes.

***−0561/3.12* SECTION 119.** 18.74 of the statutes is amended to read:

18.74 Application of operating note proceeds. All moneys resulting from the contracting of operating notes <u>or any payment to be received under an agreement or ancillary arrangement entered into under s. 18.73 (5) with respect to any such operating notes</u> shall be credited to the general fund, except that moneys which represent premium and accrued interest on operating notes, or moneys for purposes of funding or refunding operating notes pursuant to s. 18.72 (1) shall be credited to the operating note redemption fund.

***−0561/3.13* SECTION 120.** 18.75 (2) of the statutes is amended to read:

18.75 **(2)** The operating note redemption fund shall be expended and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on operating notes giving rise to it and premium, if any, due upon refunding or early redemption of such operating notes, and for the payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.73 (5) with respect to such operating notes.

***−0561/3.14* SECTION 121.** 18.75 (4) of the statutes is amended to read:

18.75 **(4)** There shall be transferred, under s. 20.855 (1) (a), a sum sufficient for the payment of the principal, interest and premium due, if any, ~~on the~~ and for the payment due, if any, under an agreement or ancillary arrangement entered into pursuant to s. 18.73 (5) with respect to operating notes giving rise to it as the same falls due. Such transfers shall be so timed that there is at all times on hand in the fund an amount not less than the amount to be paid out of it during the ensuing 30 days or such other period if so provided for in the authorizing resolution. The commission may pledge the deposit of additional amounts at periodic intervals and the secretary of the department may impound moneys of the general fund, including moneys temporarily reallocated from other funds under s. 20.002 (11), in accordance with the pledge of revenues in the authorizing resolution, and all such impoundments are deemed to be payments for purposes of s. 16.53 (10), but no such impoundment may be made until the amounts to be paid into the bond security and redemption fund under s. 18.09 during the ensuing 30 days have been deposited in the bond security and redemption fund.

***−1737/2.3* SECTION 122.** 19.01 (4) (bn) of the statutes is amended to read:

19.01 **(4)** (bn) Official oaths and bonds of all district attorneys shall be filed with the ~~secretary~~ department of ~~administration~~ justice.

***−1737/2.4* SECTION 123.** 19.42 (5) of the statutes is amended to read:

19.42 **(5)** "Department" means the legislature, the University of Wisconsin System, any authority or public corporation created and regulated by an act of the legislature and any office, department, independent agency or legislative service agency created under ch. 13, 14 or 15, any technical college district or any constitutional office other than a judicial office. In the case of a district attorney, "department" means the department of ~~administration~~ justice unless the context otherwise requires.

***−0604/5.1* SECTION 124.** 20.001 (2) (e) of the statutes is amended to read:

20.001 **(2)** (e) *Federal revenues.* ~~Moneys~~ "Federal revenues" consist of moneys received from the federal government, except that under s. 20.445 (3) (md) "federal revenues" also include moneys treated as refunds of expenditures, and under s. 20.445 (3) (me) "federal revenues" consist only of moneys treated as received from the federal government. Federal revenues may be deposited as program revenues in the general fund or as segregated revenues in a segregated fund. In either case they are indicated in s. 20.005 by the addition of "−F" after the abbreviation assigned under pars. (b) and (d).

***−1917/1* SECTION 125.** 20.001 (3) (e) of the statutes is amended to read:

20.001 **(3)** (e) *Capital improvement authorizations.* The appropriations in s. 20.866 (2) are authorizations to contract public debt in accordance with ch. 18. The amount of debt repaid under each authorization shall not be construed to represent new or additional authority even though the authority is not reduced by the amount of repayment. ~~The~~ Any limiting dollar amount contained in the language of any appropriation under s. 20.866 (2) is the cumulative total authorization carried over from previous biennia plus any new authorization contained in the schedule.

***−0604/5.2* SECTION 126.** 20.001 (5) of the statutes is amended to read:

20.001 **(5)** REFUNDS OF EXPENDITURES. Any amount not otherwise appropriated under this chapter that is received by a state agency as a result of an adjustment made to a previously recorded expenditure from a sum certain appropriation to that agency due to activities that are of a temporary nature or activities that could not be anticipated during budget development and which serves to reduce or eliminate the previously recorded expenditure in the same fiscal year in which the previously recorded expenditure was made, except as provided in s. 20.445 (3) (md), may, upon request of the agency, be designated by the secretary of administration as a refund of an expenditure. Except as otherwise provided in this subsection, the secretary of administration may designate an amount received by a state agency as a refund of an expenditure only if the agency submits to the secretary a written explanation of the circumstances under which the amount was received that includes a specific reference in a statutory or nonstatutory law to a function of the agency under which the amount was received and the appropriation from which the previously recorded expenditure was made. A refund of an expenditure shall be deposited by the receiving state agency in the appropriation account from which the previously recorded expenditure was made. Except as otherwise provided in this subsection, a state agency which proposes to make an expenditure from moneys designated as a refund of an expenditure shall submit to the secretary of administration a written explanation of the purpose of the expenditure, including a specific reference in a statutory or nonstatutory law to a function of the agency under which the expenditure is to be made and the appropriation from which the expenditure is to be made. After submission and approval of an estimate of the amount proposed to be expended under s. 16.50 (2), a state agency may expend the moneys received from

the refund of the expenditure. The secretary of administration may waive submission of any explanation required by this subsection for categories of refunds of expenditures or proposed refunds of expenditures.

***−1694/2.1* SECTION 127.** 20.003 (4) (intro.) of the statutes is amended to read:

20.003 **(4)** REQUIRED GENERAL FUND BALANCE. (intro.) No bill directly or indirectly affecting general purpose revenues as defined in s. 20.001 (2) (a) may be enacted by the legislature if the bill would cause the estimated general fund balance on June 30 of any fiscal year specified in this subsection, as projected under s. 20.005 (1), to be an amount equal to less than the following amounts for that fiscal year or percentage of the total general purpose revenue appropriations for that fiscal year plus any amount from general purpose revenue designated as "Compensation Reserves" for that fiscal year in the summary under s. 20.005 (1):

***−1694/2.2* SECTION 128.** 20.003 (4) (a) of the statutes is repealed.

***−1694/2.3* SECTION 129.** 20.003 (4) (b) of the statutes is repealed.

***−1694/2.4* SECTION 130.** 20.003 (4) (d) of the statutes is repealed.

***−1694/2.5* SECTION 131.** 20.003 (4) (e) of the statutes is repealed.

***−1694/2.6* SECTION 132.** 20.003 (4) (f) of the statutes is repealed.

***−1694/3.5* SECTION 133.** 20.003 (4) (fm) of the statutes is amended to read:

20.003 **(4)** (fm) For fiscal year 2005−06, ~~$75,000,000~~ $65,000,000.

***−1694/2.7* SECTION 134.** 20.003 (4) (fr) of the statutes is created to read:

20.003 **(4)** (fr) For fiscal year 2006−07, $65,000,000.

***−1694/3.5* SECTION 135.** 20.003 (4) (ft) of the statutes is created to read:

20.003 **(4)** (ft) For fiscal year 2007−08, $65,000,000.

***−1694/3.5* SECTION 136.** 20.003 (4) (fv) of the statutes is created to read:

20.003 **(4)** (fv) For fiscal year 2008−09, $65,000,000.

***−1694/2.8* SECTION 137.** 20.003 (4) (g) of the statutes is amended to read:

20.003 **(4)** (g) For fiscal year ~~2006−07~~ 2009−10 and each fiscal year thereafter, 2%.

***−0517/P1.1* SECTION 138.** 20.005 (1) of the statutes is repealed and recreated to read:

20.005 **(1)** SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 2005, and ending on June 30, 2007, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)

GENERAL FUND SUMMARY

	2005−06	2006−07
Opening Balance, July 1	$ 1,516,200	$ 66,243,400
Revenues and Transfers		
Taxes	$11,831,870,000	$12,432,450,400
Departmental Revenues		
Tribal Gaming	102,269,200	120,809,400
Other	619,987,000	415,343,800
Total Available	$12,555,642,400	$13,034,847,000
Appropriations, Transfers and Reserves		
Gross Appropriations	$12,728,137,200	$12,993,153,500
Compensation Reserves	91,033,200	178,302,800
Transfer to Budget Stabilization Fund	−0−	36,000,000
Less Lapses	−329,771,400	−240,257,300
Total Expenditures	$12,489,399,000	$12,967,199,000
Balances		
Gross Balance	$ 66,243,400	$ 67,648,000

	2005−06	2006−07
Less Required Statutory Balance	−65,000,000	−65,000,000
Net Balance, June 30	$ 1,243,400	$ 2,648,000

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	2005−06	2006−07
General Purpose Revenue	$12,728,137,200	$12,993,153,500
Federal Revenue	6,630,256,400	6,745,955,100
Program	5,845,857,300	5,957,454,600
Segregated	784,399,100	788,500,500
	$13,260,512,800	$13,491,910,200
Program Revenue	3,674,304,400	3,763,764,400
Nonservice	2,831,947,500	2,913,860,500
Service	842,356,900	849,903,900
	$ 7,348,608,800	$ 7,527,528,800
Segregated Revenue	2,862,538,200	3,196,510,600
State nonservice	2,585,701,600	2,897,065,800
Local	103,973,400	107,115,900
Service	172,863,200	192,328,900
	$ 5,725,076,400	$ 6,393,021,200
GRAND TOTAL	$ 25,895,236,200	$ 26,699,383,600

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

General Purpose Revenue	$ 90,054,100	$ 178,302,800
Federal Revenue	30,534,100	60,456,100
Program Revenue	91,033,200	180,241,400
Segregated Revenue	16,075,400	31,828,500
TOTAL	$ 227,696,800	$ 450,828,800

LOTTERY FUND SUMMARY

	2005−06	2006−07
Gross Revenue	$ 480,369,200	$ 490,481,900
Expenses		
Prizes	$ 280,519,800	$ 286,941,100
Administrative Expenses	65,588,500	66,489,300
	$ 346,108,300	$ 353,430,400
Net Proceeds	$ 134,260,900	$ 137,051,500
Total Available for Property Tax Relief		
Opening Balance	$ 9,447,600	$ 9,607,400
Net Proceeds	134,260,900	137,051,500
Interest Earnings	1,265,900	1,438,800
Game−related Revenue	844,300	844,300
	$ 145,818,700	$ 148,942,000
Property Tax Relief	$ 136,211,300	$ 139,132,400

	2005−06	2006−07
Gross Closing Balance	$ 9,607,400	$ 9,809,600
Reserve	$ 9,607,400	$ 9,809,600
Net Closing Balance	$ −0−	$ −0−

***−0517/P1.2* SECTION 139.** 20.005 (2) of the statutes is repealed and recreated to read:

20.005 **(2)** STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2005−07 FISCAL BIENNIUM

Source and Purpose	Amount
GENERAL OBLIGATIONS	
Agriculture, Trade and Consumer Protection	
Soil and water	$ 7,000,000
Environmental Improvement Fund	
Clean water fund program	9,600,000
Safe drinking water loan program	6,100,000
Natural Resources	
Environmental repair	3,000,000
Nonpoint source grants	6,000,000
Urban nonpoint source cost−sharing	4,700,000
Transportation	

Source and Purpose	Amount
Harbor improvements	11,400,000
Major highway and rehabilitation projects	250,000,000
Rail acquisitions and improvements	6,500,000
Southeast Wisconsin freeway rehabilitation projects	213,100,000
TOTAL General Obligation Bonds	$ 517,400,000

REVENUE OBLIGATIONS

Transportation	
Major highway projects, transportation facilities	$ 420,534,000
TOTAL Revenue Obligation Bonds	$ 420,534,000
GRAND TOTAL Bonding Authority Modifications	$ 937,934,000

Figure: 20.005 (2) (b)

GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE FISCAL YEARS 2005−06 AND 2006−07

Statute, Agency and Purpose			Source	2005−06	2006−07
20.115 Agriculture, trade and consumer protection, department of					
(2)	(d)	Principal repayment and interest	GPR	$ 16,000	$ 11,700
(7)	(b)	Principal repayment and interest; conservation reserve enhancement	GPR	1,626,600	2,580,400
(7)	(f)	Principal repayment and interest; soil and water	GPR	271,400	620,300
20.190 State fair park board					
(1)	(c)	Housing facilities principal repayment, interest and rebates	GPR	986,900	985,000

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(1) (d) Principal repayment and interest	GPR	1,396,900	1,397,000
20.225 Educational communications board			
(1) (c) Principal repayment and interest	GPR	2,143,700	2,234,000
20.245 Historical society			
(1) (e) Principal repayment, interest, and rebates	GPR	1,377,100	1,251,800
20.250 Medical College of Wisconsin			
(1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	736,000	2,179,700
(1) (e) Principal repayment and interest	GPR	168,200	168,300
20.255 Public instruction, department of			
(1) (d) Principal repayment and interest	GPR	1,318,600	1,174,200
20.285 University of Wisconsin System			
(1) (d) Principal repayment and interest	GPR	119,974,500	115,984,600
(1) (db) Self−amortizing facilities principal and interest	GPR	−0−	−0−
20.320 Environmental improvement program			
(1) (c) Principal repayment and interest − clean water fund program	GPR	38,656,100	44,135,700
(2) (c) Principal repayment and interest − safe drinking water loan program	GPR	2,427,700	2,860,500
20.370 Natural resources, department of			
(7) (aa) Resource acquisition and development − principal repayment and interest	GPR	23,864,000	28,440,000
(7) (ac) Principal repayment and interest − recreational boating bonds	GPR	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(7) (ca) Principal repayment and interest − nonpoint source grants	GPR	5,966,400	6,820,200
(7) (cb) Principal repayment and interest − pollution abatement bonds	GPR	51,839,100	50,465,500
(7) (cc) Principal repayment and interest − combined sewer overflow; pollution abatement bonds	GPR	16,517,900	16,246,700
(7) (cd) Principal repayment and interest − municipal clean drinking water grants	GPR	849,200	859,000
(7) (ce) Principal repayment and interest − nonpoint source	GPR	177,900	178,300
(7) (cf) Principal repayment and interest − urban nonpoint source cost−sharing	GPR	1,083,500	1,343,300
(7) (ea) Administrative facilities − principal repayment and interest	GPR	729,900	736,900
20.395 Transportation, department of			
(6) (af) Principal repayment and interest, local roads for job preservation program and major highway and rehabilitation projects, state funds	GPR	64,032,800	78,948,500
20.410 Corrections, department of			
(1) (e) Principal repayment and interest	GPR	74,926,800	73,629,600
(1) (ec) Prison industries principal, interest and rebates	GPR	−0−	−0−
(3) (e) Principal repayment and interest	GPR	4,918,300	4,429,400
20.435 Health and family services, department of			
(2) (ee) Principal repayment and interest	GPR	13,236,100	12,825,400

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(6) (e) Principal repayment and interest	GPR	62,700	62,400
20.465 Military affairs, department of			
(1) (d) Principal repayment and interest	GPR	3,771,300	3,659,800
20.485 Veterans affairs, department of			
(1) (f) Principal repayment and interest	GPR	1,543,200	1,452,200
20.505 Administration, department of			
(4) (es) Principal, interest, and rebates; general purpose revenue − schools	GPR	5,924,100	7,276,900
(4) (et) Principal, interest, and rebates; general purpose revenue − public library boards	GPR	21,600	21,600
(5) (c) Principal repayment and interest; Black Point Estate	GPR	−0−	−0−
20.855 Miscellaneous appropriations			
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	994,100	995,100
20.867 Building commission			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	−0−	−0−
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	12,106,800	13,272,200
(3) (a) Principal repayment and interest	GPR	11,214,100	22,104,100
(3) (b) Principal repayment and interest	GPR	1,549,700	1,660,000
(3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	115,500	116,100

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(3) (bp) Principal repayment, interest and rebates	GPR	−0−	−0−
(3) (br) Principal repayment, interest and rebates	GPR	84,400	84,500
(3) (bt) Principal repayment, interest, and rebates; Discovery Place museum	GPR	−0−	−0−
TOTAL General Purpose Revenue Debt Service		$466,629,100	$501,210,900
20.190 State Fair Park Board			
(1) (i) State fair capital expenses	PR	$ 224,000	$ 224,000
(1) (j) State fair principal repayment, interest and rebates	PR	3,576,800	3,746,400
20.225 Educational communications board			
(1) (i) Program revenue facilities; principal repayment, interest, and rebates	PR	13,100	13,100
20.245 Historical society			
(1) (j) Self−amortizing facilities; principal repayment, interest, and rebates	PR	98,400	98,300
20.285 University of Wisconsin System			
(1) (je) Veterinary diagnostic laboratory fees	PR	3,138,800	3,138,800
(1) (jq) Steam and chilled−water plant; principal repayment, interest, and rebates; nonstate entities	PR	5,768,400	6,175,800
(1) (kd) Principal repayment, interest and rebates	PR−S	47,064,300	56,035,500
(1) (km) Aquaculture demonstration facility; principal repayment and interest	PR−S	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(1) (ko) Steam and chilled−water plant; principal repayment, interest and rebates	PR−S	−0−	−0−
(5) (i) Nonincome sports	PR	326,300	326,300
20.370 Natural resources, department of			
(7) (ag) Land acquisition − principal repayment and interest	PR	−0−	−0−
(7) (cg) Principal repayment and interest − nonpoint repayments	PR	50,000	50,000
20.410 Corrections, department of			
(1) (ko) Prison industries principal repayment, interest and rebates	PR−S	153,300	238,600
20.485 Veterans affairs, department of			
(1) (go) Self−amortizing housing facilities; principal repayment and interest	PR	806,900	1,504,000
20.505 Administration, department of			
(4) (ha) Principal, interest, and rebates; program revenue − schools	PR	2,995,800	3,001,300
(4) (hb) Principal, interest, and rebates; program revenue − public library boards	PR	17,200	17,200
(5) (g) Principal repayment, interest and rebates; parking	PR−S	1,642,000	1,783,200
(5) (kc) Principal repayment, interest and rebates	PR−S	18,416,000	18,108,700
20.867 Building commission			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	−0−	−0−
(3) (h) Principal repayment, interest and rebates	PR	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	−0−	−0−
TOTAL Program Revenue Debt Service		$ 84,291,300	$ 94,461,200
20.115 Agriculture, trade and consumer protection, department of			
(7) (s) Principal repayment and interest; soil and water, environmental fund	SEG	$ 847,700	$ 847,700
20.320 Environmental improvement program			
(1) (t) Principal repayment and interest − clean water fund program bonds	SEG	6,000,000	6,000,000
20.370 Natural resources, department of			
(7) (aq) Resource acquisition and development − principal repayment and interest	SEG	237,500	237,000
(7) (ar) Dam repair and removal − principal repayment and interest	SEG	515,100	514,600
(7) (at) Recreation development − principal repayment and interest	SEG	−0−	−0−
(7) (au) State forest acquisition and development − principal repayment and interest	SEG	20,000,000	19,500,000
(7) (bq) Principal repayment and interest − remedial action	SEG	3,520,800	3,769,200
(7) (eq) Administrative facilities − principal repayment and interest	SEG	2,091,100	2,574,300
(7) (er) Administrative facilities − principal repayment and interest; environmental fund	SEG	283,800	371,400
20.395 Transportation, department of			
(6) (aq) Principal repayment and interest, transportation facilities, state funds	SEG	4,351,700	5,770,700

STATUTE, AGENCY AND PURPOSE	SOURCE	2005−06	2006−07
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	29,300	21,000
(6) (au) Principal repayment and interest, southeast Wisconsin freeway rehabilitation projects, state funds	SEG	−0−	6,243,000
20.485 Veterans affairs, department of			
(3) (t) Debt service	SEG	28,315,000	30,094,600
(4) (qm) Repayment of principal and interest	SEG	99,200	98,800
20.867 Building commission			
(3) (q) Principal repayment and interest; segregated revenues	SEG	−0−	−0−
TOTAL Segregated Revenue Debt Service		$ 65,989,000	$ 74,925,100
GRAND TOTAL All Debt Service		$ 616,909,400	$ 670,597,200

***−0517/P1.3* SECTION 140.** 20.005 (3) of the statutes is repealed and recreated to read:

20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual, biennial, and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2005−06	2006−07
Commerce						
20.115 Agriculture, trade, and rural resources, department of						
(1)	FOOD SAFETY AND CONSUMER PROTECTION					
	(a)	General program operations	GPR	A	−0−	−0−
		Food inspection	GPR	A	3,172,800	3,150,000
		Meat and poultry inspection	GPR	A	3,064,500	3,064,500
		Trade and consumer protection	GPR	A	935,900	484,300
		NET APPROPRIATION			7,173,200	6,698,800
	(d)	Payments to ethanol producers	GPR	A	−0−	−0−
	(g)	Related services	PR	A	50,500	50,500
	(gb)	Food regulation	PR	A	4,409,200	4,409,200
	(gf)	Fruit and vegetable inspection	PR	C	1,006,400	−0−
	(gh)	Public warehouse regulation	PR	A	91,400	100,400
	(gm)	Dairy trade regulation	PR	A	170,100	170,100
	(h)	Grain inspection and certification	PR	C	−0−	−0−
	(hm)	Ozone−depleting refrigerants and products regulation	PR	A	462,900	462,900
	(i)	Sale of supplies	PR	A	42,000	42,000
	(j)	Weights and measures inspection	PR	A	1,028,600	1,028,600
	(jb)	Consumer protection, information, and education	PR	A	175,000	175,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(k)	Payments to ethanol producers	PR−S	A	1,900,000	−0−
(m)	Federal funds	PR−F	C	3,697,800	3,697,800
(q)	Dairy, grain, and vegetable security	SEG	A	1,156,400	1,156,400
(r)	Unfair sales act	SEG	A	210,700	210,700
(s)	Weights and measures; petroleum inspection fund	SEG	A	547,600	547,600
(u)	Recyclable and nonrecyclable products regulation	SEG	A	−0−	−0−
(v)	Agricultural producer security; contingent financial backing	SEG	S	350,000	350,000
(w)	Agricultural producer security; payments	SEG	S	2,000,000	2,000,000
(wb)	Agricultural producer security; proceeds of contingent financial backing	SEG	C	−0−	−0−
(wc)	Agricultural producer security; repayment of contingent financial backing	SEG	S	−0−	−0−

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	7,173,200	6,698,800
PROGRAM REVENUE	13,033,900	10,136,500
FEDERAL	(3,697,800)	(3,697,800)
OTHER	(7,436,100)	(6,438,700)
SERVICE	(1,900,000)	(−0−)
SEGREGATED FUNDS	4,264,700	4,264,700
OTHER	(4,264,700)	(4,264,700)
TOTAL−ALL SOURCES	24,471,800	21,100,000

(2) ANIMAL HEALTH SERVICES

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(a)	General program operations	GPR	A	2,199,300	2,199,300
(b)	Animal disease indemnities	GPR	S	108,600	108,600
(c)	Financial assistance for paratuberculosis testing	GPR	A	250,000	250,000
(d)	Principal repayment and interest	GPR	S	16,000	11,700
(g)	Related services	PR	C	−0−	−0−
(h)	Sale of supplies	PR	A	30,300	30,300
(ha)	Inspection, testing and enforcement	PR	C	591,000	591,000
(j)	Dog licenses, rabies control, and related services	PR	C	154,100	154,100
(m)	Federal funds	PR−F	C	499,200	499,200

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	2,573,900	2,569,600
PROGRAM REVENUE	1,274,600	1,274,600
FEDERAL	(499,200)	(499,200)
OTHER	(775,400)	(775,400)
TOTAL−ALL SOURCES	3,848,500	3,844,200

(3) MARKETING SERVICES

(a)	General program operations	GPR	A	1,974,900	2,014,000
(g)	Related services	PR	A	−0−	−0−
(h)	Loans for rural development	PR	C	25,000	25,000
(i)	Marketing orders and agreements	PR	C	83,800	83,800
(j)	Stray voltage program	PR	A	353,000	353,000
(ja)	Marketing services and materials	PR	C	152,000	152,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(jm)	Stray voltage program; rural electric cooperatives	PR	A	22,500	22,500
(L)	Something special from Wisconsin promotion	PR	A	30,500	30,500
(m)	Federal funds	PR−F	C	751,200	751,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,974,900	2,014,000
	PROGRAM REVENUE			1,418,000	1,418,000
	FEDERAL			(751,200)	(751,200)
	OTHER			(666,800)	(666,800)
	TOTAL−ALL SOURCES			3,392,900	3,432,000
(4)	AGRICULTURAL ASSISTANCE				
(a)	Aid to Wisconsin livestock breeders association	GPR	A	−0−	−0−
(b)	Aids to county and district fairs	GPR	A	250,000	250,000
(c)	Agricultural investment aids	GPR	B	1,280,000	1,480,000
(d)	Farmers tuition assistance grants	GPR	B	−0−	−0−
(e)	Aids to World Dairy Expo, Inc.	GPR	A	23,700	23,700
(f)	Exposition center grants	GPR	A	240,000	240,000
(q)	Grants for agriculture in the classroom program	SEG	A	100,000	100,000
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,793,700	1,993,700
	SEGREGATED FUNDS			100,000	100,000
	OTHER			(100,000)	(100,000)
	TOTAL−ALL SOURCES			1,893,700	2,093,700
(7)	AGRICULTURAL RESOURCE MANAGEMENT				
(a)	General program operations	GPR	A	709,000	709,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(b)	Principal repayment and interest, conservation reserve enhancement	GPR	S	1,626,600	2,580,400
(c)	Soil and water resource management program	GPR	C	5,081,900	5,081,900
(d)	Drainage board grants	GPR	A	200,000	−0−
(e)	Agricultural chemical cleanup program; general fund	GPR	B	−0−	−0−
(f)	Principal repayment and interest, soil and water	GPR	S	271,400	620,300
(g)	Agricultural impact statements	PR	C	215,700	215,700
(ga)	Related services	PR	C	116,900	119,100
(gm)	Seed testing and labeling	PR	C	74,200	76,400
(h)	Fertilizer research assessments	PR	C	160,500	160,500
(ha)	Liming material research funds	PR	C	25,000	25,000
(ja)	Plant protection	PR	C	189,800	189,800
(k)	Agricultural resource management services	PR−S	C	597,300	601,200
(m)	Federal funds	PR−F	C	949,200	949,200
(qc)	Plant protection; conservation fund	SEG	A	1,374,000	1,382,100
(qd)	Soil and water management; environmental fund	SEG	A	6,715,600	6,718,800
(r)	General program operations; agrichemical management	SEG	A	5,529,600	5,529,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(s)	Principal repayment and interest; soil and water, environmental fund	SEG	A	847,700	847,700
(ue)	Pesticide sales and use reporting system development	SEG	C	−0−	−0−
(va)	Clean sweep grants	SEG	A	710,400	710,400
(wm)	Agricultural chemical cleanup reimbursement	SEG	C	3,000,000	3,000,000

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	7,888,900	8,991,600
PROGRAM REVENUE	2,328,600	2,336,900
FEDERAL	(949,200)	(949,200)
OTHER	(782,100)	(786,500)
SERVICE	(597,300)	(601,200)
SEGREGATED FUNDS	18,177,300	18,188,600
OTHER	(18,177,300)	(18,188,600)
TOTAL−ALL SOURCES	28,394,800	29,517,100

(8) CENTRAL ADMINISTRATIVE SERVICES

(a)	General program operations	GPR	A	4,826,100	4,811,000
(g)	Gifts and grants	PR	C	764,200	764,200
(gm)	Enforcement cost recovery	PR	A	5,000	5,000
(h)	Sale of material and supplies	PR	C	11,400	11,400
(ha)	General laboratory related services	PR	C	432,400	432,400
(hm)	Restitution	PR	C	−0−	−0−
(i)	Related services	PR	A	100,000	100,000
(j)	Electronic processing	PR	C	−0−	−0−
(jm)	Telephone solicitation regulation	PR	C	166,700	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(k)	Computer system equipment, staff and services	PR−S	A	2,054,400	2,054,400
(kL)	Central services	PR−S	C	752,100	752,100
(km)	General laboratory services	PR−S	B	2,655,200	2,634,400
(ks)	State services	PR−S	C	40,100	40,100
(m)	Federal funds	PR−F	C	96,000	96,000
(pz)	Indirect cost reimbursements	PR−F	C	1,391,000	1,383,300

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	4,826,100	4,811,000
PROGRAM REVENUE	8,468,500	8,273,300
FEDERAL	(1,487,000)	(1,479,300)
OTHER	(1,479,700)	(1,313,000)
SERVICE	(5,501,800)	(5,481,000)
TOTAL−ALL SOURCES	13,294,600	13,084,300

20.115 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	26,230,700	27,078,700
PROGRAM REVENUE	26,523,600	23,439,300
FEDERAL	(7,384,400)	(7,376,700)
OTHER	(11,140,100)	(9,980,400)
SERVICE	(7,999,100)	(6,082,200)
SEGREGATED FUNDS	22,542,000	22,553,300
OTHER	(22,542,000)	(22,553,300)
TOTAL−ALL SOURCES	75,296,300	73,071,300

20.143 Commerce, department of

(1) ECONOMIC AND COMMUNITY DEVELOPMENT

(a)	General program operations	GPR	A	3,958,400	4,058,400
(b)	Economic development promotion, plans and studies	GPR	A	30,000	30,000
(bm)	Aid to Forward Wisconsin, Inc.	GPR	A	500,000	1,320,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(br)	Brownfields grant program; general purpose revenue	GPR	A	−0−	−0−
(c)	Wisconsin development fund; grants, loans and assistance	GPR	B	4,498,400	4,498,400
(cf)	Community−based nonprofit organization grant for educational project	GPR	A	−0−	−0−
(cm)	Super employment and economic development zone grants	GPR	B	−0−	5,000,000
(cs)	Training assistance grants	GPR	B	2,500,000	2,500,000
(d)	High−technology business development corporation	GPR	A	250,000	250,000
(dk)	Technology commercialization grant and loan program; assistance	GPR	B	2,600,000	2,600,000
(dr)	Main street program	GPR	A	369,900	369,900
(e)	Technology−based economic development	GPR	A	−0−	−0−
(em)	Hazardous pollution prevention; contract	GPR	A	−0−	−0−
(er)	Rural economic development program	GPR	B	606,500	606,500
(ew)	International trade, business and economic development grants	GPR	B	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(fg)	Community−based economic development programs	GPR	A	712,100	712,100
(fm)	Minority business projects; grants and loans	GPR	B	254,200	254,200
(fy)	Women's business incubator grant	GPR	B	−0−	−0−
(g)	Gifts, grants and proceeds	PR	C	472,100	472,100
(gc)	Business development assistance center	PR	C	−0−	−0−
(gm)	Wisconsin development fund, administration of grants and loans	PR	C	51,900	51,900
(h)	Economic development operations	PR	A	−0−	−0−
(hm)	Certified capital companies	PR	C	−0−	−0−
(ie)	Wisconsin development fund, repayments	PR	C	4,050,000	4,050,000
(if)	Mining economic development grants and loans; repayments	PR	C	−0−	−0−
(ig)	Gaming economic development and diversification; repayments	PR	B	−0−	−0−
(ik)	Technology commercialization grant and loan program; repayments	PR	C	−0−	−0−
(im)	Minority business projects; repayments	PR	C	317,200	317,200
(ir)	Rural economic development loan repayments	PR	C	120,100	120,100

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(jc)	Physician and dentist and health care prov loan assistance pgm; penalties	PR	C	−0−	−0−
(jL)	Health care provider loan assistance program; local contributions	PR	C	−0−	−0−
(jm)	Physician and dentist loan assistance program; local contributions	PR	C	−0−	−0−
(k)	Sale of materials or services	PR−S	C	−0−	−0−
(ka)	Sale of materials and services — local assistance	PR−S	C	−0−	−0−
(kb)	Sale of materials and services — individuals and organizations	PR−S	C	−0−	−0−
(kc)	Clean air act compliance assistance	PR−S	A	220,100	220,100
(kf)	American Indian economic development; technical assistance	PR−S	A	94,000	94,000
(kg)	American Indian economic liaison and gaming grants specialist and pgm mktg	PR−S	A	112,900	112,900
(kh)	American Indian economic development; liaison−grants	PR−S	A	25,000	25,000
(kj)	Gaming economic development and diversification; grants and loans	PR−S	B	3,238,700	3,238,700

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(kr)	Physician and dental and health care prov loans	PR−S	B	488,700	488,700
(kt)	Funds transferred from other state agencies	PR−S	C	−0−	−0−
(m)	Federal aid, state operations	PR−F	C	1,078,300	1,078,300
(n)	Federal aid, local assistance	PR−F	C	34,400,000	34,400,000
(o)	Federal aid, individuals and organizations	PR−F	C	−0−	−0−
(qa)	Brownfields redevelopment activities; administration	SEG	A	200,200	200,200
(qm)	Brownfields grant program; environmental fund	SEG	A	7,000,000	7,000,000
(r)	Mining economic development grants and loans	SEG	C	−0−	−0−
(t)	Forestry education grant program	SEG	C	−0−	−0−
(x)	Industrial building construction loan fund	SEG	C	−0−	−0−

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	16,279,500	22,199,500
PROGRAM REVENUE	44,669,000	44,669,000
FEDERAL	(35,478,300)	(35,478,300)
OTHER	(5,011,300)	(5,011,300)
SERVICE	(4,179,400)	(4,179,400)
SEGREGATED FUNDS	7,200,200	7,200,200
OTHER	(7,200,200)	(7,200,200)
TOTAL−ALL SOURCES	68,148,700	74,068,700

(2) HOUSING ASSISTANCE

(a)	General program operations	GPR	A	595,300	595,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(b)	Housing grants and loans; general purpose revenue	GPR	B	3,300,300	3,300,300
(c)	Payments to designated agents	GPR	A	−0−	−0−
(fm)	Shelter for homeless and transitional housing grants	GPR	A	1,506,000	1,506,000
(fr)	Mental health for homeless individuals	GPR	A	45,000	45,000
(h)	Funding for the homeless	PR	C	−0−	−0−
(k)	Sale of materials or services	PR−S	C	−0−	−0−
(kg)	Housing program services	PR−S	C	6,884,000	6,884,000
(m)	Federal aid; state operations	PR−F	C	834,000	744,300
(n)	Federal aid; local assistance	PR−F	C	−0−	−0−
(o)	Federal aid; individuals and organizations	PR−F	C	35,565,600	35,565,600
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,446,600	5,446,600
	PROGRAM REVENUE			43,283,600	43,193,900
	FEDERAL			(36,399,600)	(36,309,900)
	OTHER			(−0−)	(−0−)
	SERVICE			(6,884,000)	(6,884,000)
	TOTAL−ALL SOURCES			48,730,200	48,640,500
(3)	REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
(a)	General program operations	GPR	A	−0−	−0−
(de)	Private sewage system replacement and rehabilitation	GPR	C	2,999,000	2,999,000
(dm)	Storage tank inventory	GPR	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(g)	Gifts and grants	PR	C	18,000	18,000
(ga)	Auxiliary services	PR	C	25,000	25,000
(gb)	Local agreements	PR	C	−0−	−0−
(h)	Local energy resource system fees	PR	A	−0−	−0−
(j)	Safety and buildings operations	PR	A	15,355,300	15,280,200
(ka)	Interagency agreements	PR−S	C	111,500	111,500
(ks)	Data processing	PR−S	C	−0−	−0−
(L)	Fire dues distribution	PR	C	8,600,000	8,600,000
(La)	Fire prevention and fire dues administration	PR	A	639,100	639,100
(Lm)	Petroleum storage remedial action fees	PR	A	−0−	−0−
(m)	Federal funds	PR−F	C	1,609,800	1,609,800
(ma)	Federal aid program administration	PR−F	C	−0−	−0−
(pz)	Indirect cost reimbursements	PR−F	C	−0−	−0−
(q)	Groundwater standards; implementation	SEG	A	−0−	−0−
(r)	Safety and buildings operations; petroleum inspection fund	SEG	A	4,994,500	4,994,500
(sa)	Administration of mobile homes	SEG	A	100,800	100,800
(t)	Petroleum inspection fund − revenue obligation repayment	SEG	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(v) Petroleum storage environmental remedial action; awards	SEG	B	68,000,000	68,000,000
(w) Petroleum storage environmental remedial action; administration	SEG	A	2,678,300	2,627,600
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,999,000	2,999,000
PROGRAM REVENUE			26,358,700	26,283,600
FEDERAL			(1,609,800)	(1,609,800)
OTHER			(24,637,400)	(24,562,300)
SERVICE			(111,500)	(111,500)
SEGREGATED FUNDS			75,773,600	75,722,900
OTHER			(75,773,600)	(75,722,900)
TOTAL−ALL SOURCES			105,131,300	105,005,500
(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	1,393,000	1,393,000
(g) Gifts, grants and proceeds	PR	C	12,000	12,000
(k) Sale of materials or services	PR−S	C	42,200	42,200
(ka) Sale of materials and services — local assistance	PR−S	C	−0−	−0−
(kb) Sale of materials and services — individuals and organizations	PR−S	C	−0−	−0−
(kd) Administrative services	PR−S	A	3,450,800	3,409,200
(ke) Transfer of unappropriated balances	PR−S	C	−0−	−0−
(m) Federal aid, state operations	PR−F	C	−0−	−0−
(n) Federal aid, local assistance	PR−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(o) Federal aid, individuals and organizations	PR−F	C	−0−	−0−
(pz) Indirect cost reimbursements	PR−F	C	391,700	391,700
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,393,000	1,393,000
PROGRAM REVENUE			3,896,700	3,855,100
FEDERAL			(391,700)	(391,700)
OTHER			(12,000)	(12,000)
SERVICE			(3,493,000)	(3,451,400)
TOTAL−ALL SOURCES			5,289,700	5,248,100
20.143 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			26,118,100	32,038,100
PROGRAM REVENUE			118,208,000	118,001,600
FEDERAL			(73,879,400)	(73,789,700)
OTHER			(29,660,700)	(29,585,600)
SERVICE			(14,667,900)	(14,626,300)
SEGREGATED FUNDS			82,973,800	82,923,100
OTHER			(82,973,800)	(82,923,100)
TOTAL−ALL SOURCES			227,299,900	232,962,800

20.144 Financial institutions, department of

(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS				
(a) Losses on public deposits	GPR	S	−0−	−0−
(g) General program operations	PR	A	14,014,400	14,014,400
(h) Gifts, grants, settlements and publications	PR	C	65,000	65,000
(i) Investor education fund	PR	A	100,000	100,000
(u) State deposit fund	SEG	S	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			14,179,400	14,179,400
OTHER			(14,179,400)	(14,179,400)
SEGREGATED FUNDS			−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			14,179,400	14,179,400
(2) OFFICE OF CREDIT UNIONS				
(g) General program operations	PR	A	1,792,400	1,807,300
(m) Credit union examinations, federal funds	PR−F	C	−0−	−0−
(2) PROGRAM TOTALS				
PROGRAM REVENUE			1,792,400	1,807,300
FEDERAL			(−0−)	(−0−)
OTHER			(1,792,400)	(1,807,300)
TOTAL−ALL SOURCES			1,792,400	1,807,300
20.144 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			15,971,800	15,986,700
FEDERAL			(−0−)	(−0−)
OTHER			(15,971,800)	(15,986,700)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			15,971,800	15,986,700
20.145 Insurance, office of the commissioner of				
(1) SUPERVISION OF THE INSURANCE INDUSTRY				
(g) General program operations	PR	A	13,347,100	13,459,900
(gm) Gifts and grants	PR	C	−0−	−0−
(h) Holding company restructuring expenses	PR	C	−0−	−0−
(k) Administrative and support services	PR−S	A	4,272,200	4,401,600
(m) Federal funds	PR−F	C	−0−	−0−
(1) PROGRAM TOTALS				
PROGRAM REVENUE			17,619,300	17,861,500
FEDERAL			(−0−)	(−0−)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(13,347,100)	(13,459,900)
SERVICE			(4,272,200)	(4,401,600)
TOTAL−ALL SOURCES			17,619,300	17,861,500
(2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND				
(q) Interest earned on future medical expenses	SEG	S	−0−	−0−
(u) Administration	SEG	A	1,048,900	973,900
(um) Peer review council	SEG	A	136,000	136,000
(v) Specified responsibilities, inv. board payments and future medical expenses	SEG	C	54,697,400	54,697,400
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			55,882,300	55,807,300
OTHER			(55,882,300)	(55,807,300)
TOTAL−ALL SOURCES			55,882,300	55,807,300
(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
(u) Administration	SEG	A	858,200	881,200
(v) Specified payments, fire dues and reinsurance	SEG	C	26,926,600	26,926,600
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			27,784,800	27,807,800
OTHER			(27,784,800)	(27,807,800)
TOTAL−ALL SOURCES			27,784,800	27,807,800
(4) STATE LIFE INSURANCE FUND				
(u) Administration	SEG	A	618,600	618,600
(v) Specified payments and losses	SEG	C	3,421,000	3,564,000
(4) PROGRAM TOTALS				
SEGREGATED FUNDS			4,039,600	4,182,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(4,039,600)	(4,182,600)
TOTAL−ALL SOURCES			4,039,600	4,182,600
20.145 DEPARTMENT TOTALS				
PROGRAM REVENUE			17,619,300	17,861,500
FEDERAL			(−0−)	(−0−)
OTHER			(13,347,100)	(13,459,900)
SERVICE			(4,272,200)	(4,401,600)
SEGREGATED FUNDS			87,706,700	87,797,700
OTHER			(87,706,700)	(87,797,700)
TOTAL−ALL SOURCES			105,326,000	105,659,200
20.155 Public service commission				
(1) REGULATION OF PUBLIC UTILITIES				
(g) Utility regulation	PR	A	14,270,200	14,261,300
(h) Holding company and nonutility affiliate regulation	PR	C	654,100	654,100
(j) Intervenor financing	PR	A	750,000	750,000
(L) Stray voltage program	PR	A	213,200	213,200
(Lb) Gifts for stray voltage program	PR	C	−0−	−0−
(Lm) Consumer education and awareness	PR	C	−0−	−0−
(Ls) Late payment charges	PR	C	−0−	−0−
(m) Federal funds	PR−F	C	150,500	150,500
(n) Indirect costs reimbursement	PR−F	C	50,000	50,000
(q) Universal telecommunications service	SEG	A	6,000,000	6,000,000
(r) Nuclear waste escrow fund	SEG	S	−0−	−0−
(1) PROGRAM TOTALS				
PROGRAM REVENUE			16,088,000	16,079,100
FEDERAL			(200,500)	(200,500)
OTHER			(15,887,500)	(15,878,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
SEGREGATED FUNDS			6,000,000	6,000,000
OTHER			(6,000,000)	(6,000,000)
TOTAL−ALL SOURCES			22,088,000	22,079,100
(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
(g) Railroad regulation and general program operations	PR	A	578,800	485,000
(m) Railroad regulation; federal funds	PR−F	C	−0−	−0−
(2) PROGRAM TOTALS				
PROGRAM REVENUE			578,800	485,000
FEDERAL			(−0−)	(−0−)
OTHER			(578,800)	(485,000)
TOTAL−ALL SOURCES			578,800	485,000
(3) WIRELESS 911 GRANTS				
(q) General program operations and grants	SEG	C	3,026,400	3,026,400
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			3,026,400	3,026,400
OTHER			(3,026,400)	(3,026,400)
TOTAL−ALL SOURCES			3,026,400	3,026,400
20.155 DEPARTMENT TOTALS				
PROGRAM REVENUE			16,666,800	16,564,100
FEDERAL			(200,500)	(200,500)
OTHER			(16,466,300)	(16,363,600)
SEGREGATED FUNDS			9,026,400	9,026,400
OTHER			(9,026,400)	(9,026,400)
TOTAL−ALL SOURCES			25,693,200	25,590,500
20.165 Regulation and licensing, department of				
(1) PROFESSIONAL REGULATION				
(g) General program operations	PR	A	9,296,000	9,376,900
(gm) Applicant investigation reimbursement	PR	C	133,800	133,800

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(h)	Technical assistance; nonstate agencies and organizations	PR	C	−0−	−0−
(i)	Examinations; general program operations	PR	C	1,668,100	1,668,100
(k)	Technical assistance; state agencies	PR−S	C	−0−	−0−
(km)	Transitional certifications of massage therapists and bodyworkers	PR	C	−0−	−0−
(m)	Federal funds	PR−F	C	−0−	−0−

20.165 DEPARTMENT TOTALS

PROGRAM REVENUE	11,097,900	11,178,800
FEDERAL	(−0−)	(−0−)
OTHER	(11,097,900)	(11,178,800)
SERVICE	(−0−)	(−0−)
TOTAL−ALL SOURCES	11,097,900	11,178,800

20.190 State fair park board

(1) STATE FAIR PARK

(c)	Housing facilities principal repayment, interest and rebates	GPR	S	986,900	985,000
(d)	Principal repayment and interest	GPR	S	1,396,900	1,397,000
(h)	State fair operations	PR	C	17,923,200	17,953,600
(i)	State fair capital expenses	PR	C	224,000	224,000
(j)	State fair principal repayment, interest and rebates	PR	S	3,576,800	3,746,400
(jm)	Gifts and grants	PR	C	−0−	−0−
(m)	Federal funds	PR−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
20.190 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,383,800	2,382,000
PROGRAM REVENUE			21,724,000	21,924,000
FEDERAL			(−0−)	(−0−)
OTHER			(21,724,000)	(21,924,000)
TOTAL−ALL SOURCES			24,107,800	24,306,000
Commerce FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			54,732,600	61,498,800
PROGRAM REVENUE			227,811,400	224,956,000
FEDERAL			(81,464,300)	(81,366,900)
OTHER			(119,407,900)	(118,479,000)
SERVICE			(26,939,200)	(25,110,100)
SEGREGATED FUNDS			202,248,900	202,300,500
FEDERAL			(−0−)	(−0−)
OTHER			(202,248,900)	(202,300,500)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			484,792,900	488,755,300

Education

20.215 Arts board

(1) SUPPORT OF ARTS PROJECTS

(a)	General program operations	GPR	A	320,300	320,300
(b)	State aid for the arts	GPR	A	1,196,700	1,196,700
(c)	Portraits of governors	GPR	A	−0−	−0−
(d)	Challenge grant program	GPR	A	778,800	778,800
(e)	High point fund	GPR	A	−0−	−0−
(f)	Wisconsin regranting program	GPR	A	124,300	124,300
(g)	Gifts and grants; state operations	PR	C	20,000	20,000
(h)	Gifts and grants; aids to individuals and organizations	PR	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(j)	Support of arts programs	PR	C	−0−	−0−
(k)	Funds received from other state agencies	PR−S	C	437,200	437,200
(ka)	Percent−for−art administration	PR−S	A	−0−	−0−
(km)	State aid for the arts; Indian gaming receipts	PR−S	A	25,200	25,200
(m)	Federal grants; state operations	PR−F	C	423,700	423,700
(o)	Federal grants; aids to individuals and organizations	PR−F	C	236,000	236,000

20.215 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	2,420,100	2,420,100
PROGRAM REVENUE	1,142,100	1,142,100
FEDERAL	(659,700)	(659,700)
OTHER	(20,000)	(20,000)
SERVICE	(462,400)	(462,400)
TOTAL−ALL SOURCES	3,562,200	3,562,200

20.220 Wisconsin artistic endowment foundation

(1) WISCONSIN ARTISTIC ENDOWMENT FOUNDATION

(a)	Education and marketing	GPR	C	−0−	−0−
(q)	General program operations	SEG	A	−0−	−0−
(r)	Support of the arts	SEG	C	−0−	−0−

20.220 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	−0−	−0−
SEGREGATED FUNDS	−0−	−0−
OTHER	(−0−)	(−0−)
TOTAL−ALL SOURCES	−0−	−0−

20.225 Educational communications board

(1) INSTRUCTIONAL TECHNOLOGY

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(a)	General program operations	GPR	A	3,210,400	3,210,400
(b)	Energy costs	GPR	A	642,100	674,000
(c)	Principal repayment and interest	GPR	S	2,143,700	2,234,000
(d)	Milwaukee area technical college	GPR	A	250,800	250,800
(eg)	Transmitter construction	GPR	C	−0−	−0−
(er)	Transmitter operation	GPR	A	19,000	19,000
(f)	Programming	GPR	A	1,194,200	1,194,200
(g)	Gifts, grants, contracts, leases, instructional material, and copyrights	PR	C	8,627,500	8,627,500
(i)	Program revenue facilities; principal repayment, interest, and rebates	PR	S	13,100	13,100
(k)	Funds received from other state agencies	PR−S	C	−0−	−0−
(kb)	Emergency weather warning system operation	PR−S	A	149,800	154,400
(m)	Federal grants	PR−F	C	1,171,800	1,171,800

20.225 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	7,460,200	7,582,400
PROGRAM REVENUE	9,962,200	9,966,800
FEDERAL	(1,171,800)	(1,171,800)
OTHER	(8,640,600)	(8,640,600)
SERVICE	(149,800)	(154,400)
TOTAL−ALL SOURCES	17,422,400	17,549,200

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
20.235 Higher educational aids board					
(1) STUDENT SUPPORT ACTIVITIES					
(b)	Tuition grants	GPR	B	22,607,800	22,964,600
(cg)	Nursing student loans	GPR	A	−0−	−0−
(cm)	Nursing student loan program	GPR	A	450,000	450,000
(cr)	Minority teacher loans	GPR	A	262,100	262,100
(cu)	Teacher education loan program	GPR	A	275,000	275,000
(cx)	Loan pgm for teachers & orient & mobility instructors of vis imp pupils	GPR	A	100,000	100,000
(d)	Dental education contract	GPR	A	1,400,400	1,400,400
(e)	Minnesota−Wisconsin student reciprocity agreement	GPR	S	6,100,000	6,100,000
(fc)	Independent student grants program	GPR	B	−0−	−0−
(fd)	Talent incentive grants	GPR	B	4,503,800	4,503,800
(fe)	Wisconsin higher education grants; University of Wisconsin system students	GPR	S	40,483,200	46,871,700
(ff)	Wisconsin higher education grants; technical college students	GPR	B	15,124,000	15,369,000
(fg)	Minority undergraduate retention grants program	GPR	B	756,900	756,900
(fj)	Handicapped student grants	GPR	B	123,800	123,800

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(fy)	Academic excellence higher education scholarship program	GPR	S	3,146,500	3,146,500
(g)	Student loans	PR	A	−0−	−0−
(gg)	Nursing student loan repayments	PR	C	−0−	−0−
(gm)	Indian student assistance; contributions	PR	C	−0−	−0−
(i)	Gifts and grants	PR	C	−0−	−0−
(k)	Indian student assistance	PR−S	B	787,600	787,600
(km)	Wisconsin higher education grants; tribal college students	PR−S	B	404,000	404,000
(no)	Federal aid; aids to individuals and organizations	PR−F	C	1,707,900	1,707,900

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	95,333,500	102,323,800
PROGRAM REVENUE	2,899,500	2,899,500
FEDERAL	(1,707,900)	(1,707,900)
OTHER	(−0−)	(−0−)
SERVICE	(1,191,600)	(1,191,600)
TOTAL−ALL SOURCES	98,233,000	105,223,300

(2) ADMINISTRATION

(aa)	General program operations	GPR	A	747,600	750,300
(bb)	Student loan interest, loans sold or conveyed	GPR	S	−0−	−0−
(bc)	Write−off of uncollectible student loans	GPR	A	−0−	−0−
(bd)	Purchase of defective student loans	GPR	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(ga)	Student interest payments	PR	C	1,000	1,000
(gb)	Student interest payments, loans sold or conveyed	PR	C	−0−	−0−
(ia)	Student loans; collection and administration	PR	C	−0−	−0−
(ja)	Write−off of defaulted student loans	PR	A	−0−	−0−
(n)	Federal aid; state operations	PR−F	C	−0−	−0−
(qa)	Student loan revenue obligation repayment	SEG	C	−0−	−0−
(qb)	Wisconsin health education loan revenue obligation repayment	SEG	C	76,600	76,600

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	747,600	750,300
PROGRAM REVENUE	1,000	1,000
FEDERAL	(−0−)	(−0−)
OTHER	(1,000)	(1,000)
SEGREGATED FUNDS	76,600	76,600
OTHER	(76,600)	(76,600)
TOTAL−ALL SOURCES	825,200	827,900

20.235 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	96,081,100	103,074,100
PROGRAM REVENUE	2,900,500	2,900,500
FEDERAL	(1,707,900)	(1,707,900)
OTHER	(1,000)	(1,000)
SERVICE	(1,191,600)	(1,191,600)
SEGREGATED FUNDS	76,600	76,600
OTHER	(76,600)	(76,600)
TOTAL−ALL SOURCES	99,058,200	106,051,200

20.245 Historical society

(1) HISTORY SERVICES

(a)	General program operations	GPR	A	9,644,600	9,646,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(c)	Energy costs	GPR	A	587,500	612,000
(e)	Principal repayment, interest, and rebates	GPR	S	1,377,100	1,251,800
(h)	Gifts, grants, and membership sales	PR	C	338,700	338,700
(j)	Self−amortizing facilities; principal repayment, interest and rebates	PR	S	98,400	98,300
(km)	Northern great lakes center	PR−S	A	207,600	207,600
(ks)	General program operations − service funds	PR−S	C	1,697,700	1,697,700
(m)	General program operations; federal funds	PR−F	C	1,034,900	1,034,900
(n)	Federal aids	PR−F	C	−0−	−0−
(pz)	Indirect cost reimbursements	PR−F	C	95,000	95,000
(q)	Endowment principal	SEG	C	586,200	586,200
(r)	History preservation partnership trust fund	SEG	C	3,248,500	3,248,500
(y)	Northern great lakes center; interpretive programming	SEG	A	38,700	38,700

20.245 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	11,609,200	11,510,400
PROGRAM REVENUE	3,472,300	3,472,200
FEDERAL	(1,129,900)	(1,129,900)
OTHER	(437,100)	(437,000)
SERVICE	(1,905,300)	(1,905,300)
SEGREGATED FUNDS	3,873,400	3,873,400
OTHER	(3,873,400)	(3,873,400)
TOTAL−ALL SOURCES	18,954,900	18,856,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
20.250 Medical college of Wisconsin				
(1) TRAINING OF HEALTH PERSONNEL				
(a) General program operations	GPR	A	2,052,500	2,052,500
(b) Family medicine and practice	GPR	A	3,371,900	3,371,900
(c) Principal repay, int & rebates; biomedical research & technology incubator	GPR	S	736,000	2,179,700
(e) Principal repayment and interest	GPR	S	168,200	168,300
(k) Tobacco−related illnesses	PR−S	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			6,328,600	7,772,400
PROGRAM REVENUE			−0−	−0−
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			6,328,600	7,772,400
(2) RESEARCH				
(g) Breast cancer research	PR	C	250,000	250,000
(2) PROGRAM TOTALS				
PROGRAM REVENUE			250,000	250,000
OTHER			(250,000)	(250,000)
TOTAL−ALL SOURCES			250,000	250,000
20.250 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,328,600	7,772,400
PROGRAM REVENUE			250,000	250,000
OTHER			(250,000)	(250,000)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			6,578,600	8,022,400
20.255 Public instruction, department of				
(1) EDUCATIONAL LEADERSHIP				
(a) General program operations	GPR	A	10,573,200	10,593,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(b)	Gen pgm ops: program for the deaf and center for the blind	GPR	A	10,397,900	10,397,900
(c)	Energy costs: program for the deaf and center for the blind	GPR	A	501,900	519,800
(d)	Principal repayment and interest	GPR	S	1,318,600	1,174,200
(dw)	Pupil assessment	GPR	A	3,110,700	3,110,700
(g)	Student activity therapy	PR	A	1,000	1,000
(gb)	Program for the deaf and center for the blind; nonresident fees	PR	C	50,000	50,000
(gh)	Program for the deaf and center for the blind; hospitalization	PR	C	−0−	−0−
(gL)	Program for the deaf and center for the blind; leasing of space	PR	C	10,000	10,000
(gs)	Program for the deaf and center for the blind; services	PR	C	50,000	50,000
(gt)	Program for the deaf and center for the blind; pupil transportation	PR	A	850,000	875,000
(hf)	Administrative leadership academy	PR	A	−0−	−0−
(hg)	Personnel certific., teacher supply, info. and analysis and teacher improv.	PR	A	3,380,000	3,188,200
(hj)	General educational development and high school graduation equivalency	PR	A	125,000	125,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(hm)	Services for drivers	PR−S	A	249,700	249,700
(i)	Publications	PR	A	525,000	550,000
(im)	Library products and services	PR	C	250,000	250,000
(jg)	School lunch handling charges	PR	A	14,990,400	14,990,400
(jm)	Professional services center charges	PR	A	175,000	175,000
(jr)	Gifts, grants and trust funds	PR	C	1,450,000	1,650,000
(js)	State−owned housing maintenance	PR	A	4,400	−0−
(jz)	School district boundary appeal proceedings	PR	C	10,500	10,500
(kd)	Alcohol and other drug abuse program	PR−S	A	579,100	579,100
(ke)	Funds transferred from other state agencies; program operations	PR−S	C	2,156,500	2,141,400
(km)	State agency library processing center	PR−S	A	63,300	63,300
(ks)	Data processing	PR−S	C	2,517,100	2,517,100
(kt)	American Indian language and culture education program; program operations	PR−S	A	80,600	263,800
(me)	Federal aids; program operations	PR−F	C	38,692,600	38,343,600
(pz)	Indirect cost reimbursements	PR−F	C	2,600,000	2,654,200

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	25,902,300	25,796,200
PROGRAM REVENUE	68,810,200	68,737,300
FEDERAL	(41,292,600)	(40,997,800)
OTHER	(21,871,300)	(21,925,100)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2005−06	2006−07
		SERVICE			(5,646,300)	(5,814,400)
		TOTAL−ALL SOURCES			94,712,500	94,533,500
(2)		AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
	(ac)	General equalization aids	GPR	A	4,542,545,900	4,672,545,900
	(ad)	Supplemental aid	GPR	A	125,000	125,000
	(af)	General equalization aids; supplement	GPR	S	−0−	−0−
	(b)	Aids for special education and school age parents programs	GPR	A	320,771,600	332,771,600
	(bc)	Aid for children−at−risk programs	GPR	A	3,500,000	3,500,000
	(bd)	Additional special education aid	GPR	A	−0−	3,500,000
	(bh)	Aid to county children with disabilities education boards	GPR	A	4,214,800	4,214,800
	(cc)	Bilingual−bicultural education aids	GPR	A	9,073,800	9,890,400
	(ce)	English for Southeast Asian children	GPR	A	100,000	100,000
	(cf)	Alternative education grants	GPR	A	5,000,000	5,000,000
	(cg)	Tuition payments; full−time open enrollment transfer payments	GPR	A	9,741,000	9,741,000
	(cm)	Grants for school breakfast programs	GPR	C	1,555,500	1,885,500
	(cn)	Aids for school lunches and nutritional improvement	GPR	A	4,371,100	4,371,100
	(cp)	Wisconsin school day milk program	GPR	A	710,600	710,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(cs)	Aid for debt service	GPR	A	200,000	200,000
(cu)	Achievement guarantee contracts	GPR	A	109,784,500	124,347,500
(cw)	Aid for transportation; youth options program	GPR	A	20,000	20,000
(cy)	Aid for transportation; open enrollment	GPR	A	500,000	500,000
(dc)	Grants for differentiated compensation programs	GPR	A	600,000	1,200,000
(dm)	Grants for alcohol & other drug abuse prevention & intervention programs	GPR	A	4,520,000	4,520,000
(do)	Grants for preschool to grade 5 programs	GPR	A	7,353,700	7,353,700
(dp)	Four−year−old kindergarten grants	GPR	A	−0−	3,000,000
(eh)	Head start supplement	GPR	A	7,212,500	7,212,500
(em)	Driver education; local assistance	GPR	A	−0−	−0−
(fg)	Aid for cooperative educational service agencies	GPR	A	300,000	300,000
(fh)	Mentoring grants for initial educators	GPR	A	1,312,500	1,312,500
(fk)	Grant program for peer review and mentoring	GPR	A	500,000	500,000
(fm)	Charter schools	GPR	S	35,248,100	39,168,300
(fu)	Milwaukee parental choice program	GPR	S	93,758,000	96,407,200

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(fw)	Grants for advanced placement courses	GPR	A	100,000	100,000
(fy)	Grants to support gifted and talented pupils	GPR	A	91,000	91,000
(k)	Funds transferred from other state agencies; local aids	PR−S	C	9,643,000	9,643,000
(kd)	Aid for alcohol and other drug abuse programs	PR−S	A	1,518,600	1,518,600
(kj)	Grants for diversity education programs	PR−S	A	−0−	150,000
(km)	Alternative school American Indian language and culture education aid	PR−S	A	260,000	260,000
(kn)	Grant to Beloit College	PR−S	A	50,000	50,000
(m)	Federal aids; local aid	PR−F	C	513,963,300	517,101,400
(qr)	Aid for pupil transportation	SEG	A	20,942,500	30,942,500
(r)	General equalization aids; transportation fund	SEG	A	60,000,000	60,000,000
(s)	School library aids	SEG	C	29,000,000	29,000,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	5,163,209,600	5,334,588,600
PROGRAM REVENUE	525,434,900	528,723,000
FEDERAL	(513,963,300)	(517,101,400)
SERVICE	(11,471,600)	(11,621,600)
SEGREGATED FUNDS	109,942,500	119,942,500
OTHER	(109,942,500)	(119,942,500)
TOTAL−ALL SOURCES	5,798,587,000	5,983,254,100

(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(b)	Adult literacy grants	GPR	A	100,000	−0−
(c)	Grants for national teacher certification or master educator licensure	GPR	S	810,000	1,060,000
(d)	Elks and Easter Seals center for respite and recreation	GPR	A	75,000	75,000
(e)	Aid to public library systems	GPR	A	10,684,800	11,297,400
(ea)	Library service contracts	GPR	A	876,900	876,900
(eg)	Milwaukee public museum	GPR	A	50,000	50,000
(fa)	Very special arts	GPR	A	75,000	75,000
(fg)	Special olympics	GPR	A	75,000	75,000
(fz)	Minority group pupil scholarships	GPR	A	2,177,500	2,177,500
(mm)	Federal funds; local assistance	PR−F	C	1,200,000	1,200,000
(ms)	Federal funds; individuals and organizations	PR−F	C	47,060,800	47,060,800
(q)	Periodical and reference information databases	SEG	A	1,992,500	2,030,500
(qm)	Supplemental aid to public library systems	SEG	A	4,223,800	4,223,800

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	14,924,200	15,686,800
PROGRAM REVENUE	48,260,800	48,260,800
FEDERAL	(48,260,800)	(48,260,800)
SEGREGATED FUNDS	6,216,300	6,254,300
OTHER	(6,216,300)	(6,254,300)
TOTAL−ALL SOURCES	69,401,300	70,201,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
20.255 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,204,036,100	5,376,071,600
PROGRAM REVENUE			642,505,900	645,721,100
FEDERAL			(603,516,700)	(606,360,000)
OTHER			(21,871,300)	(21,925,100)
SERVICE			(17,117,900)	(17,436,000)
SEGREGATED FUNDS			116,158,800	126,196,800
OTHER			(116,158,800)	(126,196,800)
TOTAL−ALL SOURCES			5,962,700,800	6,147,989,500
20.285 University of Wisconsin system				
(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
(a) General program operations	GPR	A	705,831,400	729,974,100
(ab) Student aid	GPR	A	1,347,400	1,347,400
(am) Distinguished professorships	GPR	A	826,800	826,800
(as) Industrial and economic development research	GPR	A	1,729,200	1,729,200
(b) Area health education centers	GPR	A	1,141,700	1,141,700
(bm) Fee remissions	GPR	A	30,000	30,000
(c) Energy costs	GPR	A	93,113,000	72,693,000
(cm) Educational technology	GPR	A	6,509,900	6,509,900
(d) Principal repayment and interest	GPR	S	124,132,000	121,077,200
(da) Lease rental payments	GPR	S	−0−	−0−
(db) Self−amortizing facilities principal and interest	GPR	S	−0−	−0−
(em) Schools of business	GPR	A	1,579,400	1,579,400
(eo) Extension outreach	GPR	A	351,200	351,200
(ep) Extension local planning program	GPR	A	86,700	86,700

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(er)	Grants for study abroad	GPR	A	1,000,000	1,000,000
(fc)	Department of family medicine and practice	GPR	A	8,571,200	8,571,200
(fd)	State laboratory of hygiene; general program operations	GPR	A	8,396,800	8,396,800
(fj)	Veterinary diagnostic laboratory	GPR	A	4,196,400	4,196,400
(fm)	Laboratories	GPR	A	3,930,200	3,930,200
(fs)	Farm safety program grants	GPR	A	19,400	19,400
(ft)	Wisconsin humanities council	GPR	A	72,600	72,600
(fx)	Alcohol and other drug abuse prevention and intervention	GPR	A	68,000	68,000
(g)	Physical plant service departments	PR	C	2,091,300	2,091,300
(gm)	Breast cancer research	PR	C	250,000	250,000
(gr)	Center for urban land economics research	PR	A	176,700	176,700
(gs)	Charter school operator payments	PR	C	−0−	−0−
(h)	Auxiliary enterprises	PR	C	421,135,800	439,163,300
(ha)	Stores	PR	C	3,633,900	3,633,900
(hm)	Extension outreach	PR	C	129,900	129,900
(i)	State laboratory of hygiene	PR	C	19,697,000	19,701,000
(ia)	State laboratory of hygiene, drivers	PR−S	C	1,411,300	1,411,300
(im)	Academic student fees	PR	C	787,413,100	818,775,100
(ip)	Extension student fees	PR	C	23,010,400	23,010,400

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(iz)	General operations receipts	PR	C	186,789,900	192,355,900
(j)	Gifts and donations	PR	C	429,337,800	441,562,200
(ja)	Gifts; student loans	PR	C	3,797,700	3,797,700
(je)	Veterinary diagnostic laboratory; fees	PR	C	3,138,800	3,138,800
(jm)	Distinguished professorships	PR	C	768,500	768,500
(jp)	License plate scholarship programs	PR	C	175,500	175,500
(jq)	Steam and chilled−water plant; prin repaymt, int, and rebates; nonstate ent	PR	C	865,200	926,300
(k)	Funds transferred from other state agencies	PR−S	C	126,100	126,100
(ka)	Sale of real property	PR	C	−0−	−0−
(kb)	Great Lakes studies	PR−S	A	45,500	45,500
(kc)	Charter school	PR−S	C	−0−	−0−
(kd)	Principal repayment, interest and rebates	PR−S	S	47,349,500	57,394,600
(ke)	Lease rental payments	PR−S	S	−0−	−0−
(kf)	Outdoors skills training	PR−S	A	46,500	46,500
(kg)	Veterinary diagnostic laboratory; state agencies	PR−S	C	635,100	635,100
(km)	Aquaculture demonstration facility; principal repayment and interest	PR−S	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(kn)	Aquaculture demonstration facility; operational costs	PR−S	A	388,900	492,700
(ko)	Steam and chilled−water plant; principal repayment, interest, and rebates	PR−S	C	4,903,200	5,249,500
(kp)	Student−related activities	PR−S	C	−0−	−0−
(kr)	University of Wisconsin center for tobacco research and intervention	PR−S	C	−0−	−0−
(Lm)	Laboratories	PR	A	4,405,400	4,405,400
(Ls)	Schools of business	PR	A	608,100	608,100
(m)	Federal aid	PR−F	C	493,631,900	493,631,900
(ma)	Federal aid; loans and grants	PR−F	C	280,179,100	280,179,100
(mc)	Veterinary diagnostic lab−federal aid	PR−F	C	1,675,900	1,675,900
(n)	Federal indirect cost reimbursement	PR−F	C	119,620,200	119,620,200
(q)	Telecommunications services	SEG	A	1,054,800	1,054,800
(qm)	Grants to forestry cooperatives	SEG	A	50,000	50,000
(r)	Environmental education; environmental assessments	SEG	C	30,000	30,000
(rc)	Environmental education; forestry	SEG	A	400,000	400,000
(tb)	Extension recycling education	SEG	A	339,600	339,600
(tm)	Solid waste research and experiments	SEG	A	155,100	155,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(u)	Trust fund income	SEG	C	21,928,200	21,928,200
(w)	Trust fund operations	SEG	C	−0−	−0−
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			962,933,300	963,601,200
	PROGRAM REVENUE			2,837,438,200	2,915,178,400
	FEDERAL			(895,107,100)	(895,107,100)
	OTHER			(1,887,425,000)	(1,954,670,000)
	SERVICE			(54,906,100)	(65,401,300)
	SEGREGATED FUNDS			23,957,700	23,957,700
	OTHER			(23,957,700)	(23,957,700)
	TOTAL−ALL SOURCES			3,824,329,200	3,902,737,300
(3)	UNIVERSITY SYSTEM ADMINISTRATION				
(a)	General program operations	GPR	A	10,171,900	10,171,900
(iz)	General operations receipts	PR	C	152,400	152,400
(n)	Federal indirect cost reimbursement	PR−F	C	2,004,300	2,004,300
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			10,171,900	10,171,900
	PROGRAM REVENUE			2,156,700	2,156,700
	FEDERAL			(2,004,300)	(2,004,300)
	OTHER			(152,400)	(152,400)
	TOTAL−ALL SOURCES			12,328,600	12,328,600
(4)	MINORITY AND DISADVANTAGED PROGRAMS				
(a)	Minority and disadvantaged programs	GPR	A	10,370,200	10,370,200
(b)	Graduate student financial aid	GPR	A	7,211,500	7,637,000
(dd)	Lawton minority undergraduate grants program	GPR	S	5,700,700	6,037,000
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			23,282,400	24,044,200
	TOTAL−ALL SOURCES			23,282,400	24,044,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(5) UNIVERSITY OF WISCONSIN−MADISON INTERCOLLEGIATE ATHLETICS				
(h) Auxiliary enterprises	PR	A	50,586,400	52,124,200
(i) Nonincome sports	PR	C	251,200	251,200
(j) Gifts and grants	PR	C	8,513,400	10,429,100
(5) PROGRAM TOTALS				
PROGRAM REVENUE			59,351,000	62,804,500
OTHER			(59,351,000)	(62,804,500)
TOTAL−ALL SOURCES			59,351,000	62,804,500
(6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY				
(a) Services received from authority	GPR	A	4,306,700	4,306,700
(g) Services provided to authority	PR	C	36,000,000	36,000,000
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,306,700	4,306,700
PROGRAM REVENUE			36,000,000	36,000,000
OTHER			(36,000,000)	(36,000,000)
TOTAL−ALL SOURCES			40,306,700	40,306,700
20.285 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,000,694,300	1,002,124,000
PROGRAM REVENUE			2,934,945,900	3,016,139,600
FEDERAL			(897,111,400)	(897,111,400)
OTHER			(1,982,928,400)	(2,053,626,900)
SERVICE			(54,906,100)	(65,401,300)
SEGREGATED FUNDS			23,957,700	23,957,700
OTHER			(23,957,700)	(23,957,700)
TOTAL−ALL SOURCES			3,959,597,900	4,042,221,300
20.292 Technical college system, board of				
(1) TECHNICAL COLLEGE SYSTEM				
(a) General program operations	GPR	A	3,221,700	3,221,700
(am) Fee remissions	GPR	A	14,300	14,300
(b) Displaced homemakers' program	GPR	A	813,400	813,400

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(c)	Minority student participation and retention grants	GPR	A	589,200	589,200
(ce)	Basic skills grants	GPR	A	−0−	−0−
(ch)	Health care education programs	GPR	A	5,450,000	5,450,000
(d)	State aid for technical colleges; statewide guide	GPR	A	118,415,000	118,415,000
(dc)	Incentive grants	GPR	C	6,533,100	6,533,100
(dd)	Farm training program tuition grants	GPR	A	143,200	143,200
(de)	Services for handicapped students; local assistance	GPR	A	382,000	382,000
(dm)	Aid for special collegiate transfer programs	GPR	A	1,073,700	1,073,700
(e)	Technical college instructor occupational competency program	GPR	A	68,100	68,100
(eg)	Faculty development grants	GPR	A	794,600	794,600
(em)	Apprenticeship curriculum development	GPR	A	71,600	71,600
(f)	Alcohol and other drug abuse prevention and intervention	GPR	A	501,400	501,400
(fj)	Manufacturing extension center grants	GPR	A	1,500,000	1,500,000
(fm)	Supplemental aid	GPR	A	1,432,500	1,432,500
(g)	Text materials	PR	A	123,000	123,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(gm)	Fire schools; state operations	PR	A	434,200	434,200
(gr)	Fire schools; local assistance	PR	A	600,000	600,000
(h)	Gifts and grants	PR	C	20,600	20,600
(hm)	Truck driver training	PR−S	C	616,000	616,000
(i)	Conferences	PR	C	85,900	85,900
(j)	Personnel certification	PR	A	222,700	222,700
(k)	Gifts and grants	PR	C	30,200	30,200
(ka)	Interagency projects; local assistance	PR−S	A	3,414,700	3,414,700
(kb)	Interagency projects; state operations	PR−S	A	692,100	692,100
(L)	Services for district boards	PR	A	132,300	132,300
(m)	Federal aid, state operations	PR−F	C	3,422,100	3,422,100
(n)	Federal aid, local assistance	PR−F	C	28,424,300	28,424,300
(o)	Federal aid, aids to individuals and organizations	PR−F	C	800,000	800,000
(pz)	Indirect cost reimbursements	PR−F	C	196,000	196,000
(q)	Agricultural education consultant	GPR	A	62,800	62,800
(r)	Emergency medical technician — basic training; state operations	SEG	A	−0−	−0−
(u)	Driver education, local assistance	SEG	A	307,500	307,500
(v)	Chauffeur training grants	SEG	A	191,000	191,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			141,066,600	141,066,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
PROGRAM REVENUE			39,214,100	39,214,100
FEDERAL			(32,842,400)	(32,842,400)
OTHER			(1,648,900)	(1,648,900)
SERVICE			(4,722,800)	(4,722,800)
SEGREGATED FUNDS			498,500	498,500
OTHER			(498,500)	(498,500)
TOTAL−ALL SOURCES			180,779,200	180,779,200
(2) EDUCATIONAL APPROVAL BOARD				
(g) Prorietary school programs	PR−S	A	484,900	484,900
(gm) Student protection	PR−S	C	60,300	60,300
(i) Closed schools; preservaton of student records	PR−S	A	12,900	12,900
(2) PROGRAM TOTALS				
PROGRAM REVENUE			558,100	558,100
SERVICE			(558,100)	(558,100)
TOTAL−ALL SOURCES			558,100	558,100
20.292 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			141,066,600	141,066,600
PROGRAM REVENUE			39,772,200	39,772,200
FEDERAL			(32,842,400)	(32,842,400)
OTHER			(1,648,900)	(1,648,900)
SERVICE			(5,280,900)	(5,280,900)
SEGREGATED FUNDS			498,500	498,500
OTHER			(498,500)	(498,500)
TOTAL−ALL SOURCES			181,337,300	181,337,300
Education FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			6,469,696,200	6,651,621,600
PROGRAM REVENUE			3,634,951,100	3,719,364,500
FEDERAL			(1,538,139,800)	(1,540,983,100)
OTHER			(2,015,797,300)	(2,086,549,500)
SERVICE			(81,014,000)	(91,831,900)
SEGREGATED FUNDS			144,565,000	154,603,000
FEDERAL			(−0−)	(−0−)
OTHER			(144,565,000)	(154,603,000)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			10,249,212,300	10,525,589,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
Environmental Resources				
20.320 Environmental improvement program				
(1) CLEAN WATER FUND PROGRAM OPERATIONS				
(a) Environmental aids — clean water fund program	GPR	A	−0−	−0−
(c) Principal repayment and interest — clean water fund program	GPR	S	38,656,100	44,135,700
(r) Clean water fund program repayment of revenue obligations	SEG	S	−0−	−0−
(s) Clean water fund program financial assistance	SEG	S	−0−	−0−
(sm) Land recycling loan program financial assistance	SEG	S	−0−	−0−
(t) Principal repayment and interest — clean water fund program bonds	SEG	A	6,000,000	6,000,000
(u) Principal repay. & interest − clean water fd. prog. rev. obligation repay.	SEG	C	−0−	−0−
(x) Clean water fund program financial assistance; federal	SEG−F	C	−0−	−0−
(y) Clean water fund program federal financial hardship assistance	SEG−F	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			38,656,100	44,135,700
SEGREGATED FUNDS			6,000,000	6,000,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
FEDERAL			(−0−)	(−0−)
OTHER			(6,000,000)	(6,000,000)
TOTAL−ALL SOURCES			44,656,100	50,135,700
(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
(c) Principal repayment and interest — safe drinking water loan program	GPR	S	2,427,700	2,860,500
(s) Safe drinking water loan programs financial assistance	SEG	S	−0−	−0−
(x) Safe drinking water loan programs financial assistance; federal	SEG−F	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,427,700	2,860,500
SEGREGATED FUNDS			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			2,427,700	2,860,500
(3) PRIVATE SEWAGE SYSTEM PROGRAM				
(q) Private sewage system loans	SEG	C	−0−	−0−
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			41,083,800	46,996,200
SEGREGATED FUNDS			6,000,000	6,000,000
FEDERAL			(−0−)	(−0−)
OTHER			(6,000,000)	(6,000,000)
TOTAL−ALL SOURCES			47,083,800	52,996,200

20.360 Lower Wisconsin state riverway board

(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(g)	Gifts and grants	PR	C	−0−	−0−
(q)	General program operations — conservation fund	SEG	A	166,400	166,400

20.360 DEPARTMENT TOTALS

PROGRAM REVENUE	−0−	−0−
OTHER	(−0−)	(−0−)
SEGREGATED FUNDS	166,400	166,400
OTHER	(166,400)	(166,400)
TOTAL−ALL SOURCES	166,400	166,400

20.370 Natural resources, department of

(1) LAND

(cq)	Forestry — reforestation	SEG	C	100,000	100,000
(cr)	Forestry — recording fees	SEG	C	90,000	90,000
(cs)	Forestry — forest fire emergencies	SEG	C	−0−	−0−
(ct)	Timber sales contracts − repair and reimbursement costs	SEG	C	−0−	−0−
(cu)	Forestry − forestry education curriculum	SEG	A	318,700	318,700
(cv)	Forestry − public education	SEG	C	318,700	318,700
(cx)	Forestry−management plans	SEG	C	1,120,000	1,120,000
(ea)	Parks — general program operations	GPR	A	5,011,000	5,011,000
(eq)	Parks and forests − operation and maintenance	SEG	S	−0−	−0−
(er)	Parks and forests − campground reservation fees	SEG	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
	Parks and recreation	SEG	C	−0−	−0−
	NET APPROPRIATION			−0−	−0−
(fa)	Wolf damage payments	GPR	S	−0−	−0−
(fb)	Endangered resources — general program operations	GPR	A	−0−	−0−
(fc)	Endangered resources — Wisconsin stewardship program	GPR	A	−0−	−0−
(fd)	Endangered resources — natural heritage inventory program	GPR	A	220,300	220,300
(fe)	Endangered resources — general fund	GPR	S	364,000	364,000
(fg)	Aquatic and terrestrial resources inventory	SEG−S	A	−0−	−0−
(fs)	Endangered resources — voluntary payments; sales, leases and fees	SEG	C	1,605,400	1,605,400
(ft)	Endangered resources — application fees	SEG	C	−0−	−0−
(gr)	Endangered resources program — gifts and grants	SEG	C	−0−	−0−
(hk)	Elk management	PR−S	A	98,000	98,000
(hq)	Elk hunting fees	SEG	C	−0−	−0−
(hr)	Pheasant restoration	SEG	C	389,700	389,700
(hs)	Chronic wasting disease management	SEG	A	1,476,600	1,476,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(ht)	Wild turkey restoration	SEG	C	746,600	746,600
(hu)	Wetlands habitat improvement	SEG	C	338,400	338,400
(hv)	Aquatic and terrestrial resource inventory	SEG	A	129,800	129,800
(hw)	Pheasant hunting fees	SEG	C	−0−	−0−
	Wildlife management	SEG	C	−0−	−0−
	NET APPROPRIATION			−0−	−0−
(hx)	Grouse and woodcock restoration	SEG	C	−0−	−0−
	Wildlife management	SEG	C	−0−	−0−
	NET APPROPRIATION			−0−	−0−
(it)	Atlas revenues	SEG	C	−0−	−0−
(iu)	Gravel pit reclamation	SEG	C	−0−	−0−
(jr)	Rental property and equipment — maintenance and replacement	SEG	C	−0−	−0−
(kq)	Taxes and assessments — conservation fund	SEG	A	300,000	300,000
(Lk)	Reintroduction of whooping cranes	PR−S	A	56,000	56,000
(Lq)	Trapper education program	SEG	C	49,100	49,100
(Lr)	Beaver control; fish and wildlife account	SEG	C	36,600	36,600
(Ls)	Control of wild animals	SEG	C	228,000	228,000
(Lt)	Wildlife management	SEG	A	−0−	−0−
(Lu)	Fish and wildlife habitat	SEG	S	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(ma)	General program operations — state funds	GPR	A	5,900	5,900
(mg)	General program operations — endangered resources	PR	C	−0−	−0−
(mi)	General program operations — private and public sources	PR	C	627,000	627,000
(mk)	General program operations — service funds	PR−S	C	773,900	773,900
(mq)	General program operations — state snowmobile trails and areas	SEG	A	208,700	208,700
(ms)	General program operations — state all−terrain vehicle projects	SEG	A	225,000	225,000
(mt)	Land preservation and management − endowment fund	SEG	S	−0−	−0−
(mu)	General program operations — state funds	SEG	A	−0−	−0−
	Land program management	SEG	A	905,000	905,000
	Wildlife management	SEG	A	11,138,300	11,138,300
	Southern forests	SEG	A	4,877,300	4,882,800
	Parks and recreation	SEG	A	9,752,000	9,841,100
	Endangered resources	SEG	A	605,700	605,700
	Facilities and lands	SEG	A	6,722,500	6,722,500
	NET APPROPRIATION			34,000,800	34,095,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(mv) General program operations − state funds; forestry	SEG	A	44,427,600	44,771,900
(my) General program operations — federal funds	SEG−F	C	−0−	−0−
Wildlife management	SEG−F	C	3,720,600	3,694,300
Forestry	SEG−F	C	805,300	805,300
Southern forests	SEG−F	C	92,700	92,700
Parks and recreation	SEG−F	C	615,600	615,600
Endangered resources	SEG−F	C	549,700	549,700
Facilities and lands	SEG−F	C	1,706,300	1,706,300
NET APPROPRIATION			7,490,200	7,463,900
(mz) Forest fire emergencies — federal funds	SEG−F	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			5,601,200	5,601,200
PROGRAM REVENUE			1,554,900	1,554,900
OTHER			(627,000)	(627,000)
SERVICE			(927,900)	(927,900)
SEGREGATED FUNDS			93,599,900	94,012,500
FEDERAL			(7,490,200)	(7,463,900)
OTHER			(86,109,700)	(86,548,600)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			100,756,000	101,168,600
(2) AIR AND WASTE				
(bg) Air management — stationary sources	PR	A	9,186,800	7,560,100
(bh) Air management — state permit sources	PR	A	−0−	1,626,700

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(bi)	Air management — asbestos management	PR	C	450,400	450,400
(bq)	Air management — vapor recovery administration	SEG	A	78,400	78,400
(br)	Air management — mobile sources	SEG	A	1,263,800	1,263,800
(cg)	Air management — recovery of ozone−depleting refrigerants	PR	A	128,200	128,200
(ch)	Air management — emission analysis	PR	C	−0−	−0−
(ci)	Air management — permit review and enforcement	PR	A	2,608,100	2,767,900
(cL)	Air management − air waste management−incinerator operator certification	PR	C	−0−	−0−
(cq)	Air management — motor vehicle emission inspection and maintenance program	SEG	A	44,900	44,900
(dg)	Solid waste management — solid and hazardous waste disposal administration	PR	C	3,208,800	3,176,600
(dh)	Solid waste management−remediated property	PR	C	758,400	758,400
(di)	Solid waste management — operator certification	PR	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(dq)	Solid waste management — waste management fund	SEG	C	−0−	−0−
(dt)	Solid waste management — closure and long−term care	SEG	C	−0−	−0−
(du)	Solid waste management − site specific remediation	SEG	C	−0−	−0−
(dv)	Solid waste management — environmental repair; spills; abandoned containers	SEG	C	2,440,800	2,440,800
(dw)	Solid waste management — environmental repair; petroleum spills; admin.	SEG	A	488,900	488,900
(dy)	Solid waste mgt. — corrective action; proofs of financial responsibility	SEG	C	−0−	−0−
(dz)	Solid waste management − assessments and legal action	SEG	C	−0−	−0−
(eg)	Solid waste facility siting board fee	PR	A	−0−	−0−
(eh)	Solid waste management — source reduction review	PR	C	−0−	−0−
(eq)	Solid waste management − dry cleaner environmental response	SEG	A	138,700	138,700
(fq)	Indemnification agreements	SEG	S	−0−	−0−
(gh)	Mining — mining regulation and administration	PR	A	295,400	258,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(gr)	Solid waste management — mining programs	SEG	C	−0−	−0−
(hq)	Recycling; administration	SEG	A	1,174,200	1,174,200
(ma)	General program operations — state funds	GPR	A	1,653,800	1,619,100
(mi)	General program operations — private and public sources	PR	C	−0−	−0−
(mk)	General program operations — service funds	PR−S	C	100,000	100,000
(mm)	General program operations — federal funds	PR−F	C	7,926,000	7,867,100
(mq)	General program operations − environmental fund	SEG	A	3,235,500	3,218,200
(mr)	General program operations − brownfields	SEG	A	252,700	252,700
(mu)	Petroleum inspection fd. suppl. to env. fd.; env. repair and well comp.	SEG	A	1,049,400	1,049,400
(my)	General program operations — environmental fund; federal funds	SEG−F	C	861,200	861,200

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,653,800	1,619,100
PROGRAM REVENUE	24,662,100	24,693,900
FEDERAL	(7,926,000)	(7,867,100)
OTHER	(16,636,100)	(16,726,800)
SERVICE	(100,000)	(100,000)
SEGREGATED FUNDS	11,028,500	11,011,200
FEDERAL	(861,200)	(861,200)
OTHER	(10,167,300)	(10,150,000)
TOTAL−ALL SOURCES	37,344,400	37,324,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(3) ENFORCEMENT AND SCIENCE				
(ak) Law enforcement − snowmobile enforcement and safety training; service funds	PR−S	A	1,082,700	1,082,700
(aq) Law enforcement — snowmobile enforcement and safety training	SEG	A	−0−	−0−
(ar) Law enforcement — boat enforcement and safety training	SEG	A	2,423,900	2,454,400
(as) Law enforcement — all−terrain vehicle enforcement	SEG	A	1,088,200	1,102,300
(at) Education and safety programs	SEG	C	570,900	570,900
(aw) Law enforcement — car kill deer	SEG	A	502,100	514,600
(ax) Law enforcement − water resources enforcement	SEG	A	241,900	525,300
(ay) Law enforcement − car kill deer; transportation fund	SEG	A	502,100	514,600
(bg) Enforcement — stationary sources	PR	A	80,900	80,900
(bL) Operator certification — fees	PR	A	102,800	102,800
(dg) Environmental impact — consultant services; printing and postage costs	PR	C	−0−	−0−
(dh) Environmental impact — power projects	PR	C	28,100	28,100

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(di)	Environmental consulting costs — federal power projects	PR	A	−0−	−0−
(fj)	Environmental quality − laboratory certification	PR	A	660,800	660,800
(ig)	Processing electronic information	PR	C	20,000	45,300
(is)	Lake research; voluntary contributions	SEG	C	69,600	69,600
(ma)	General program operations — state funds	GPR	A	2,996,700	2,996,700
(mi)	General program operations — private and public sources	PR	C	400,700	400,700
(mk)	General program operations — service funds	PR−S	C	1,068,500	1,068,500
(mm)	General program operations — federal funds	PR−F	C	461,900	461,900
(mq)	General program operations — environmental fund	SEG	A	941,800	954,400
(mr)	Recycling; enforcement and research	SEG	A	243,900	247,800
(ms)	General program operations − pollution prevention	SEG	A	84,800	84,800
(mt)	General program operations, nonpoint source — environmental fund	SEG	A	356,800	356,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(mu) General program operations — state funds	SEG	A	17,530,200	17,702,300
(mw) Water resources − public health	SEG	A	25,000	25,000
(my) General program operations — federal funds	SEG−F	C	6,161,100	6,161,100
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,996,700	2,996,700
PROGRAM REVENUE			3,906,400	3,931,700
FEDERAL			(461,900)	(461,900)
OTHER			(1,293,300)	(1,318,600)
SERVICE			(2,151,200)	(2,151,200)
SEGREGATED FUNDS			30,742,300	31,283,900
FEDERAL			(6,161,100)	(6,161,100)
OTHER			(24,581,200)	(25,122,800)
TOTAL−ALL SOURCES			37,645,400	38,212,300
(4) WATER				
(af) Water resources − remedial action	GPR	C	142,500	142,500
(ag) Water resources − pollution credits	PR	C	−0−	−0−
(ah) Water resources − Great Lakes protection fund	PR	C	229,000	229,000
(aq) Water resources management − management activities	SEG	A	3,145,200	3,270,200
(ar) Water resources − groundwater management	SEG	B	863,000	863,000
(as) Water resources — trading water pollution credits	SEG	C	−0−	−0−
(at) Watershed — nonpoint source contracts	SEG	B	997,600	997,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(au)	Cooperative remedial action; contributions	SEG	C	−0−	−0−
(av)	Cooperative remedial action; interest on contributions	SEG	S	−0−	−0−
(bg)	Water regulation and zoning − computer access fees	PR	C	−0−	−0−
(bh)	Water regulation and zoning − dam inspect. and safety administ.; gen. fund	PR	A	−0−	−0−
(bi)	Water regulation and zoning − fees	PR	C	837,100	777,800
(bj)	Storm water management − fees	PR	A	1,569,500	1,611,800
(bL)	Wastewater management − fees	PR	C	141,700	141,700
(br)	Water reg. & zoning — dam safety & wetland mapping; conservation fund	SEG	A	580,700	580,700
(cg)	Groundwater quantity administration	PR	A	339,000	431,600
(ch)	Groundwater quantity research	PR	B	−0−	−0−
(kk)	Fishery resources for ceded territories	PR−S	A	146,000	146,000
(ku)	Great Lakes trout and salmon	SEG	C	1,222,700	1,222,700
(kv)	Trout habitat improvement	SEG	C	1,160,000	1,160,000
(kw)	Sturgeon stock and habitat	SEG	C	134,400	134,400
(ky)	Sturgeon stock and habitat	SEG	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
	Fisheries management and habitat protection	SEG	C	−0−	−0−
	NET APPROPRIATION			−0−	−0−
(ma)	General program operations − state funds	GPR	A	−0−	−0−
	Watershed management	GPR	A	6,974,200	6,954,200
	Fisheries management and habitat protection	GPR	A	3,092,500	3,092,500
	Drinking water and groundwater	GPR	A	2,070,600	2,070,600
	Water program management	GPR	A	2,755,100	2,755,100
	NET APPROPRIATION			14,892,400	14,872,400
(mi)	General program operations − private and public sources	PR	C	160,000	160,000
(mk)	General program operations — service funds	PR−S	C	537,600	537,600
(mm)	General program operations − federal funds	PR−F	C	−0−	−0−
	Watershed management	PR−F	C	5,561,000	5,561,000
	Fisheries management and habitat protection	PR−F	C	1,314,500	1,314,500
	Drinking water and groundwater	PR−F	C	4,237,200	4,237,200
	NET APPROPRIATION			11,112,700	11,112,700
(mq)	General program operations − environmental fund	SEG	A	−0−	−0−

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
	Watershed management	SEG	A	1,556,400	1,556,400
	Drinking water and groundwater	SEG	A	1,236,100	1,236,100
	Water program management	SEG	A	47,100	47,100
	NET APPROPRIATION			2,839,600	2,839,600
(mr)	General program operations, nonpoint source	SEG	A	486,600	486,600
(mt)	General program operations−environmental improvement programs; state funds	SEG	A	631,400	631,400
(mu)	General program operations − state funds	SEG	A	15,018,400	15,018,400
(mw)	Petroleum inspection fund supplement to env. fund; groundwater management	SEG	A	766,900	766,900
(mx)	General program operations − clean water fund program; federal funds	SEG−F	C	881,600	832,100
(my)	General program operations − environmental fund − federal funds	SEG−F	C	−0−	−0−
(mz)	General program operations − federal funds	SEG−F	C	4,097,200	4,195,000
(nz)	General program operations−safe drinking water loan programs; federal funds	SEG−F	C	638,800	612,300

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	15,034,900	15,014,900
PROGRAM REVENUE	15,072,600	15,148,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
FEDERAL			(11,112,700)	(11,112,700)
OTHER			(3,276,300)	(3,351,900)
SERVICE			(683,600)	(683,600)
SEGREGATED FUNDS			33,464,100	33,610,900
FEDERAL			(5,617,600)	(5,639,400)
OTHER			(27,846,500)	(27,971,500)
TOTAL−ALL SOURCES			63,571,600	63,774,000
(5) CONSERVATION AIDS				
(ac) Resource aids − Milwaukee public museum	GPR	A	−0−	−0−
(aq) Resource aids − Canadian agencies migratory waterfowl aids	SEG	C	169,200	169,200
(ar) Resource aids − county conservation aids	SEG	C	150,000	150,000
(as) Recreation aids − fish, wildlife, and forestry recreation aids	SEG	C	234,500	234,500
(at) Ice age trail area grants	SEG	A	75,000	75,000
(au) Resource aids − Ducks Unlimited, Inc. payments	SEG	C	−0−	−0−
(av) Resource aids − private forest grants	SEG	B	1,250,000	1,250,000
(aw) Resource aids − nonprofit conservation organizations	SEG	C	235,000	235,000
(ay) Resource aids − urban land conservation	SEG	A	75,000	75,000
(bq) Resource aids − county forest loans; severance share payments	SEG	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(br)	Resource aids − forest croplands and managed forest land aids	SEG	A	1,250,000	1,250,000
(bs)	Resource aids − county forest loans	SEG	A	622,400	622,400
(bt)	Resource aids − county forest project loans	SEG	C	400,000	400,000
(bu)	Resource aids − county forest project loans; severance share payments	SEG	C	−0−	−0−
(bv)	Res. aids − county forests, forest croplands and managed forest land aids	SEG	S	1,379,400	1,416,400
(bw)	Resource aids − urban forestry and county forest administrator grants	SEG	A	2,018,100	2,128,100
(bx)	Resource aids − national forest income aids	PR−F	C	782,200	782,200
(by)	Resource aids — fire suppression grants	SEG	A	448,000	448,000
(bz)	Resource aids − forestry outdoor activity grants	SEG	C	2,000,000	2,000,000
(cb)	Recreation aids − snowmobile trail and area aids; general fund	GPR	A	−0−	−0−
(cq)	Recreation aids − recreational boating and other projects	SEG	C	4,027,000	3,122,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(cr)	Recreation aids − county snowmobile trail and area aids	SEG	C	2,500,400	2,500,400
(cs)	Recreation aids − snowmobile trail areas	SEG	C	4,600,500	4,788,500
(ct)	Recreation aids − all−terrain vehicle project aids; gas tax payment	SEG	C	1,672,700	1,961,000
(cu)	Recreation aids — all−terrain vehicle project aids	SEG	C	1,600,000	1,600,000
(cw)	Recreation aids − supplemental snowmobile trail aids	SEG	C	548,600	569,600
(cx)	Recreation aids — all−terrain vehicle safety program	SEG	A	250,000	250,000
(cy)	Recreation and resource aids, federal funds	SEG−F	C	510,900	510,900
(da)	Aids in lieu of taxes − general fund	GPR	S	3,152,000	4,323,000
(dq)	Aids in lieu of taxes − sum sufficient	SEG	S	780,000	780,000
(dr)	Aids in lieu of taxes − sum certain	SEG	A	4,000,000	4,000,000
(dx)	Resource aids — payment in lieu of taxes; federal	PR−F	C	440,000	440,000
(ea)	Enforcement aids — spearfishing enforcement	GPR	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(eq) Enforcement aids — boating enforcement	SEG	A	1,400,000	1,400,000
(er) Enforcement aids — all−terrain vehicle enforcement	SEG	A	200,000	200,000
(es) Enforcement aids — snowmobiling enforcement	SEG	A	400,000	400,000
(ex) Enforcement aids — federal funds	SEG−F	C	−0−	−0−
(fq) Wildlife damage claims and abatement	SEG	C	2,187,700	2,787,700
(fr) Wildlife abatement and control grants	SEG	B	25,000	25,000
(ft) Venison processing; voluntary contributions	SEG	C	−0−	−0−

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	3,152,000	4,323,000
PROGRAM REVENUE	1,222,200	1,222,200
FEDERAL	(1,222,200)	(1,222,200)
SEGREGATED FUNDS	35,009,400	35,348,700
FEDERAL	(510,900)	(510,900)
OTHER	(34,498,500)	(34,837,800)
TOTAL−ALL SOURCES	39,383,600	40,893,900

(6) ENVIRONMENTAL AIDS

(aa) Environmental aids − non−point source	GPR	B	839,400	839,400
(ar) Environmental aids − lake protection	SEG	C	3,675,400	4,175,400

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(au)	Environmental aids — river protection; environmental fund	SEG	A	−0−	−0−
(av)	Environmental aids − river protection; conservation fund	SEG	A	292,400	292,400
(aw)	Environmental aids − river protection; nonprofit organization contracts	SEG	C	75,000	75,000
(bj)	Environmental aids — waste reduction and recycling grants and gifts	PR	C	−0−	−0−
(bk)	Environmental aids — wastewater and drinking water grant	PR−S	A	250,000	250,000
(br)	Environmental aids − waste reduction and recycling	SEG	C	500,000	500,000
(bu)	Financial assistance for responsible units	SEG	A	24,500,000	24,500,000
(bv)	Recycling efficiency incentive grants	SEG	A	1,900,000	1,900,000
(ca)	Environmental aids − scenic urban waterways	GPR	C	−0−	−0−
(cm)	Environmental aids − federal funds	PR−F	C	−0−	−0−
(cr)	Environmental aids − compensation for well contamination and abandonment	SEG	C	294,000	294,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(da) Environmental planning aids − local water quality planning	GPR	A	269,200	269,200
(dm) Environmental planning aids − federal funds	PR−F	C	150,000	150,000
(dq) Environmental aids — urban nonpoint source	SEG	B	1,399,000	1,399,000
(ef) Brownfields revolving loan repayments	PR	C	−0−	−0−
(eg) Groundwater mitigation and local assistance	PR	C	1,000,000	1,000,000
(eh) Brownfields revolving loan funds administered for other entity	PR	C	−0−	−0−
(em) Federal brownfields revolving loan funds	PR−F	C	1,000,000	1,000,000
(eq) Environmental aids − dry cleaner environmental response	SEG	B	2,050,000	1,050,000
(et) Environmental aids − brownfield site assessment	SEG	B	1,700,000	1,700,000
(eu) Environmental aids − brownfields green space grants	SEG	B	500,000	500,000

(6) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,108,600	1,108,600
PROGRAM REVENUE	2,400,000	2,400,000
FEDERAL	(1,150,000)	(1,150,000)
OTHER	(1,000,000)	(1,000,000)
SERVICE	(250,000)	(250,000)
SEGREGATED FUNDS	36,885,800	36,385,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(36,885,800)	(36,385,800)
TOTAL−ALL SOURCES			40,394,400	39,894,400
(7) DEBT SERVICE AND DEVELOPMENT				
(aa) Resource acquisition and development − principal repayment and interest	GPR	S	23,864,000	28,440,000
(ac) Principal repayment and interest − recreational boating bonds	GPR	S	−0−	−0−
(ag) Land acquisition; principal repayment and interest	PR	C	−0−	−0−
(aq) Resource acquisition and development − principal repayment and interest	SEG	S	237,500	237,000
(ar) Dam repair and removal − principal repayment and interest	SEG	S	515,100	514,600
(at) Recreation development − principal repayment and interest	SEG	S	−0−	−0−
(au) State forest acquisition and development — principal repayment and interest	SEG	A	20,000,000	19,500,000
(bq) Principal repayment and interest − remedial action	SEG	S	3,520,800	3,769,200
(ca) Principal repayment and interest − nonpoint source grants	GPR	S	5,966,400	6,820,200

Statute, Agency and Purpose		Source	Type	2005−06	2006−07
(cb)	Principal repayment and interest − pollution abatement bonds	GPR	S	51,839,100	50,465,500
(cc)	Principal repay. and int. − combined sewer overflow; pollution abat. bonds	GPR	S	16,517,900	16,246,700
(cd)	Principal repayment and interest − municipal clean drinking water grants	GPR	S	849,200	859,000
(ce)	Principal repayment and interest − nonpoint source compliance	GPR	S	177,900	178,300
(cf)	Principal repayment and interest − urban nonpoint source cost−sharing	GPR	S	1,083,500	1,343,300
(cg)	Principal repayment and interest − nonpoint repayments	PR	C	50,000	50,000
(ea)	Administrative facilities − principal repayment and interest	GPR	S	729,900	736,900
(eq)	Administrative facilities − principal repayment and interest	SEG	S	2,091,100	2,574,300
(er)	Administrative facilities − principal repayment & interest; env. fund	SEG	S	283,800	371,400
(fa)	Resource maintenance and development − state funds	GPR	C	894,400	894,400
(fk)	Resource acquisition and development − service funds; transportation moneys	PR−S	C	1,000,000	1,000,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(fq)	Resource maintenance and development — state park, forest, and river	SEG−S	C	−0−	−0−
(fr)	Resource acq. and dev. − boating access to southeastern lakes	SEG	C	100,000	100,000
(fs)	Resource acquisition and development − state funds	SEG	C	798,100	798,100
(ft)	Resource acquisition and development − boating access	SEG	C	200,000	200,000
(fu)	Resource acquisition and development — nonmotorized boating improvements	SEG	C	−0−	−0−
(fw)	Resource acq. and dev. − Mississippi and St. Croix rivers management	SEG	C	62,500	62,500
(fy)	Resource acquisition and development — federal funds	SEG−F	C	2,120,000	2,120,000
(gg)	Ice Age trail − gifts and grants	PR	C	−0−	−0−
(gq)	State trails − gifts and grants	SEG	C	−0−	−0−
(ha)	Facilities acquisition, development and maintenance	GPR	C	170,900	170,900
(hq)	Facilities acquisition, development and maintenance − conservation fund	SEG	C	376,800	376,800
(jr)	Rental property and equipment − maintenance and replacement	SEG	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(mi) General program operations − private and public sources	PR	C	−0−	−0−
(mk) General program operations − service funds	PR−S	C	−0−	−0−
(mr) Resource maintenance and development − state park, forest & riverway roads	SEG	C	321,400	321,400

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	102,093,200	106,155,200
PROGRAM REVENUE	1,050,000	1,050,000
OTHER	(50,000)	(50,000)
SERVICE	(1,000,000)	(1,000,000)
SEGREGATED FUNDS	30,627,100	30,945,300
FEDERAL	(2,120,000)	(2,120,000)
OTHER	(28,507,100)	(28,825,300)
SERVICE	(−0−)	(−0−)
TOTAL−ALL SOURCES	133,770,300	138,150,500

(8) ADMINISTRATION AND TECHNOLOGY

(ir) Promotional activities and publications	SEG	C	83,000	83,000
(iw) Statewide recycling administration	SEG	A	205,700	205,700
(ma) General program operations — state funds	GPR	A	2,981,700	2,981,700
(mg) General program operations — stationary sources	PR	A	−0−	−0−
(mi) General program operations — private and public sources	PR	C	−0−	−0−
(mk) General program operations — service funds	PR−S	C	5,058,500	5,058,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(mq) General program operations — mobile sources	SEG	A	586,100	586,100
(mr) General program operations − environmental improvement fund	SEG	A	349,900	349,900
(mt) Equipment pool operations	SEG−S	C	−0−	−0−
(mu) General program operations — state funds	SEG	A	13,755,100	13,755,100
(mv) General program operations — environmental fund	SEG	A	1,306,800	1,306,800
(mz) Indirect cost reimbursements	SEG−F	C	6,438,800	6,438,800
(ni) Geographic information systems, general program operations − other funds	PR	C	38,700	38,700
(nk) Geographic information systems, general program operations — service fds.	PR−S	C	1,503,600	1,503,600
(zq) Gifts and donations	SEG	C	−0−	−0−

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	2,981,700	2,981,700
PROGRAM REVENUE	6,600,800	6,600,800
OTHER	(38,700)	(38,700)
SERVICE	(6,562,100)	(6,562,100)
SEGREGATED FUNDS	22,725,400	22,725,400
FEDERAL	(6,438,800)	(6,438,800)
OTHER	(16,286,600)	(16,286,600)
SERVICE	(−0−)	(−0−)
TOTAL−ALL SOURCES	32,307,900	32,307,900

(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(eg)	Gifts and grants; environmental management systems	PR	C	−0−	−0−
(gb)	Education programs − program fees	PR	B	54,300	54,300
(hk)	Approval fees to Lac du Flambeau band−service funds	PR−S	A	100,000	100,000
(hs)	Approval fees from Lac du Flambeau band	SEG	C	−0−	−0−
(ht)	Approval fees to Lac du Flambeau band	SEG	S	−0−	−0−
(hu)	Handling, issuing and approval list fees	SEG	C	154,000	154,000
(iq)	Natural resources magazine	SEG	C	924,900	924,900
(is)	Statewide recycling administration	SEG	A	428,600	428,600
(ma)	General program operations − state funds	GPR	A	1,261,200	1,261,200
(mh)	General programs operations − stationary sources	PR	A	420,700	420,700
(mi)	General program operations — private and public sources	PR	C	40,000	40,000
(mj)	General program operations — solid and hazardous waste	PR	A	−0−	−0−
(mk)	General program operations — service funds	PR−S	C	1,726,600	1,726,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(mm)	General program operations − federal funds	PR−F	C	1,039,700	1,039,700
(mq)	General program operations − mobile sources	SEG	A	180,900	180,900
(ms)	General program operations — cooperative environmental assistance	SEG	A	−0−	−0−
(mt)	Aids administration — environmental improvement programs; state funds	SEG	A	1,207,400	1,207,400
(mu)	General program operations − state funds	SEG	A	14,084,400	14,086,400
(mv)	General program operations — environmental fund	SEG	A	1,061,400	1,061,400
(mw)	Aids administration − snowmobile recreation	SEG	A	156,700	156,700
(mx)	Aids administration − clean water fund program; federal funds	SEG−F	C	1,094,700	1,094,700
(my)	General program operations − federal funds	SEG−F	C	257,100	257,100
(mz)	Indirect cost reimbursements	SEG−F	C	1,196,600	1,196,600
(nq)	Aids administration − dry cleaner environmental response	SEG	A	68,500	68,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(ny) Aids administration − safe drinking water loan programs; federal funds	SEG−F	C	168,200	168,200
(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,261,200	1,261,200
PROGRAM REVENUE			3,381,300	3,381,300
FEDERAL			(1,039,700)	(1,039,700)
OTHER			(515,000)	(515,000)
SERVICE			(1,826,600)	(1,826,600)
SEGREGATED FUNDS			20,983,400	20,985,400
FEDERAL			(2,716,600)	(2,716,600)
OTHER			(18,266,800)	(18,268,800)
TOTAL−ALL SOURCES			25,625,900	25,627,900
20.370 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			135,883,300	141,061,600
PROGRAM REVENUE			59,850,300	59,983,000
FEDERAL			(22,912,500)	(22,853,600)
OTHER			(23,436,400)	(23,628,000)
SERVICE			(13,501,400)	(13,501,400)
SEGREGATED FUNDS			315,065,900	316,309,100
FEDERAL			(31,916,400)	(31,911,900)
OTHER			(283,149,500)	(284,397,200)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			510,799,500	517,353,700
20.373 Fox river navigational system authority				
(1) INITIAL COSTS				
(r) Establishment and operation	SEG	C	30,700	30,700
20.373 DEPARTMENT TOTALS				
SEGREGATED FUNDS			30,700	30,700
OTHER			(30,700)	(30,700)
TOTAL−ALL SOURCES			30,700	30,700
20.380 Tourism, department of				
(1) TOURISM DEVELOPMENT PROMOTION				
(a) General program operations	GPR	A	3,433,000	3,330,300

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(b)	Tourism marketing; general purpose revenue	GPR	A	−0−	−0−
(g)	Gifts, grants and proceeds	PR	C	6,200	6,200
(h)	Tourism promotion; sale of surplus property	PR	C	−0−	−0−
(j)	Tourism promotion − private and public sources	PR	C	100,000	100,000
(k)	Sale of materials or services	PR−S	C	−0−	−0−
(ka)	Sales of materials or services−local assistance	PR−S	C	−0−	−0−
(kb)	Sales of materials or services−individuals and organizations	PR−S	C	−0−	−0−
(kc)	Marketing clearinghouse charges	PR−S	A	−0−	−0−
(kg)	Tourism marketing; gaming revenue	PR−S	B	9,115,700	9,149,400
(km)	Tourist information assistant	PR−S	A	189,500	189,500
(m)	Federal aid−state operations	PR−F	C	−0−	−0−
(n)	Federal aid−local assistance	PR−F	C	−0−	−0−
(o)	Federal aid−individuals and organizations	PR−F	C	−0−	−0−
(q)	Administrative services−conservation fund	SEG	A	12,200	12,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(v) Tourism marketing; transportation fund	SEG	C	1,600,000	2,200,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,433,000	3,330,300
PROGRAM REVENUE			9,411,400	9,445,100
FEDERAL			(−0−)	(−0−)
OTHER			(106,200)	(106,200)
SERVICE			(9,305,200)	(9,338,900)
SEGREGATED FUNDS			1,612,200	2,212,200
OTHER			(1,612,200)	(2,212,200)
TOTAL−ALL SOURCES			14,456,600	14,987,600
(2) KICKAPOO VALLEY RESERVE				
(ip) Kickapoo reserve management board; program services	PR	C	35,000	35,000
(ir) Kickapoo reserve management board; gifts and grants	PR	C	−0−	−0−
(kc) Kickapoo valley reserve; law enforcement services	PR−S	A	32,300	32,300
(ms) Kickapoo reserve management board; federal aid	PR−F	C	−0−	−0−
(q) Kickapoo reserve management board; general program operations	SEG	A	375,700	375,700
(r) Kickapoo valley reserve; aids in lieu of taxes	SEG	S	284,700	310,300
(2) PROGRAM TOTALS				
PROGRAM REVENUE			67,300	67,300
FEDERAL			(−0−)	(−0−)
OTHER			(35,000)	(35,000)
SERVICE			(32,300)	(32,300)
SEGREGATED FUNDS			660,400	686,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(660,400)	(686,000)
TOTAL−ALL SOURCES			727,700	753,300
20.380 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			3,433,000	3,330,300
PROGRAM REVENUE			9,478,700	9,512,400
FEDERAL			(−0−)	(−0−)
OTHER			(141,200)	(141,200)
SERVICE			(9,337,500)	(9,371,200)
SEGREGATED FUNDS			2,272,600	2,898,200
OTHER			(2,272,600)	(2,898,200)
TOTAL−ALL SOURCES			15,184,300	15,740,900
20.395 Transportation, department of				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	−0−	−0−
(as) Transportation aids to counties, state funds	SEG	A	90,945,100	92,764,000
(at) Transportation aids to municipalities, state funds	SEG	A	286,124,000	291,846,500
(br) Milwaukee urban area rail transit system planning study, state funds	SEG	A	−0−	−0−
(bs) Transportation employment and mobility, state funds	SEG	C	336,000	336,000
(bt) Urban rail transit system grants	SEG	C	−0−	−0−
(bv) Transit and transportation employment and mobility aids, local funds	SEG−L	C	110,000	110,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(bx)	Transit and transportation employment and mobility aids, federal funds	SEG−F	C	38,000,000	38,000,000
(cq)	Elderly and disabled capital aids, state funds	SEG	C	921,900	921,900
(cr)	Elderly and disabled county aids, state funds	SEG	A	10,373,000	12,373,000
(cv)	Elderly and disabled aids, local funds	SEG−L	C	605,500	605,500
(cx)	Elderly and disabled aids, federal funds	SEG−F	C	1,500,000	1,500,000
(ex)	Highway safety, local assistance, federal funds	SEG−F	C	1,700,000	1,700,000
(fq)	Connecting highways aids, state funds	SEG	A	12,851,900	12,851,900
(fs)	Flood damage aids, state funds	SEG	S	600,000	600,000
(ft)	Lift bridge aids, state funds	SEG	B	1,736,800	1,780,200
(fu)	County forest road aids, state funds	SEG	A	303,300	303,300
(gq)	Expressway policing aids, state funds	SEG	A	1,040,800	1,040,800
(gt)	Soo locks improvements, state funds	SEG	A	117,800	117,800
(hr)	Tier B transit operating aids, state funds	SEG	A	21,866,400	22,303,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(hs) Tier C transit operating aids, state funds	SEG	A	4,949,700	5,048,700
(ht) Tier A−1 transit operating aids, state funds	SEG	A	57,095,900	58,237,800
(hu) Tier A−2 transit operating aids, state funds	SEG	A	15,242,700	15,547,600
(ig) Professional football stadium maintenance and operating costs, state funds	PR	C	−0−	−0−
(1) PROGRAM TOTALS				
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SEGREGATED FUNDS			546,420,800	557,988,800
FEDERAL			(41,200,000)	(41,200,000)
OTHER			(504,505,300)	(516,073,300)
LOCAL			(715,500)	(715,500)
TOTAL−ALL SOURCES			546,420,800	557,988,800
(2) LOCAL TRANSPORTATION ASSISTANCE				
(aq) Accelerated local bridge improvement assistance, state funds	SEG	C	−0−	−0−
(av) Accelerated local bridge improvement assistance, local funds	SEG−L	C	−0−	−0−
(ax) Accelerated local bridge improvement assistance, federal funds	SEG−F	C	−0−	−0−
(bq) Rail service assistance, state funds	SEG	C	765,600	765,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(bu)	Freight rail infrastructure improvements, state funds	SEG	C	−0−	−0−
(bv)	Rail service assistance, local funds	SEG−L	C	500,000	500,000
(bw)	Freight rail assistance loan repayments, local funds	SEG−L	C	4,000,000	4,000,000
(bx)	Rail service assistance, federal funds	SEG−F	C	50,000	50,000
(cq)	Harbor assistance, state funds	SEG	C	952,000	952,000
(cr)	Rail passenger service, state funds	SEG	C	1,509,000	1,810,800
(cs)	Harbor assistance, federal funds	SEG−F	C	−0−	−0−
(ct)	Pass. railroad station imprvmt. & comm. rail trans. sys. grants, state fds.	SEG	B	800,000	−0−
(cu)	Pass. railroad station imprvmt. & comm. rail trans. sys. grants, local fds.	SEG−L	C	−0−	−0−
(cv)	Rail passenger service, local funds	SEG−L	C	−0−	−0−
(cx)	Rail passenger service, federal funds	SEG−F	C	6,035,900	7,243,100
(dq)	Aeronautics assistance, state funds	SEG	C	12,363,100	12,612,300
(ds)	Aviation career education, state funds	SEG	A	144,500	144,500
(dv)	Aeronautics assistance, local funds	SEG−L	C	40,000,000	42,000,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(dx)	Aeronautics assistance, federal funds	SEG−F	C	74,000,000	74,000,000
(eq)	Highway and local bridge improvement assistance, state funds	SEG	C	8,513,500	8,513,500
(ev)	Loc. brdg. imprvmt. & trfc. marking enhncmnt. asst., loc. & transfrd. fnds.	SEG−L	C	8,780,400	8,780,400
(ex)	Local bridge improvement assistance, federal funds	SEG−F	C	24,438,300	24,438,300
(fb)	Local roads for job preservation, state funds	GPR	C	−0−	−0−
(fr)	Local roads improvement program, state funds	SEG	C	23,123,200	23,585,700
(fv)	Local transportation facility improvement assistance, local funds	SEG−L	C	37,480,200	37,942,700
(fx)	Local transportation facility improvement assistance, federal funds	SEG−F	C	70,391,300	70,391,300
(fz)	Local roads for job preservation, federal funds	SEG−F	C	−0−	−0−
(gj)	Railroad crossing protection installation and maintenance, state funds	SEG	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(gq)	Railroad crossing improvement and protection maintenance, state funds	SEG	A	2,250,000	2,250,000
(gr)	Railroad crossing improvement and protection installation, state funds	SEG	C	1,700,000	1,700,000
(gs)	Railroad crossing repair assistance, state funds	SEG	C	250,000	250,000
(gv)	Railroad crossing improvement, local funds	SEG−L	C	−0−	−0−
(gx)	Railroad crossing improvement, federal funds	SEG−F	C	3,299,600	3,299,600
(hq)	Multimodal transportation studies, state funds	SEG	C	−0−	−0−
(hx)	Multimodal transportation studies, federal funds	SEG−F	C	−0−	−0−
(iq)	Transportation facilities economic assistance and development, state funds	SEG	C	4,825,000	4,825,000
(iv)	Transportation facilities economic assistance and development, local funds	SEG−L	C	4,825,000	4,825,000
(iw)	Transportation facility improvement loans, local funds	SEG−L	C	−0−	−0−
(ix)	Transportation facilities economic assistance & development, federal funds	SEG−F	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(jq)	Surface transportation grants, state funds	SEG	C	−0−	−0−
(jv)	Surface transportation grants, local funds	SEG−L	C	−0−	680,000
(jx)	Surface transportation grants, federal funds	SEG−F	C	−0−	2,720,000
(kv)	Congestion mitigation and air quality improvement, local funds	SEG−L	C	3,124,700	3,124,700
(kx)	Congestion mitigation and air quality improvement, federal funds	SEG−F	C	11,619,000	11,619,000
(nv)	Transportation enhancement activities, local funds	SEG−L	C	1,682,600	1,682,600
(nx)	Transportation enhancement activities, federal funds	SEG−F	C	6,256,600	6,256,600
(ny)	Milwaukee lakeshore walkway	SEG−F	B	−0−	−0−
(ph)	Transportation infrastructure loans, gifts and grants	SEG	C	−0−	−0−
(pq)	Transportation infrastructure loans, state funds	SEG	C	5,000	5,000
(pu)	Transportation infrastructure loans, service funds	SEG−S	C	−0−	−0−
(pv)	Transportation infrastructure loans, local funds	SEG−L	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(px) Transportation infrastructure loans, federal funds	SEG−F	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			353,684,500	360,967,700
FEDERAL			(196,090,700)	(200,017,900)
OTHER			(57,200,900)	(57,414,400)
SERVICE			(−0−)	(−0−)
LOCAL			(100,392,900)	(103,535,400)
TOTAL−ALL SOURCES			353,684,500	360,967,700
(3) STATE HIGHWAY FACILITIES				
(bq) Major highway development, state funds	SEG	C	30,802,500	65,844,400
(br) Major highway development, service funds	SEG−S	C	134,172,600	153,971,100
(bv) Major highway development, local funds	SEG−L	C	−0−	−0−
(bx) Major highway development, federal funds	SEG−F	C	78,975,000	78,975,000
(ck) West canal street reconstruction and extension, service funds	PR−S	C	−0−	−0−
(cq) State highway rehabilitation, state funds	SEG	C	46,581,600	264,401,000
(cr) Southeast Wisconsin freeway rehabilitation, state funds	SEG	C	51,186,000	34,541,600
(cv) State highway rehabilitation, local funds	SEG−L	C	2,000,000	2,000,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(cw)	Southeast Wisconsin freeway rehabilitation, local funds	SEG−L	C	−0−	−0−
(cx)	State highway rehabilitation, federal funds	SEG−F	C	296,867,400	347,963,200
(cy)	Southeast Wisconsin freeway rehabilitation, federal funds	SEG−F	C	110,000,000	59,444,800
(eq)	Highway maintenance, repair, and traffic operations, state funds	SEG	C	172,752,200	178,995,600
(ev)	Highway maintenance, repair, and traffic operations, local funds	SEG−L	C	496,000	496,000
(ex)	Highway maintenance, repair, and traffic operations, federal funds	SEG−F	C	1,102,900	1,102,900
(iq)	Administration and planning, state funds	SEG	A	16,970,600	16,451,000
(ir)	Disadvantaged business mobilization assistance, state funds	SEG	C	−0−	−0−
(iv)	Administration and planning, local funds	SEG−L	C	−0−	−0−
(ix)	Administration and planning, federal funds	SEG−F	C	4,463,800	4,300,200
(jh)	Utility facilities within highway rights−of−way, state funds	PR	C	−0−	−0−
(jj)	Damage claims	PR	C	1,850,000	1,850,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(js) Telecommunications services, service funds	SEG−S	C	−0−	−0−
(3) PROGRAM TOTALS				
PROGRAM REVENUE			1,850,000	1,850,000
OTHER			(1,850,000)	(1,850,000)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			946,370,600	1,208,486,800
FEDERAL			(491,409,100)	(491,786,100)
OTHER			(318,292,900)	(560,233,600)
SERVICE			(134,172,600)	(153,971,100)
LOCAL			(2,496,000)	(2,496,000)
TOTAL−ALL SOURCES			948,220,600	1,210,336,800
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	48,908,400	50,698,000
(ar) Minor construction projects, state funds	SEG	C	−0−	−0−
(at) Capital building projects, service funds	SEG−S	C	6,000,000	6,000,000
(av) Departmental management and operations, local funds	SEG−L	C	369,000	369,000
(ax) Departmental management and operations, federal funds	SEG−F	C	10,808,900	10,566,000
(ch) Gifts and grants	SEG	C	−0−	−0−
(dq) Demand management	SEG	A	337,500	337,500
(eq) Data processing services, service funds	SEG−S	C	14,979,900	14,979,900
(er) Fleet operations, service funds	SEG−S	C	12,073,600	12,031,900

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(es)	Other department services, operations, service funds	SEG−S	C	5,637,100	5,346,000
(et)	Equipment acquisition	SEG	A	−0−	−0−
(ew)	Operating budget supplements, state funds	SEG	C	−0−	−0−
	(4) PROGRAM TOTALS				
	SEGREGATED FUNDS			99,114,400	100,328,300
	FEDERAL			(10,808,900)	(10,566,000)
	OTHER			(49,245,900)	(51,035,500)
	SERVICE			(38,690,600)	(38,357,800)
	LOCAL			(369,000)	(369,000)
	TOTAL−ALL SOURCES			99,114,400	100,328,300
(5)	MOTOR VEHICLE SERVICES AND ENFORCEMENT				
(cg)	Internet and telephone transactions, state funds	PR	C	−0−	−0−
(ch)	Repaired salvage vehicle examinations, state funds	PR	C	−0−	−0−
(ci)	Breath screening instruments, state funds	PR	C	149,600	299,200
(cj)	Vehicle registration, special group plates, state funds	PR	C	−0−	−0−
(cL)	Licensing fees, state funds	PR	C	−0−	−0−
(cq)	Veh. reg., insp. & maint., driver licensing & aircraft reg., state funds	SEG	A	69,580,900	69,793,900
(cx)	Vehicle registration and driver licensing, federal funds	SEG−F	C	200,000	200,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(dg)	Escort, security and traffic enforcement services, state funds	PR	C	165,000	165,000
(dh)	Traffic academy tuition payments, state funds	PR	C	474,800	474,800
(di)	Chemical testing training and services, state funds	PR	A	1,298,200	1,305,200
(dk)	Public safety radio management, service funds	PR−S	C	245,100	245,100
(dL)	Public safety radio management, state funds	PR	C	22,000	22,000
(dq)	Vehicle inspection, traffic enforcement and radio management, state funds	SEG	A	50,756,900	53,985,100
(dr)	Transportation safety, state funds	SEG	A	1,472,300	1,472,300
(dx)	Vehicle inspection and traffic enforcement, federal funds	SEG−F	C	7,891,000	7,891,000
(dy)	Transportation safety, federal funds	SEG−F	C	3,856,700	3,856,700
(ek)	Safe−ride grant program; state funds	PR−S	C	−0−	−0−
(hq)	Mtr. veh. emission inspec. & maint. prog.; contractor costs & equip. grants	SEG	A	13,274,400	13,274,400
(hx)	Motor vehicle emission inspection and maintenance programs, federal funds	SEG−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(iv) Municipal and county registration fee, local funds	SEG−L	C	−0−	−0−
(jr) Pretrial intoxicated driver intervention grants, state funds	SEG	A	779,400	779,400
(5) PROGRAM TOTALS				
PROGRAM REVENUE			2,354,700	2,511,300
OTHER			(2,109,600)	(2,266,200)
SERVICE			(245,100)	(245,100)
SEGREGATED FUNDS			147,811,600	151,252,800
FEDERAL			(11,947,700)	(11,947,700)
OTHER			(135,863,900)	(139,305,100)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			150,166,300	153,764,100
(6) DEBT SERVICES				
(af) Prin. rpmt. & int., local rds. job psrv. & maj. hwy & rehab., state funds	GPR	S	64,032,800	78,948,500
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	4,351,700	5,770,700
(ar) Principal repayment and interest, buildings, state funds	SEG	S	29,300	21,000
(au) Principal repayment & interest, SE WI freeway rehab. projects, state funds	SEG	S	−0−	6,243,000
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			64,032,800	78,948,500
SEGREGATED FUNDS			4,381,000	12,034,700
OTHER			(4,381,000)	(12,034,700)
TOTAL−ALL SOURCES			68,413,800	90,983,200
(9) GENERAL PROVISIONS				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(gg)	Credit card use charges	SEG	C	−0−	−0−
(qd)	Freeway land disposal reimbursement clearing account	SEG	C	−0−	−0−
(qh)	Highways, bridges and local transportation assistance clearing account	SEG	C	−0−	−0−
(qj)	Hwys., bridges & local transp. assist. clearing acct., fed. funded pos.	SEG−F	C	−0−	−0−
(qn)	Motor vehicle financial responsibility	SEG	C	−0−	−0−
(th)	Temporary funding of projects financed by revenue bonds	SEG	S	−0−	−0−

(9) PROGRAM TOTALS

SEGREGATED FUNDS	−0−	−0−
FEDERAL	(−0−)	(−0−)
OTHER	(−0−)	(−0−)
TOTAL−ALL SOURCES	−0−	−0−

20.395 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	64,032,800	78,948,500
PROGRAM REVENUE	4,204,700	4,361,300
OTHER	(3,959,600)	(4,116,200)
SERVICE	(245,100)	(245,100)
SEGREGATED FUNDS	2,097,782,900	2,391,059,100
FEDERAL	(751,456,400)	(755,517,700)
OTHER	(1,069,489,900)	(1,336,096,600)
SERVICE	(172,863,200)	(192,328,900)
LOCAL	(103,973,400)	(107,115,900)
TOTAL−ALL SOURCES	2,166,020,400	2,474,368,900

Environmental Resources
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	244,432,900	270,336,600
PROGRAM REVENUE	73,533,700	73,856,700
FEDERAL	(22,912,500)	(22,853,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(27,537,200)	(27,885,400)
SERVICE			(23,084,000)	(23,117,700)
SEGREGATED FUNDS			2,421,318,500	2,716,463,500
FEDERAL			(783,372,800)	(787,429,600)
OTHER			(1,361,109,100)	(1,629,589,100)
SERVICE			(172,863,200)	(192,328,900)
LOCAL			(103,973,400)	(107,115,900)
TOTAL−ALL SOURCES			2,739,285,100	3,060,656,800

Human Relations and Resources

20.410 Corrections, department of

(1) ADULT CORRECTIONAL SERVICES

(a)	General program operations	GPR	A	568,738,100	572,061,100
(aa)	Institutional repair and maintenance	GPR	A	4,201,300	4,201,300
(ab)	Corrections contracts and agreements	GPR	A	10,839,600	2,428,300
(b)	Services for community corrections	GPR	A	108,532,000	108,081,500
(bm)	Pharmacological treatment for certain child sex offenders	GPR	A	229,700	229,700
(bn)	Reimbursing counties for probation, extended supervision and parole holds	GPR	A	4,935,100	4,935,100
(c)	Reimbursement claims of counties containing state prisons	GPR	S	245,700	245,700
(cw)	Mother−young child care program	GPR	A	200,000	200,000
(d)	Purchased services for offenders	GPR	A	27,192,900	29,847,500
(e)	Principal repayment and interest	GPR	S	74,926,800	73,629,600

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(ec)	Prison industries principal, interest and rebates	GPR	S	−0−	−0−
(ed)	Correctional facilities rental	GPR	A	−0−	−0−
(ef)	Lease rental payments	GPR	S	−0−	−0−
(f)	Energy costs	GPR	A	23,930,600	24,791,300
(g)	Loan fund for persons on probation, extended supervision or parole	PR	A	6,000	6,000
(gb)	Drug testing	PR	C	38,900	38,900
(gc)	Sex offender honesty testing	PR	C	90,000	90,000
(gd)	Sex offender management	PR	C	−0−	−0−
(ge)	Administrative and minimum supervision	PR	A	−0−	−0−
(gf)	Probation, parole and extended supervision	PR	A	11,009,800	11,175,700
(gg)	Supervision of defendants and offenders	PR	A	−0−	−0−
(gh)	Supervision of persons on lifetime supervision	PR	A	−0−	−0−
(gi)	General operations	PR	A	4,059,400	4,059,400
(gm)	Sale of fuel and utility service	PR	A	−0−	−0−
(gr)	Home detention services	PR	A	598,300	595,700
(gt)	Telephone company commissions	PR	A	1,116,300	1,116,300
(h)	Administration of restitution	PR	A	874,500	875,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(i)	Gifts and grants	PR	C	33,400	33,400
(jz)	Operations and maintenance	PR	C	337,500	360,000
(kc)	Correctional institution enterprises; inmate activities and employment	PR−S	C	3,151,400	3,151,500
(ke)	Jackson correctional institution wastewater treatment facility	PR−S	A	327,400	−0−
(kf)	Correctional farms	PR−S	A	4,140,500	4,141,200
(kh)	Victim services and programs	PR−S	A	243,800	243,800
(kk)	Institutional operations and charges	PR−S	A	13,775,800	13,776,500
(km)	Prison industries	PR−S	A	17,874,300	19,662,400
(ko)	Prison industries principal repayment, interest and rebates	PR−S	S	153,300	238,600
(kp)	Correctional officer training	PR−S	A	2,324,300	2,332,800
(kx)	Interagency and intra−agency programs	PR−S	C	2,018,000	1,422,200
(ky)	Interagency and intra−agency aids	PR−S	C	1,442,100	1,442,100
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	2,473,100	2,473,100
(n)	Federal program operations	PR−F	C	86,800	86,800
(qm)	Computer recycling	SEG	A	289,300	289,300
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			823,971,800	820,651,100
	PROGRAM REVENUE			66,174,900	67,321,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
FEDERAL			(2,559,900)	(2,559,900)
OTHER			(18,164,100)	(18,350,800)
SERVICE			(45,450,900)	(46,411,100)
SEGREGATED FUNDS			289,300	289,300
OTHER			(289,300)	(289,300)
TOTAL−ALL SOURCES			890,436,000	888,262,200
(2) PAROLE PROGRAM				
(a) General program operations	GPR	A	1,154,300	1,154,300
(kx) Interagency and intra−agency programs	PR−S	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,154,300	1,154,300
PROGRAM REVENUE			−0−	−0−
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			1,154,300	1,154,300
(3) JUVENILE CORRECTIONAL SERVICES				
(a) General program operations	GPR	A	1,658,500	1,660,700
(ba) Mendota juvenile treatment center	GPR	A	1,379,300	1,379,300
(c) Reimbursement claims of counties containing secured correctional facilities	GPR	A	200,000	200,000
(cd) Community youth and family aids	GPR	A	85,841,000	85,841,000
(cg) Serious juvenile offenders	GPR	B	15,117,500	15,275,400
(e) Principal repayment and interest	GPR	S	4,918,300	4,429,400
(g) Legal service collections	PR	C	−0−	−0−
(gg) Collection remittances to local units of government	PR	C	−0−	−0−
(hm) Juvenile correctional services	PR	A	50,998,600	51,311,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(ho)	Juvenile residential aftercare	PR	A	6,476,400	6,717,300
(hr)	Juvenile corrective sanctions program	PR	A	4,326,800	4,335,600
(i)	Gifts and grants	PR	C	7,700	7,700
(j)	State−owned housing maintenance	PR	A	35,000	35,000
(jr)	Institutional operations and charges	PR	A	213,700	213,700
(jv)	Secure detention services	PR	C	−0−	−0−
(ko)	Interagency programs; community youth and family aids	PR−S	C	2,449,200	2,449,200
(kx)	Interagency and intra−agency programs	PR−S	C	1,520,000	1,469,100
(ky)	Interagency and intra−agency aids	PR−S	C	−0−	−0−
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	24,400	−0−
(n)	Federal program operations	PR−F	C	30,000	30,000
(q)	Girls school benevolent trust fund	SEG	C	−0−	−0−

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	109,114,600	108,785,800
PROGRAM REVENUE	66,081,800	66,569,100
FEDERAL	(54,400)	(30,000)
OTHER	(62,058,200)	(62,620,800)
SERVICE	(3,969,200)	(3,918,300)
SEGREGATED FUNDS	−0−	−0−
OTHER	(−0−)	(−0−)
TOTAL−ALL SOURCES	175,196,400	175,354,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
20.410 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			934,240,700	930,591,200
PROGRAM REVENUE			132,256,700	133,890,900
FEDERAL			(2,614,300)	(2,589,900)
OTHER			(80,222,300)	(80,971,600)
SERVICE			(49,420,100)	(50,329,400)
SEGREGATED FUNDS			289,300	289,300
OTHER			(289,300)	(289,300)
TOTAL−ALL SOURCES			1,066,786,700	1,064,771,400
20.425 Employment relations commission				
(1) LABOR RELATIONS				
(a) General program operations	GPR	A	2,595,500	2,595,500
(i) Fees, collective bargaining training, publications, and appeals	PR	A	533,800	533,800
20.425 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,595,500	2,595,500
PROGRAM REVENUE			533,800	533,800
OTHER			(533,800)	(533,800)
TOTAL−ALL SOURCES			3,129,300	3,129,300
20.432 Board on aging and long−term care				
(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
(a) General program operations	GPR	A	867,100	867,100
(i) Gifts and grants	PR	C	−0−	−0−
(k) Contracts with other state agencies	PR−S	C	730,500	730,500
(kb) Insurance and other information, counseling and assistance	PR−S	A	344,500	345,500
(m) Federal aid	PR−F	C	−0−	−0−
20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			867,100	867,100
PROGRAM REVENUE			1,075,000	1,076,000
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
SERVICE				(1,075,000)	(1,076,000)
TOTAL−ALL SOURCES				1,942,100	1,943,100
20.433 Child abuse and neglect prevention board					
(1) PREVENTION OF CHILD ABUSE AND NEGLECT					
(b)	Grants to organizations	GPR	C	340,000	340,000
(g)	General program operations	PR	A	369,300	369,300
(h)	Grants to organizations; program revenues	PR	C	1,941,400	2,330,300
(i)	Gifts and grants	PR	C	−0−	−0−
(k)	Interagency programs	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	90,000	90,000
(ma)	Federal project aids	PR−F	C	450,000	450,000
(q)	Children's trust fund; gifts and grants	SEG	C	23,100	23,100
20.433 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				340,000	340,000
PROGRAM REVENUE				2,850,700	3,239,600
FEDERAL				(540,000)	(540,000)
OTHER				(2,310,700)	(2,699,600)
SERVICE				(−0−)	(−0−)
SEGREGATED FUNDS				23,100	23,100
OTHER				(23,100)	(23,100)
TOTAL−ALL SOURCES				3,213,800	3,602,700
20.435 Health and family services, department of					
(1) PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; STATE OPERATIONS					
(a)	General program operations	GPR	A	4,807,600	4,799,800

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(ac)	Child abuse and neglect prevention technical assistance	GPR	A	−0−	155,000
(c)	Public health emergency quarantine costs	GPR	S	−0−	−0−
(gm)	Licensing, review and certifying activities fees; supplies and services	PR	A	8,742,200	9,067,200
(gr)	Supplemental food program for women, infants and children adminstration	PR	C	200	200
(hg)	General program operations: health care information	PR	A	891,300	893,500
(hi)	Compilations and special reports	PR	C	429,100	429,100
(i)	Gifts and grants	PR	C	210,900	210,200
(jb)	Congenital disorders; operations	PR	A	85,000	85,000
(kx)	Interagency and intra−agency programs	PR−S	C	2,347,500	2,341,500
(m)	Federal project operations	PR−F	C	18,868,900	18,279,700
(mc)	Block grant operations	PR−F	C	5,938,200	5,916,600
(n)	Federal program operations	PR−F	C	5,005,400	5,441,600
(q)	Groundwater and air quality standards	SEG	A	287,500	287,300

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	4,807,600	4,954,800
PROGRAM REVENUE	42,518,700	42,664,600
FEDERAL	(29,812,500)	(29,637,900)
OTHER	(10,358,700)	(10,685,200)
SERVICE	(2,347,500)	(2,341,500)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
SEGREGATED FUNDS			287,500	287,300
OTHER			(287,500)	(287,300)
TOTAL−ALL SOURCES			47,613,800	47,906,700
(2) DISABILITY AND ELDER SERVICES; INSTITUTIONS				
(a) General program operations	GPR	A	52,681,000	52,837,900
(aa) Institutional repair and maintenance	GPR	A	659,300	659,300
(b) Wisconsin resource center	GPR	A	28,936,700	29,193,700
(bj) Competency examinations and conditional and supervised release services	GPR	B	5,988,900	6,541,300
(bm) Secure mental health units or facilities	GPR	A	33,367,000	35,133,900
(ee) Principal repayment and interest	GPR	S	13,236,100	12,825,400
(ef) Lease rental payments	GPR	S	−0−	−0−
(f) Energy costs	GPR	A	3,343,400	3,459,300
(g) Alternative services of institutes and centers	PR	C	9,080,900	8,937,400
(gk) Institutional operations and charges	PR	A	148,179,300	149,870,200
(gL) Extended intensive treatment surcharge	PR	C	−0−	−0−
(gs) Sex offender honesty testing	PR	C	−0−	−0−
(i) Gifts and grants	PR	C	388,600	388,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(kx) Interagency and intra−agency programs	PR−S	C	6,952,300	6,940,800
(ky) Interagency and intra−agency aids	PR−S	C	−0−	−0−
(kz) Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m) Federal project operations	PR−F	C	−0−	−0−

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	138,212,400	140,650,800
PROGRAM REVENUE	164,601,100	166,137,000
FEDERAL	(−0−)	(−0−)
OTHER	(157,648,800)	(159,196,200)
SERVICE	(6,952,300)	(6,940,800)
TOTAL−ALL SOURCES	302,813,500	306,787,800

(3) CHILDREN AND FAMILY SERVICES				
(a) General program operations	GPR	A	5,956,500	5,376,700
(bc) Grants for children's community programs	GPR	A	547,200	547,200
(cd) Domestic abuse grants	GPR	A	6,383,700	6,383,700
(cf) Foster, trtmt foster & family−operated group home parent ins & liability	GPR	A	60,000	60,000
(cw) Milwaukee child welfare services; general program operations	GPR	A	10,752,200	10,789,500
(cx) Milwaukee child welfare services; aids	GPR	A	35,645,800	37,317,800
(da) Child welfare program enhancement plan; aids	GPR	A	1,337,600	1,117,200

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(dd)	State foster care and adoption services	GPR	A	45,015,000	49,600,800
(dg)	State adoption information exchange and state adoption center	GPR	A	171,300	171,300
(eg)	Brighter futures initiative and tribal adolescent services	GPR	A	1,959,500	1,959,500
(f)	Second−chance homes	GPR	A	−0−	−0−
(fp)	Food pantry grants	GPR	A	−0−	−0−
(gb)	Child abuse prevention and child mental health	PR	A	192,700	634,700
(gx)	Milwaukee child welfare services; collections	PR	C	2,589,700	2,589,700
(hh)	Domestic abuse surcharge grants	PR	C	589,700	598,100
(i)	Gifts and grants	PR	C	−0−	−0−
(j)	Statewide automated child welfare information system receipts	PR	C	1,397,100	1,122,100
(jb)	Fees for administrative services	PR	C	78,400	78,400
(jj)	Searches for birth parents and adoption record information; foreign adopt	PR	A	81,200	81,200
(jm)	Licensing activities	PR	A	33,500	33,500
(kc)	Interagency and intra−agency aids; kinship care and long−term kinship care	PR−S	A	21,893,900	21,893,900

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(kd)	Kinship care and long−term kinship care assessments	PR−S	A	1,619,500	1,619,500
(kw)	Interagency and intra−agency aids; Milwaukee child welfare services	PR−S	A	21,991,100	21,991,100
(kx)	Interagency and intra−agency programs	PR−S	C	11,967,700	12,190,700
(ky)	Interagency and intra−agency aids	PR−S	C	157,200	157,200
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	1,080,700	1,080,900
(ma)	Federal project aids	PR−F	C	3,780,700	3,780,700
(mb)	Federal project local assistance	PR−F	C	−0−	−0−
(mc)	Federal block grant operations	PR−F	C	1,682,100	1,636,900
(md)	Federal block grant aids	PR−F	C	9,041,000	9,041,000
(me)	Federal block grant local assistance	PR−F	C	−0−	−0−
(mw)	Federal aid; Milwaukee child welfare services general program operations	PR−F	C	5,776,600	5,786,600
(mx)	Federal aid; Milwaukee child welfare services aids	PR−F	C	15,685,200	15,782,800
(n)	Federal program operations	PR−F	C	6,566,100	6,542,100
(na)	Federal program aids	PR−F	C	3,398,500	3,398,500
(nL)	Federal program local assistance	PR−F	C	10,796,800	10,796,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(pd) Federal aid; state foster care and adoption services	PR−F	C	40,978,300	45,228,300
(pm) Federal aid; adoption incentive payments	PR−F	C	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			107,828,800	113,323,700
PROGRAM REVENUE			161,377,700	166,064,700
FEDERAL			(98,786,000)	(103,074,600)
OTHER			(4,962,300)	(5,137,700)
SERVICE			(57,629,400)	(57,852,400)
TOTAL−ALL SOURCES			269,206,500	279,388,400
(4) HEALTH SERVICES PLANNING, REG & DELIVERY; HLTH CARE FIN; OTHER SUPPORT PGMS				
(a) General program operations	GPR	A	9,732,900	9,611,900
(b) Medical assistance program benefits	GPR	B	1,450,883,500	1,534,098,100
(bc) Badger care health care program; general purpose revenue	GPR	C	62,368,000	77,416,900
(bm) MA, food stamps & BadgerCare admin; contracts costs; ins reports & res ctrs	GPR	B	37,906,000	36,197,400
(bn) Income maintenance	GPR	B	36,733,100	36,899,500
(bt) Relief block grants to counties	GPR	A	400,000	400,000
(bv) Prescription drug assistance for elderly; aids	GPR	B	51,746,700	56,758,400
(cj) Funeral, cemetery and burial aids	GPR	A	−0−	−0−
(d) Facility appeals mechanism	GPR	A	546,800	546,800
(e) Disease aids	GPR	B	4,588,700	4,956,200

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(g)	Family care benefit; cost sharing	PR	C	−0−	−0−
(gm)	Health services regulation	PR	A	15,700	15,700
(gp)	Medical assistance; hospital assessments	PR	C	1,500,000	1,500,000
(h)	General assistance medical program; intergovernmental transfer	PR	A	6,799,400	6,799,400
(i)	Gifts and grants; health care financing	PR	C	115,800	115,800
(iL)	Medical assistance provider assessments	PR	C	−0−	−0−
(im)	Medical assistance; recovery of correct payments	PR	C	16,742,800	16,633,300
(in)	Community options program; family care; recovery of costs administration	PR	A	89,500	89,600
(j)	Prescription drug assistance for elderly; manufacturer rebates	PR	C	41,107,300	45,305,500
(jb)	Prescription drug assistance for elderly; enrollment fees	PR	C	3,814,900	3,814,900
(je)	Disease aids; drug manufacturer rebates	PR	C	229,200	256,700
(jz)	Badger Care cost sharing	PR	C	7,011,000	7,439,500

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(kb)	Relief block grants to tribal governing bodies	PR−S	A	800,000	800,000
(kt)	Medical assistance outreach and reimbursements for tribes	PR−S	B	1,070,000	1,070,000
(kx)	Interagency and intra−agency programs	PR−S	C	2,648,900	2,649,200
(ky)	Interagency and intra−agency aids	PR−S	C	948,300	995,600
(kz)	Interagency and intra−agency local assistance	PR−S	C	400,500	428,300
(L)	Fraud and error reduction	PR	C	1,947,100	2,017,800
(m)	Federal project operations	PR−F	C	261,400	197,500
(ma)	Federal project aids	PR−F	C	−0−	−0−
(md)	Federal block grant aids	PR−F	C	−0−	−0−
(n)	Federal program operations	PR−F	C	41,589,400	41,482,500
(na)	Federal program aids	PR−F	C	9,244,100	9,244,100
(nn)	Federal aid; income maintenance	PR−F	C	54,386,200	55,524,300
(o)	Federal aid; medical assistance	PR−F	C	2,508,965,200	2,609,143,400
(p)	Federal aid; Badger care health care program	PR−F	C	123,737,500	136,010,900
(pa)	Federal aid; medical assistance and food stamps contracts administration	PR−F	C	80,449,300	90,336,800
(pg)	Federal aid; prescription drug assistance for elderly	PR−F	C	49,231,400	51,644,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(pv)	Food stamps; electronic benefits transfer	PR−F	C	−0−	−0−
(r)	Health care quality improvement fund; medical assistance	SEG	C	150,000,000	130,000,000
(rg)	Health care quality improvement fund; medical assistance payments	SEG	S	−0−	−0−
(rm)	Health care quality improvement fund; hospital supplemental payments	SEG	A	9,703,400	9,714,000
(u)	HIRSP; administration	SEG	B	6,821,900	7,076,600
(v)	HIRSP; program benefits	SEG	C	146,321,300	175,169,700
(vt)	Veterans trust fund; nurse stipends	SEG	A	43,700	43,700
(w)	Medical assistance trust fund	SEG	B	153,847,400	180,534,600
(wm)	Medical assistance trust fund; nursing homes	SEG	A	−0−	−0−
(wp)	Medical assistance trust fund; county reimbursement	SEG	S	−0−	−0−
(x)	Badger care health care program; medical assistance trust fund	SEG	C	988,900	1,794,200

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,654,905,700	1,756,885,200
PROGRAM REVENUE	2,953,104,900	3,083,514,800
FEDERAL	(2,867,864,500)	(2,993,583,500)
OTHER	(79,372,700)	(83,988,200)
SERVICE	(5,867,700)	(5,943,100)
SEGREGATED FUNDS	467,726,600	504,332,800
OTHER	(467,726,600)	(504,332,800)
TOTAL−ALL SOURCES	5,075,737,200	5,344,732,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(5) PUBLIC HEALTH SERVICES PLANNING, REGULATION & DELIVERY; AIDS & LOCAL ASSIST				
(ab) Child abuse and neglect prevention and universal home visitation grants	GPR	A	995,700	2,091,800
(am) Services, reimbursement and payment related to human immunodeficiency virus	GPR	A	4,708,800	4,708,800
(cb) Well woman program	GPR	A	2,188,200	2,188,200
(cc) Cancer control and prevention	GPR	A	394,600	394,600
(ce) Primary health for homeless individuals	GPR	C	125,000	125,000
(cm) Immunization	GPR	S	−0−	−0−
(de) Dental and oral health services	GPR	A	3,157,600	3,157,600
(dm) Rural health dental clinics	GPR	A	587,600	587,600
(dn) Food distribution costs	GPR	A	320,000	320,000
(ds) Statewide poison control program	GPR	A	375,000	375,000
(e) Public health dispensaries and drugs	GPR	B	391,900	391,900
(ed) Radon aids	GPR	A	30,000	30,000
(ef) Lead poisoning or lead exposure services	GPR	A	1,004,100	1,004,100
(eg) Pregnancy counseling	GPR	A	77,600	77,600

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(em)	Supplemental food program for women, infants and children benefits	GPR	C	179,300	179,300
(ev)	Pregnancy outreach and infant health	GPR	A	211,200	211,200
(f)	Family planning	GPR	A	1,955,200	1,955,200
(fh)	Community health services	GPR	A	3,075,000	3,075,000
(fm)	Tobacco use control grants	GPR	C	10,000,000	10,000,000
(i)	Gifts and grants; aids	PR	C	2,939,000	2,863,400
(ja)	Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	2,094,300	2,094,300
(kb)	Minority health	PR−S	A	150,000	150,000
(ke)	Cooperative American Indian health projects	PR−S	A	120,000	120,000
(ky)	Interagency and intra−agency aids	PR−S	C	206,600	192,700
(ma)	Federal project aids	PR−F	C	38,669,200	37,852,700
(md)	Block grant aids	PR−F	C	7,899,200	8,159,000
(na)	Federal program aids	PR−F	C	61,772,600	62,328,300
(rb)	Emergency medical services; aids	SEG	A	2,200,000	2,200,000

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	29,776,800	30,872,900
PROGRAM REVENUE	113,850,900	113,760,400
FEDERAL	(108,341,000)	(108,340,000)
OTHER	(5,033,300)	(4,957,700)
SERVICE	(476,600)	(462,700)
SEGREGATED FUNDS	2,200,000	2,200,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(2,200,000)	(2,200,000)
TOTAL−ALL SOURCES			145,827,700	146,833,300
(6) DISABILITY AND ELDER SERVICES; STATE OPERATIONS NON−INSTITUTION				
(a) General program operations; physical disabilities	GPR	A	15,183,300	14,222,800
(dm) Nursing home monitoring and receivership supplement	GPR	S	−0−	−0−
(e) Principal repayment and interest	GPR	S	62,700	62,400
(ee) Admin. exp. for state suppl to federal supplemental security income program	GPR	A	611,800	611,800
(g) Nursing facility resident protection	PR	C	151,000	151,000
(ga) Community−based residential facility monitoring and receivership ops	PR	C	−0−	−0−
(gb) Alcohol and drug abuse initiatives	PR	C	1,032,200	1,037,600
(gc) Disabled children long−term support waiver; state operations	PR	A	−0−	−0−
(gd) Group home revolving loan fund	PR	A	100,000	100,000
(hs) Interpreter services for hearing impaired	PR	A	40,000	40,000
(hx) Services related to drivers, receipts	PR	A	−0−	−0−
(i) Gifts and grants	PR	C	300,000	300,100
(jb) Fees for administrative services	PR	C	101,000	103,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(jm)	Licensing and support services	PR	A	3,949,400	3,846,100
(k)	Nursing home monitoring and receivership operations	PR−S	C	−0−	−0−
(kx)	Interagency and intra−agency programs	PR−S	C	1,631,500	1,614,600
(m)	Federal project operations	PR−F	C	5,873,300	5,874,400
(mc)	Federal block grant operations	PR−F	C	3,365,900	3,365,000
(n)	Federal program operations	PR−F	C	21,382,200	21,376,900

(6) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	15,857,800	14,897,000
PROGRAM REVENUE	37,926,500	37,808,800
FEDERAL	(30,621,400)	(30,616,300)
OTHER	(5,673,600)	(5,577,900)
SERVICE	(1,631,500)	(1,614,600)
TOTAL−ALL SOURCES	53,784,300	52,705,800

(7) DISABILITY AND ELDER SERVICES; AIDS AND LOCAL ASSISTANCE

(b)	Community aids and medical assistance payments	GPR	A	180,756,900	178,231,200
(bc)	Grants for community programs	GPR	A	6,343,600	6,344,500
(bd)	Community options program; pilot projects; family care benefit	GPR	A	93,812,200	93,812,200
(be)	Mental health treatment services	GPR	A	10,583,800	10,583,800
(bg)	Alzheimer's disease; training and information grants	GPR	A	132,700	132,700
(bL)	Community support programs	GPR	A	1,186,900	1,186,900
(bm)	Purchased services for clients	GPR	A	94,800	94,800

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(br)	Respite care	GPR	A	225,000	225,000
(bt)	Early intervention services for infants and toddlers with disabilities	GPR	A	6,878,700	6,878,700
(c)	Independent living centers	GPR	A	983,500	983,500
(cg)	Guardianship grant program	GPR	A	100,000	100,000
(co)	Integrated service programs for children with severe disabilities	GPR	A	133,300	133,300
(d)	Interpreter services and telecommunication aid for the hearing impaired	GPR	A	180,000	180,000
(da)	Reimbursements to local units of government	GPR	S	400,000	400,000
(dh)	Programs for senior citizens; elder abuse services; benefit specialist pgm	GPR	A	11,909,800	12,809,800
(ed)	State supplement to federal supplemental security income program	GPR	S	128,281,600	128,281,600
(gg)	Collection remittances to local units of government	PR	C	5,000	5,000
(h)	Disabled children long−term support waiver	PR	C	−0−	−0−
(hy)	Services for drivers, local assistance	PR	A	1,450,000	1,450,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(i)	Gifts and grants; local assistance	PR	C	−0−	−0−
(im)	Community options program; family care benefit; recovery of costs	PR	C	375,000	375,000
(kb)	Severely emotionally disturbed children	PR−S	C	586,100	586,100
(kc)	Independent living center grants	PR−S	A	600,000	600,000
(kg)	Compulsive gambling awareness campaigns	PR−S	A	250,000	250,000
(kh)	Compulsive gambling awareness grants	PR−S	A	50,000	50,000
(kL)	Indian aids	PR−S	A	271,600	271,600
(km)	Indian drug abuse prevention and education	PR−S	A	500,000	500,000
(kn)	Elderly nutrition; home−delivered and congregate meals	PR−S	A	500,000	500,000
(ky)	Interagency and intra−agency aids	PR−S	C	29,649,300	28,493,300
(kz)	Interagency and intra−agency local assistance	PR−S	C	100,000	100,000
(ma)	Federal project aids	PR−F	C	11,913,900	11,913,900
(mb)	Federal project local assistance	PR−F	C	−0−	−0−
(md)	Federal block grant aids	PR−F	C	8,711,700	8,711,700
(me)	Federal block grant local assistance	PR−F	C	7,451,400	7,451,400
(na)	Federal program aids	PR−F	C	27,875,700	27,875,700

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(nL)	Federal program local assistance	PR−F	C	7,029,300	7,029,300
(o)	Federal aid; community aids	PR−F	C	84,604,600	84,730,100

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	442,002,800	440,378,000
PROGRAM REVENUE	181,923,600	180,893,100
FEDERAL	(147,586,600)	(147,712,100)
OTHER	(1,830,000)	(1,830,000)
SERVICE	(32,507,000)	(31,351,000)
TOTAL−ALL SOURCES	623,926,400	621,271,100

(8)	GENERAL ADMINISTRATION				
(a)	General program operations	GPR	A	12,980,600	12,977,300
(i)	Gifts and grants	PR	C	500	500
(k)	Administrative and support services	PR−S	A	31,882,000	33,146,600
(kx)	Interagency and intra−agency programs	PR−S	C	235,600	235,600
(ky)	Interagency and intra−agency aids	PR−S	C	−0−	−0−
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(ma)	Federal project aids	PR−F	C	−0−	−0−
(mb)	Income augmentation services receipts	PR−F	C	8,583,900	6,055,100
(mc)	Federal block grant operations	PR−F	C	986,800	985,000
(mm)	Reimbursements from federal government	PR−F	C	−0−	−0−
(n)	Federal program operations	PR−F	C	2,005,300	2,005,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(pz) Indirect cost reimbursements	PR−F	C	2,782,900	2,783,000
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			12,980,600	12,977,300
PROGRAM REVENUE			46,477,000	45,211,200
FEDERAL			(14,358,900)	(11,828,500)
OTHER			(500)	(500)
SERVICE			(32,117,600)	(33,382,200)
TOTAL−ALL SOURCES			59,457,600	58,188,500
20.435 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,406,372,500	2,514,939,700
PROGRAM REVENUE			3,701,780,400	3,836,054,600
FEDERAL			(3,297,370,900)	(3,424,792,900)
OTHER			(264,879,900)	(271,373,400)
SERVICE			(139,529,600)	(139,888,300)
SEGREGATED FUNDS			470,214,100	506,820,100
OTHER			(470,214,100)	(506,820,100)
TOTAL−ALL SOURCES			6,578,367,000	6,857,814,400

20.440 Health and educational facilities authority

(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES

(a) General program operations	GPR	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−

(2) RURAL HOSPITAL LOAN GUARANTEE

(a) Rural assistance loan fund	GPR	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−

20.445 Workforce development, department of

(1) WORKFORCE DEVELOPMENT

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(a)	General program operations	GPR	A	5,964,500	5,964,500
(aa)	Special death benefit	GPR	S	479,100	479,100
(bc)	Assistance for dislocated workers	GPR	A	−0−	−0−
(cm)	Wisconsin service corps member education vouchers	GPR	C	−0−	−0−
(f)	Death and disability benefit payments; public insurrections	GPR	S	−0−	−0−
(g)	Gifts and grants	PR	C	−0−	−0−
(ga)	Auxiliary services	PR	C	449,800	449,800
(gb)	Local agreements	PR	C	4,484,000	4,484,000
(gc)	Unemployment administration	PR	C	−0−	−0−
(gd)	Unemployment interest and penalty payments	PR	C	300,500	300,500
(ge)	Unemployment reserve fund research	PR	A	199,900	199,900
(gf)	Unemployment insurance administration	PR	A	1,538,100	1,538,100
(gg)	Unemployment information technology systems; interest and penalties	PR	C	−0−	−0−
(gh)	Unemployment tax and accounting system; assessments	PR	C	2,243,100	2,243,100
(ha)	Worker's compensation operations	PR	A	10,749,300	10,650,200
(hb)	Worker's compensation contracts	PR	C	100,000	100,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(hp)	Uninsured employers program; administration	PR	A	955,100	955,100
(hr)	Health care worker injury prevention	PR	A	500,000	500,000
(jm)	Dislocated worker program grants	PR	C	−0−	−0−
(ka)	Interagency and intra−agency agreements	PR−S	C	4,379,200	4,379,200
(kc)	Administrative services	PR−S	A	47,626,000	47,626,000
(m)	Workforce investment and assistance; federal moneys	PR−F	C	84,656,900	84,573,400
(n)	Employment assistance and unemployment ins. administration; federal moneys	PR−F	C	54,975,300	54,975,300
(na)	Employment security buildings and equipment	PR−F	C	−0−	−0−
(nb)	Unemployment tax and accounting system; federal moneys	PR−F	C	−0−	−0−
(nc)	Unemployment insurance administration; special federal monies	PR−F	C	−0−	−0−
(nd)	Employment services	PR−F	C	2,588,400	2,598,400
(ne)	Unemployment administration; bank service costs	PR−F	C	1,020,000	1,020,000
(o)	Equal rights; federal moneys	PR−F	C	973,700	973,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(p) Worker's compensation; federal moneys	PR−F	C	−0−	−0−
(pz) Indirect cost reimbursements	PR−F	C	277,100	234,000
(s) Self−insured employers liability fund	SEG	C	−0−	−0−
(sm) Uninsured employers fund; payments	SEG	S	2,650,000	2,650,000
(t) Work injury supplemental benefit fund	SEG	C	3,000,000	3,000,000
(uz) Employment transit aids, state funds	SEG	A	550,100	550,100
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			6,443,600	6,443,600
PROGRAM REVENUE			218,016,400	217,800,700
FEDERAL			(144,491,400)	(144,374,800)
OTHER			(21,519,800)	(21,420,700)
SERVICE			(52,005,200)	(52,005,200)
SEGREGATED FUNDS			6,200,100	6,200,100
OTHER			(6,200,100)	(6,200,100)
TOTAL−ALL SOURCES			230,660,100	230,444,400
(2) REVIEW COMMISSION				
(a) General program operations, review commission	GPR	A	184,700	184,700
(ha) Worker's compensation operations	PR	A	695,600	695,600
(m) Federal moneys	PR−F	C	172,300	172,300
(n) Unemployment administration; federal moneys	PR−F	C	2,068,500	2,068,500
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			184,700	184,700

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2005−06	2006−07
		PROGRAM REVENUE			2,936,400	2,936,400
		FEDERAL			(2,240,800)	(2,240,800)
		OTHER			(695,600)	(695,600)
		TOTAL−ALL SOURCES			3,121,100	3,121,100
(3)		ECONOMIC SUPPORT				
	(a)	General program operations	GPR	A	4,910,200	4,910,200
	(cm)	Wisconsin works child care and day care licensing	GPR	A	26,708,400	26,708,400
	(cr)	State supplement to employment opportunity demonstration projects	GPR	A	237,500	237,500
	(dz)	Temporary assistance for needy families; maintenance of effort	GPR	C	137,998,700	131,000,900
	(i)	Gifts and grants	PR	C	2,500	2,500
	(ja)	Child support state operations−fees and reimbursements	PR	C	8,500,000	8,414,000
	(jb)	Fees for administrative services	PR	C	731,800	731,800
	(jL)	Job access loan repayments	PR	C	618,700	616,400
	(jm)	Day care center licensing	PR	C	1,292,500	1,292,500
	(k)	Child support transfers	PR−S	C	27,272,300	26,629,900
	(kp)	Delinquent support, maintenance, and fee payments	PR−S	C	−0−	−0−
	(kx)	Interagency and intra−agency programs	PR−S	C	41,815,000	42,014,400

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(L)	Public assistance overpayment recovery and fraud and error reduction	PR	C	427,400	547,700
(ma)	Federal project activities	PR−F	C	511,400	511,400
(mc)	Federal block grant operations	PR−F	A	22,426,600	22,426,600
(md)	Federal block grant aids	PR−F	A	378,824,900	360,484,600
(me)	Child care and temporary assistance overpayment recovery	PR−F	C	1,509,900	2,194,900
(mm)	Reimbursements from federal government	PR−F	C	−0−	−0−
(n)	Child support state operations; federal funds	PR−F	C	20,203,600	19,821,200
(na)	Refugee assistance; federal funds	PR−F	C	6,005,400	6,005,400
(nL)	Child support local assistance; federal funds	PR−F	C	64,119,700	63,880,300
(pv)	Electronic benefits transfer	PR−F	C	−0−	−0−
(pz)	Income augmentation services receipts	PR−F	C	−0−	−0−
(q)	Centralized support receipt and disbursement; interest	SEG	S	176,300	121,600
(qm)	Child support state ops and reimb for claims and expenses; unclaimed pymts	SEG	S	725,000	500,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(r)	Support receipt and disbursement program; payments	SEG	C	−0−	−0−
(s)	Economic support − public benefits	SEG	A	9,232,000	9,232,000
(t)	Economic support; transportation fund	SEG	A	2,881,400	2,638,500

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	169,854,800	162,857,000
PROGRAM REVENUE	574,261,700	555,573,600
FEDERAL	(493,601,500)	(475,324,400)
OTHER	(11,572,900)	(11,604,900)
SERVICE	(69,087,300)	(68,644,300)
SEGREGATED FUNDS	13,014,700	12,492,100
OTHER	(13,014,700)	(12,492,100)
TOTAL−ALL SOURCES	757,131,200	730,922,700

(5) VOCATIONAL REHABILITATION SERVICES

(a)	General program operations; purchased services for clients	GPR	C	13,925,000	14,102,000
(gg)	Contractual services	PR	C	−0−	−0−
(gp)	Contractual services aids	PR	C	−0−	−0−
(h)	Enterprises and services for blind and visually impaired	PR	C	213,000	213,000
(he)	Supervised business enterprise	PR	C	175,000	175,000
(i)	Gifts and grants	PR	C	−0−	−0−
(kg)	Vocational rehabilitation services for tribes	PR−S	A	350,000	350,000
(kx)	Interagency and intra−agency programs	PR−S	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(ky)	Interagency and intra−agency aids	PR−S	C	487,000	487,000
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	104,000	104,000
(ma)	Federal project aids	PR−F	C	−0−	−0−
(n)	Federal program aids and operations	PR−F	C	57,705,300	58,359,300
(nL)	Federal program local assistance	PR−F	C	−0−	−0−

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	13,925,000	14,102,000
PROGRAM REVENUE	59,034,300	59,688,300
FEDERAL	(57,809,300)	(58,463,300)
OTHER	(388,000)	(388,000)
SERVICE	(837,000)	(837,000)
TOTAL−ALL SOURCES	72,959,300	73,790,300

(7) GOVERNOR'S WORK−BASED LEARNING BOARD

(a)	General program operations	GPR	A	597,300	597,300
(b)	Local youth apprenticeship grants	GPR	B	1,100,000	1,100,000
(ef)	School−to−work programs for children at risk	GPR	A	285,000	285,000
(em)	On−the−job training grants for employers	GPR	A	−0−	−0−
(ga)	Auxiliary services	PR	C	18,000	18,000
(kb)	Funds transferred from the technical college system board; school−to−work	PR−S	C	2,249,100	2,249,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(kd) Transfer of Indian gaming receipts; work−based learning programs	PR−S	A	600,000	600,000
(kx) Interagency and intra−agency programs	PR−S	C	139,500	139,500
(m) Federal funds	PR−F	C	290,700	290,700

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,982,300	1,982,300
PROGRAM REVENUE	3,297,300	3,297,300
FEDERAL	(290,700)	(290,700)
OTHER	(18,000)	(18,000)
SERVICE	(2,988,600)	(2,988,600)
TOTAL−ALL SOURCES	5,279,600	5,279,600

20.445 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	192,390,400	185,569,600
PROGRAM REVENUE	857,546,100	839,296,300
FEDERAL	(698,433,700)	(680,694,000)
OTHER	(34,194,300)	(34,127,200)
SERVICE	(124,918,100)	(124,475,100)
SEGREGATED FUNDS	19,214,800	18,692,200
OTHER	(19,214,800)	(18,692,200)
TOTAL−ALL SOURCES	1,069,151,300	1,043,558,100

20.455 Justice, department of

(1) LEGAL AND REGULATORY SERVICES

(a) General program operations	GPR	A	13,662,700	13,988,100
(b) Special counsel	GPR	S	805,700	805,700
(d) Legal expenses	GPR	B	778,600	778,600
(g) Consumer protection, information, and education	PR	A	175,000	175,000
(gh) Investigation and prosecution	PR	C	−0−	−0−
(gs) Delinquent obligation collection	PR	A	−0−	−0−

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(hm)	Restitution	PR	C	−0−	−0−
(i)	Consumer protection operations	PR	C	−0−	−0−
(j)	Telephone solicitation regulation	PR	C	500,200	666,900
(k)	Environment litigation project	PR−S	C	494,000	494,000
(km)	Interagency and intra−agency assistance	PR−S	A	1,000,600	1,000,600
(kt)	Telecommunications positions	PR−S	C	−0−	−0−
(m)	Federal aid	PR−F	C	894,600	894,600
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			15,247,000	15,572,400
	PROGRAM REVENUE			3,064,400	3,231,100
	FEDERAL			(894,600)	(894,600)
	OTHER			(675,200)	(841,900)
	SERVICE			(1,494,600)	(1,494,600)
	TOTAL−ALL SOURCES			18,311,400	18,803,500
(2)	LAW ENFORCEMENT SERVICES				
(a)	General program operations	GPR	A	11,120,300	11,120,300
(am)	Officer training reimbursement	GPR	S	134,000	134,000
(b)	Investigations and operations	GPR	A	−0−	−0−
(c)	Crime laboratory equipment	GPR	B	−0−	−0−
(dg)	Weed and seed and law enforcement technology	GPR	A	−0−	−0−
(dq)	Law enforcement community policing grants	GPR	B	−0−	−0−
(e)	Drug enforcement	GPR	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(g)	Gaming law enforcement; racing revenues	PR	A	139,800	140,100
(gc)	Gaming law enforcement; Indian gaming	PR	A	120,700	121,100
(gm)	Criminal history searches; fingerprint identification	PR	C	4,139,700	4,248,300
(gr)	Handgun purchaser record check	PR	C	404,100	404,100
(h)	Terminal charges	PR	A	2,726,600	2,839,200
(i)	Penalty surcharge, receipts	PR	A	−0−	−0−
(j)	Law enforcement training fund, local assistance	PR	A	5,159,400	5,159,400
(ja)	Law enforcement training fund, state operations	PR	A	3,409,900	3,409,900
(jb)	Crime laboratory equipment and supplies	PR	A	364,100	364,100
(k)	Interagency and intra−agency assistance	PR−S	C	194,300	194,300
(kd)	Drug law enforcement, crime laboratories, and genetic evidence activities	PR−S	A	7,551,700	7,393,400
(ke)	Drug enforcement intelligence operations	PR−S	A	1,561,900	1,567,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(kg) Interagency and intra−agency assistance; fingerprint identification	PR−S	A	−0−	−0−
(km) Lottery background investigations	PR−S	A	−0−	−0−
(Lm) Crime laboratories; deoxyribonucleic acid analysis	PR	C	674,400	674,400
(m) Federal aid, state operations	PR−F	C	2,108,300	2,108,300
(ma) Federal aid, drug enforcement	PR−F	C	−0−	−0−
(n) Federal aid, local assistance	PR−F	C	−0−	−0−
(r) Gaming law enforcement; lottery revenues	SEG	A	324,500	325,200
(s) Computers for transaction information for management of enforcement system	SEG	A	1,009,900	1,009,900
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			11,254,300	11,254,300
PROGRAM REVENUE			28,554,900	28,623,800
FEDERAL			(2,108,300)	(2,108,300)
OTHER			(17,138,700)	(17,360,600)
SERVICE			(9,307,900)	(9,154,900)
SEGREGATED FUNDS			1,334,400	1,335,100
OTHER			(1,334,400)	(1,335,100)
TOTAL−ALL SOURCES			41,143,600	41,213,200
(3) ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	4,395,400	4,395,400
(g) Gifts, grants and proceeds	PR	C	−0−	−0−
(k) Interagency and intra−agency assistance	PR−S	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(m)	Federal aid, state operations	PR−F	C	−0−	−0−
(pz)	Indirect cost reimbursements	PR−F	C	81,500	81,500
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,395,400	4,395,400
	PROGRAM REVENUE			81,500	81,500
	FEDERAL			(81,500)	(81,500)
	OTHER			(−0−)	(−0−)
	SERVICE			(−0−)	(−0−)
	TOTAL−ALL SOURCES			4,476,900	4,476,900
(5)	VICTIMS AND WITNESSES				
(a)	General program operations	GPR	A	996,900	996,900
(b)	Awards for victims of crimes	GPR	A	1,258,000	1,258,000
(c)	Reimbursement for victim and witness services	GPR	A	1,422,200	1,422,200
(g)	Crime victim and witness assistance surcharge, general services	PR	A	2,566,600	3,206,600
(gc)	Crime victim and witness surcharge, sexual assault victim services	PR	C	2,000,000	2,000,000
(h)	Crime victim compensation services	PR	A	44,100	44,100
(i)	Victim compensation, inmate payments	PR	C	10,900	10,900
(k)	Interagency and intra−agency assistance; reimbursement to counties	PR−S	A	564,400	564,400
(kj)	Victim payments, victim surcharge	PR−S	A	488,800	488,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(kk) Reimbursement to counties for providing victim and witness services	PR−S	C	−0−	−0−
(kp) Reimbursement to counties for victim−witness services	PR−S	A	746,000	746,000
(m) Federal aid; victim compensation	PR−F	C	643,900	643,900
(ma) Federal aid, state operations relating to crime victim services	PR−F	C	81,000	81,000
(mh) Federal aid; victim assistance	PR−F	C	4,139,000	4,139,000
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,677,100	3,677,100
PROGRAM REVENUE			11,284,700	11,924,700
FEDERAL			(4,863,900)	(4,863,900)
OTHER			(4,621,600)	(5,261,600)
SERVICE			(1,799,200)	(1,799,200)
TOTAL−ALL SOURCES			14,961,800	15,601,800
20.455 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			34,573,800	34,899,200
PROGRAM REVENUE			42,985,500	43,861,100
FEDERAL			(7,948,300)	(7,948,300)
OTHER			(22,435,500)	(23,464,100)
SERVICE			(12,601,700)	(12,448,700)
SEGREGATED FUNDS			1,334,400	1,335,100
OTHER			(1,334,400)	(1,335,100)
TOTAL−ALL SOURCES			78,893,700	80,095,400
20.465 Military affairs, department of				
(1) NATIONAL GUARD OPERATIONS				
(a) General program operations	GPR	A	4,861,600	4,773,300
(b) Repair and maintenance	GPR	A	815,100	815,100
(c) Public emergencies	GPR	S	48,500	48,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(d)	Principal repayment and interest	GPR	S	3,771,300	3,659,800
(e)	State service flags	GPR	A	400	400
(f)	Energy costs	GPR	A	2,435,500	2,523,300
(g)	Military property	PR	A	534,600	534,600
(h)	Intergovernmental services	PR	A	255,700	255,700
(i)	Distance learning centers	PR	C	−0−	−0−
(k)	Armory store operations	PR−S	A	243,400	243,400
(km)	Agency services	PR−S	A	68,300	68,300
(Li)	Gifts and grants	PR	C	−0−	−0−
(m)	Federal aid	PR−F	C	24,844,700	24,797,900
(pz)	Indirect cost reimbursements	PR−F	C	480,700	451,800
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			11,932,400	11,820,400
	PROGRAM REVENUE			26,427,400	26,351,700
	FEDERAL			(25,325,400)	(25,249,700)
	OTHER			(790,300)	(790,300)
	SERVICE			(311,700)	(311,700)
	TOTAL−ALL SOURCES			38,359,800	38,172,100
(2)	GUARD MEMBERS' BENEFITS				
(a)	Tuition grants	GPR	B	5,459,800	5,459,800
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,459,800	5,459,800
	TOTAL−ALL SOURCES			5,459,800	5,459,800
(3)	EMERGENCY MANAGEMENT SERVICES				
(a)	General program operations	GPR	A	772,500	772,500
(e)	Disaster recovery aid; public health emergency quarantine costs	GPR	S	1,347,000	1,347,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(g)	Program services	PR	A	1,161,900	1,161,900
(i)	Emergency planning and reporting; administration	PR	A	855,100	855,100
(j)	Division of emergency management; gifts and grants	PR	C	−0−	−0−
(jm)	Division of emergency management; emergency planning grants	PR	C	834,700	834,700
(jt)	Regional emergency response reimbursement	PR	C	−0−	−0−
(m)	Federal aid, state operations	PR−F	C	3,590,900	3,590,900
(n)	Federal aid, local assistance	PR−F	C	12,800,000	12,800,000
(o)	Federal aid, individuals and organizations	PR−F	C	1,926,400	1,926,400
(r)	Division of emergency management; petroleum inspection fund	SEG	A	466,800	466,800
(t)	Emergency response training − environmental fund	SEG	B	7,700	7,700
(u)	Regional emergency response teams	SEG	A	1,400,000	1,400,000
(v)	Emergency response equipment	SEG	A	468,000	468,000
(w)	Emergency response training	SEG	B	64,900	64,900
(x)	Emergency response supplement	SEG	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(y) Civil air patrol aids	SEG	A	19,000	19,000
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,119,500	2,119,500
PROGRAM REVENUE			21,169,000	21,169,000
FEDERAL			(18,317,300)	(18,317,300)
OTHER			(2,851,700)	(2,851,700)
SEGREGATED FUNDS			2,426,400	2,426,400
OTHER			(2,426,400)	(2,426,400)
TOTAL−ALL SOURCES			25,714,900	25,714,900
(4) NATIONAL GUARD YOUTH PROGRAMS				
(g) Program fees	PR	C	−0−	−0−
(h) Gifts, grants and contributions	PR	C	−0−	−0−
(ka) Youth challenge program; public instruction funds	PR−S	C	1,423,800	1,423,800
(m) Federal aid − youth programs	PR−F	C	2,156,500	2,156,500
(4) PROGRAM TOTALS				
PROGRAM REVENUE			3,580,300	3,580,300
FEDERAL			(2,156,500)	(2,156,500)
OTHER			(−0−)	(−0−)
SERVICE			(1,423,800)	(1,423,800)
TOTAL−ALL SOURCES			3,580,300	3,580,300
20.465 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			19,511,700	19,399,700
PROGRAM REVENUE			51,176,700	51,101,000
FEDERAL			(45,799,200)	(45,723,500)
OTHER			(3,642,000)	(3,642,000)
SERVICE			(1,735,500)	(1,735,500)
SEGREGATED FUNDS			2,426,400	2,426,400
OTHER			(2,426,400)	(2,426,400)
TOTAL−ALL SOURCES			73,114,800	72,927,100
20.475 District attorneys				
(1) DISTRICT ATTORNEYS				
(d) Salaries and fringe benefits	GPR	A	39,304,500	39,304,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(h)	Gifts and grants	PR	C	1,332,300	1,332,300
(i)	Other employees	PR	A	284,700	293,200
(k)	Interagency and intra−agency assistance	PR−S	C	−0−	−0−
(km)	Deoxyribonucleic acid evidence activities	PR−S	A	144,700	144,700
(m)	Federal aid	PR−F	C	−0−	−0−

20.475 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	39,304,500	39,304,500
PROGRAM REVENUE	1,761,700	1,770,200
FEDERAL	(−0−)	(−0−)
OTHER	(1,617,000)	(1,625,500)
SERVICE	(144,700)	(144,700)
TOTAL−ALL SOURCES	41,066,200	41,074,700

20.485 Veterans affairs, department of

(1) HOMES AND FACILITIES FOR VETERANS

(a)	Assistance to indigent residents	GPR	A	93,600	93,600
(b)	General fund supplement to institutional operations	GPR	B	−0−	−0−
(d)	Cemetery maintenance and beautification	GPR	A	24,900	24,900
(e)	Lease rental payments	GPR	S	−0−	−0−
(f)	Principal repayment and interest	GPR	S	1,543,200	1,452,200
(g)	Home exchange	PR	A	275,900	461,200
(gd)	Veterans home cemetery operations	PR	C	5,000	5,000
(gk)	Institutional operations	PR	A	55,399,800	63,151,200

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(go)	Self−amortizing housing facilities; principal repayment and interest	PR	S	806,900	1,504,000
(h)	Gifts and bequests	PR	C	214,700	214,700
(hm)	Gifts and grants	PR	C	−0−	−0−
(i)	State−owned housing maintenance	PR	A	65,700	65,700
(j)	Geriatric program receipts	PR	C	166,400	166,400
(m)	Federal aid; care at veterans home	PR−F	C	−0−	−0−
(mj)	Federal aid; geriatric unit	PR−F	C	−0−	−0−
(mn)	Federal projects	PR−F	C	12,500	12,500
(t)	Veterans home member accounts	SEG	C	−0−	−0−
(u)	Rentals; improvements; equipment; land acquisition	SEG	A	−0−	−0−

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,661,700	1,570,700
PROGRAM REVENUE	56,946,900	65,580,700
FEDERAL	(12,500)	(12,500)
OTHER	(56,934,400)	(65,568,200)
SEGREGATED FUNDS	−0−	−0−
OTHER	(−0−)	(−0−)
TOTAL−ALL SOURCES	58,608,600	67,151,400

(2) LOANS AND AIDS TO VETERANS

(c)	Operation of Wisconsin veterans museum	GPR	A	300,000	300,000
(d)	Veterans memorials at The Highground	GPR	C	−0−	−0−
(db)	General fund supplement to veterans trust fund	GPR	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(e)	Veterans memorial grants	GPR	C	−0−	−0−
(eg)	Victorious charge monument grant	GPR	A	−0−	−0−
(em)	Payments related to The Highground	GPR	C	−0−	−0−
(g)	Consumer reporting agency fees	PR	C	−0−	−0−
(kg)	American Indian services coordinator	PR−S	A	71,500	71,500
(km)	American Indian grants	PR−S	A	40,000	40,000
(kt)	Operation of Wisconsin veterans museum; Indian gaming receipts	PR−S	A	−0−	−0−
(m)	Federal aid; veterans training	PR−F	C	479,100	479,100
(mn)	Federal projects; museum acquisitions and operations	PR−F	C	−0−	−0−
(rm)	Veterans assistance program	SEG	B	704,400	704,400
(rp)	Veterans assistance program receipts	SEG	A	80,000	80,000
(s)	Transportation grant	SEG	A	200,000	200,000
(tf)	Veterans' tuition reimbursement program	SEG	B	2,600,000	2,600,000
(tj)	Retraining grant program	SEG	A	192,000	192,000
(tm)	Facilities	SEG	C	−0−	−0−
(u)	Administration of loans and aids to veterans	SEG	A	3,924,500	3,894,200

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(v)	Wisconsin veterans museum sales receipts	SEG	C	133,400	133,400
(vg)	Health care aids grants	SEG	A	650,000	650,000
(vm)	Assistance to needy veterans	SEG	A	172,000	172,000
(vo)	Veterans of World War I	SEG	A	2,500	2,500
(vw)	Payments to veterans organizations for claims service	SEG	A	177,500	177,500
(vx)	County grants	SEG	A	297,500	297,500
(vy)	American Indian services coordinator	SEG	A	−0−	−0−
(w)	Home for needy veterans	SEG	C	10,000	10,000
(wd)	Operation of Wisconsin veterans museum	SEG	A	1,494,600	1,494,600
(x)	Federal per diem payments	SEG−F	A	897,100	941,700
(yg)	Acquisition of 1981 revenue bond mortgages	SEG	S	−0−	−0−
(yn)	Veterans trust fund loans and expenses	SEG	B	10,000,000	10,000,000
(yo)	Debt payment	SEG	S	−0−	−0−
(yp)	Veteran home equity loans	SEG	C	−0−	−0−
(yu)	Loan loss reserve	SEG	C	−0−	−0−
(z)	Gifts	SEG	C	−0−	−0−
(zm)	Museum gifts and bequests	SEG	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			300,000	300,000
PROGRAM REVENUE			590,600	590,600
FEDERAL			(479,100)	(479,100)
OTHER			(−0−)	(−0−)
SERVICE			(111,500)	(111,500)
SEGREGATED FUNDS			21,535,500	21,549,800
FEDERAL			(897,100)	(941,700)
OTHER			(20,638,400)	(20,608,100)
TOTAL−ALL SOURCES			22,426,100	22,440,400
(3) SELF−AMORTIZING MORTGAGE LOANS FOR VETERANS				
(b) Self insurance	GPR	S	−0−	−0−
(e) General program deficiency	GPR	S	−0−	−0−
(q) Foreclosure loss payments	SEG	C	801,000	801,000
(r) Funded reserves	SEG	C	50,000	50,000
(rm) Other reserves	SEG	C	−0−	−0−
(s) General program operations	SEG	A	5,320,200	5,219,900
(sm) County grants	SEG	A	444,000	444,000
(t) Debt service	SEG	C	28,315,000	30,094,600
(v) Revenue obligation repayment	SEG	C	−0−	−0−
(w) Revenue obligation funding	SEG	C	−0−	−0−
(wd) Loan−servicing administration	SEG	A	−0−	−0−
(wg) Escrow payments, recoveries, and refunds	SEG	C	−0−	−0−
(wp) Loan−servicing rights	SEG	B	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			34,930,200	36,609,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(34,930,200)	(36,609,500)
TOTAL−ALL SOURCES			34,930,200	36,609,500
(4) VETERANS MEMORIAL CEMETERIES				
(g) Cemetery operations	PR	A	68,600	84,700
(h) Gifts, grants and bequests	PR	C	−0−	−0−
(m) Federal aid; cemetery operations and burials	PR−F	C	286,400	286,400
(q) Cemetery administration and maintenance	SEG	A	624,900	624,900
(qm) Repayment of principal and interest	SEG	S	99,200	98,800
(r) Cemetery energy costs	SEG	A	21,800	21,800
(4) PROGRAM TOTALS				
PROGRAM REVENUE			355,000	371,100
FEDERAL			(286,400)	(286,400)
OTHER			(68,600)	(84,700)
SEGREGATED FUNDS			745,900	745,500
OTHER			(745,900)	(745,500)
TOTAL−ALL SOURCES			1,100,900	1,116,600
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,961,700	1,870,700
PROGRAM REVENUE			57,892,500	66,542,400
FEDERAL			(778,000)	(778,000)
OTHER			(57,003,000)	(65,652,900)
SERVICE			(111,500)	(111,500)
SEGREGATED FUNDS			57,211,600	58,904,800
FEDERAL			(897,100)	(941,700)
OTHER			(56,314,500)	(57,963,100)
TOTAL−ALL SOURCES			117,065,800	127,317,900

20.490 Wisconsin housing and economic development authority

(1) FACILITATION OF CONSTRUCTION

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(a) Capital reserve fund deficiency	GPR	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
(2) HOUSING REHABILITATION LOAN PROGRAM				
(a) General program operations	GPR	C	−0−	−0−
(q) Loan loss reserve fund	SEG	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
(g) Disadvantaged business mobilization loan guarantee	PR	C	−0−	−0−
(4) PROGRAM TOTALS				
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
(a) Wisconsin development reserve fund	GPR	C	−0−	−0−
(q) Recycling fund transfer to Wisconsin development reserve fund	SEG	C	−0−	−0−
(r) Agrichemical management fund transfer to Wisconsin development reserve fd.	SEG	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(s) Petroleum inspection fund transfer to WDRF	SEG	A	−0−	−0−
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(6) WISCONSIN JOB TRAINING LOAN GUARANTEES				
(a) Wisconsin job training reserve fund	GPR	S	−0−	−0−
(k) Department of commerce appropriation transfer to Wisconsin job training	PR−S	C	−0−	−0−
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			−0−	−0−
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.495 University of Wisconsin hospitals and clinics board				
(1) CONTRACTUAL SERVICES				
(g) General program operations	PR	C	113,494,400	113,495,700
20.495 DEPARTMENT TOTALS				
PROGRAM REVENUE			113,494,400	113,495,700
OTHER			(113,494,400)	(113,495,700)
TOTAL−ALL SOURCES			113,494,400	113,495,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			3,632,157,900	3,730,377,200
PROGRAM REVENUE			4,963,353,500	5,090,861,600
FEDERAL			(4,053,484,400)	(4,163,066,600)
OTHER			(580,332,900)	(597,585,800)
SERVICE			(329,536,200)	(330,209,200)
SEGREGATED FUNDS			550,713,700	588,491,000
FEDERAL			(897,100)	(941,700)
OTHER			(549,816,600)	(587,549,300)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			9,146,225,100	9,409,729,800

General Executive Functions

20.505 Administration, department of

(1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD

(a)	General program operations	GPR	A	6,609,900	6,569,400
(b)	Midwest interstate low−level radioactive waste compact; loan from gen. fund	GPR	C	−0−	−0−
(br)	Appropriation obligations repayment	GPR	A	190,833,100	190,833,100
(cm)	Comprehensive planning grants; general purpose revenue	GPR	A	−0−	−0−
(cn)	Comprehensive planning; administrative support	GPR	A	−0−	−0−
(fo)	Federal resource acquisition support grants	GPR	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(g)	Midwest interstate low−level radioactive waste compact; membership & costs	PR	A	5,000	5,000
(ge)	High−voltage transmission line annual impact fee distributions	PR	C	−0−	−0−
(gs)	High−voltage transmission line environmental impact fee distributions	PR	C	−0−	−0−
(ie)	Land information; incorporations and annexations	PR	A	332,100	271,400
(if)	Comprehensive planning grants; program revenue	PR	A	2,000,000	2,000,000
(ig)	Land information; technical assistance and education	PR	C	−0−	−0−
(ij)	Land information; aids to counties	PR	C	269,000	269,000
(im)	Services to nonstate governmental units; entity contract	PR	A	1,365,400	1,365,400
(iq)	Appropriation obligation proceeds	PR	C	−0−	−0−
(ir)	Relay service	PR−S	A	5,025,100	4,725,100
(is)	Information technology and communication services; nonstate entities	PR	A	18,664,300	18,466,700
(it)	Appropriation obligations; agreements and ancillary arrangements	PR	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(iu)	Plat and proposed incorporation and annexation review	PR	C	577,400	555,700
(ja)	Justice information systems	PR	A	1,917,200	1,702,400
(ka)	Materials and services to state agencies and certain districts	PR−S	A	6,434,600	6,527,800
(kb)	Transportation, records, and document services	PR−S	A	20,703,400	20,215,500
(kc)	Capital planning and building construction services	PR−S	A	11,168,100	11,077,500
(ke)	Telecommunications services; state agencies; veterans services	PR−S	A	24,190,700	22,468,200
(kf)	Procurement services	PR−S	C	3,960,300	4,207,800
(kj)	Financial services	PR−S	A	9,308,300	9,308,300
(kL)	Printing, mail, communication and information technology services; agencies	PR−S	C	114,384,200	112,754,500
(km)	University of Wisconsin−Green Bay programming	PR−S	A	250,000	250,000
(kn)	Weatherization assistance	PR−S	C	10,000,000	10,000,000
(kp)	Interagency assistance; justice information systems	PR−S	A	976,600	976,600
(kq)	Justice information systems development, operation and maintenance	PR−S	A	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(kr)	Legal services	PR−S	C	8,086,000	12,842,800
(ku)	Management assistance grants to counties	PR−S	A	500,000	500,000
(mb)	Federal aid	PR−F	C	8,318,200	8,318,200
(md)	Oil overcharge restitution funds	PR−F	C	262,300	262,300
(n)	Federal aid; local assistance	PR−F	C	73,800,000	73,800,000
(ng)	Sale of forest products; funds for public schools and public roads	PR	C	−0−	−0−
(pz)	Indirect cost reimbursements	PR−F	C	292,200	157,900
(r)	VendorNet fund administration	SEG	A	90,200	90,200
(sm)	Excise tax fund − provision of reserves and pymt. of costs − rev. oblig.	SEG	S	−0−	−0−
(v)	General program operations — environmental improvement programs; state funds	SEG	A	929,100	913,200
(x)	General program operations — clean water fund program; federal funds	SEG−F	C	−0−	−0−
(y)	General program operations — safe drinking water loan program; federal funds	SEG−F	C	−0−	−0−
(z)	Transportation planning grants to local governmental units	SEG−S	B	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			197,443,000	197,402,500
PROGRAM REVENUE			322,790,400	323,028,100
FEDERAL			(82,672,700)	(82,538,400)
OTHER			(25,130,400)	(24,635,600)
SERVICE			(214,987,300)	(215,854,100)
SEGREGATED FUNDS			1,019,300	1,003,400
FEDERAL			(−0−)	(−0−)
OTHER			(1,019,300)	(1,003,400)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			521,252,700	521,434,000
(2) RISK MANAGEMENT				
(a) General fund supplement — risk management claims	GPR	S	−0−	−0−
(k) Risk management costs	PR−S	C	26,994,000	28,489,000
(ki) Risk management administration	PR−S	A	7,200,000	7,200,000
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			34,194,000	35,689,000
SERVICE			(34,194,000)	(35,689,000)
TOTAL−ALL SOURCES			34,194,000	35,689,000
(3) UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT				
(q) General program operations	SEG	A	12,755,000	12,755,000
(r) Low−income assistance grants	SEG	S	20,500,000	20,500,000
(rr) Air quality improvement grants	SEG	S	−0−	−0−
(s) Energy conservation and efficiency and renewable resource grants	SEG	S	16,500,000	16,500,000
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			49,755,000	49,755,000
OTHER			(49,755,000)	(49,755,000)
TOTAL−ALL SOURCES			49,755,000	49,755,000
(4) ATTACHED DIVISIONS AND OTHER BODIES				

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(a)	Adjudication of tax appeals	GPR	A	534,100	535,300
(b)	Adjudication of equalization appeals	GPR	S	−0−	−0−
(ba)	General program operations	GPR	A	169,800	169,800
(d)	Claims awards	GPR	S	23,700	23,700
(dr)	Sentencing commission	GPR	A	308,700	308,700
(ea)	Women's council operations	GPR	A	136,600	136,600
(ec)	Volunteer firefighter & EMT service award pgm; general program operations	GPR	A	20,300	20,300
(er)	Volunteer firefighter & EMT service award pgm; state matching awards	GPR	S	964,900	964,900
(es)	Principal, interest & rebates; general purpose revenue−schools	GPR	S	5,924,100	7,276,900
(et)	Principal, interest & rebates; general purpose rev.−public library boards	GPR	S	21,600	21,600
(f)	Hearings and appeals operations	GPR	A	2,206,500	2,206,500
(h)	Program services	PR	A	32,100	32,100
(ha)	Principal, interest & rebates; program revenue−schools	PR	C	2,995,800	3,001,300
(hb)	Principal, interest & rebates; program revenue−public library boards	PR	C	17,200	17,200

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(hc)	Administration of Governor's Wisconsin Educational Technology Conference	PR	A	216,800	180,000
(i)	Health care quality and patient safety board; gifts and grants	PR	C	−0−	−0−
(j)	National and community service board; gifts and grants	PR	C	−0−	−0−
(js)	Educ. tech. block grants; Wisc. advncd. telecomm. foundation assessments	PR	C	−0−	−0−
(k)	Waste facility siting board; general program operations	PR−S	A	53,900	53,900
(ka)	State use board — general program operations	PR−S	A	112,800	112,800
(kb)	National and community service board; administrative support; service funds	PR−S	A	58,100	58,100
(kp)	Hearings and appeals fees	PR−S	A	2,671,300	2,628,900
(L)	Equipment purchases and leases	PR	C	−0−	−0−
(Lm)	Educational telecommunications; additional services	PR	C	−0−	−0−
(mp)	Federal e−rate aid	PR−F	C	5,401,800	5,401,800
(mr)	Sentencing Commission; federal aids	PR−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(o)	National and community service board; federal aid for administration	PR−F	A	462,100	462,100
(p)	National and community service board; federal aid for grants	PR−F	C	3,354,300	3,354,300
(q)	Health care quality and patient safety board; general program operations	SEG	B	250,000	250,000
(qb)	Health care quality and patient safety board; grants or loans	SEG	C	10,000,000	−0−
(s)	Telecommunications access; school districts	SEG	B	11,330,100	11,330,100
(t)	Telecommunications access; private and technical colleges and libraries	SEG	B	5,066,000	5,066,000
(tm)	Telecommunications access; private schools	SEG	B	701,300	701,300
(tu)	Telecommunications access; state schools	SEG	B	68,200	68,200
(tw)	Telecommunications access; secured correctional facilities	SEG	B	102,300	102,300

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	10,310,300	11,664,300
PROGRAM REVENUE	15,376,200	15,302,500
FEDERAL	(9,218,200)	(9,218,200)
OTHER	(3,261,900)	(3,230,600)
SERVICE	(2,896,100)	(2,853,700)
SEGREGATED FUNDS	27,517,900	17,517,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(27,517,900)	(17,517,900)
TOTAL−ALL SOURCES			53,204,400	44,484,700
(5) FACILITIES MANAGEMENT				
(c) Principal repayment and interest; Black Point Estate	GPR	S	−0−	−0−
(g) Principal repayment, interest and rebates; parking	PR−S	S	1,642,000	1,783,200
(ka) Facility operations and maintenance; police and protection functions	PR−S	A	38,730,300	34,476,700
(kb) Parking	PR	A	1,116,800	816,800
(kc) Principal repayment, interest and rebates	PR−S	C	18,416,000	18,108,700
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			59,905,100	55,185,400
OTHER			(1,116,800)	(816,800)
SERVICE			(58,788,300)	(54,368,600)
TOTAL−ALL SOURCES			59,905,100	55,185,400
(6) OFFICE OF JUSTICE ASSISTANCE				
(a) General program operations	GPR	A	219,600	219,600
(c) Law enforcement officer supplement grants	GPR	A	1,000,000	1,000,000
(d) Youth diversion	GPR	A	380,000	380,000
(e) Indigent civil legal services	GPR	A	−0−	500,000
(f) Community intervention program	GPR	A	3,750,000	3,750,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(i)	Gifts and grants	PR	C	−0−	−0−
(j)	Penalty surcharge receipts	PR	C	−0−	−0−
(k)	Law enforcement programs and youth diversion − administration	PR−S	A	181,500	181,500
(kj)	Youth diversion program	PR−S	A	694,900	694,900
(km)	Interagency and intra−agency aids	PR−S	C	300,000	300,000
(kp)	Anti−drug enforcement program, penalty surcharge − local	PR−S	A	907,100	907,100
(ks)	Tribal law enforcement assistance	PR−S	A	1,050,000	1,050,000
(kt)	Anti−drug enforcement program, penalty surcharge − state	PR−S	A	359,500	359,500
(kv)	County−tribal programs; local assistance	PR−S	A	958,400	958,400
(kw)	County−tribal programs; state operations	PR−S	A	79,200	79,200
(m)	Federal aid, justice assistance, state operations	PR−F	C	38,518,000	37,980,400
(p)	Federal aid, local assistance and aids	PR−F	C	18,904,900	18,904,900

(6) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	5,349,600	5,849,600
PROGRAM REVENUE	61,953,500	61,415,900
FEDERAL	(57,422,900)	(56,885,300)
OTHER	(−0−)	(−0−)
SERVICE	(4,530,600)	(4,530,600)
TOTAL−ALL SOURCES	67,303,100	67,265,500

(8) DIVISION OF GAMING

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(am) Interest on racing and bingo moneys	GPR	S	12,300	12,300
(g) General program operations; racing	PR	A	1,719,600	1,654,400
(h) General program operations; Indian gaming	PR	A	1,725,600	1,668,900
(hm) Indian gaming receipts	PR	C	−0−	−0−
(j) General program operations; raffles and crane games	PR	A	191,500	191,500
(jm) General program operations; bingo	PR	A	248,400	251,500

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	12,300	12,300
PROGRAM REVENUE	3,885,100	3,766,300
OTHER	(3,885,100)	(3,766,300)
TOTAL−ALL SOURCES	3,897,400	3,778,600

20.505 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	213,115,200	214,928,700
PROGRAM REVENUE	498,104,300	494,387,200
FEDERAL	(149,313,800)	(148,641,900)
OTHER	(33,394,200)	(32,449,300)
SERVICE	(315,396,300)	(313,296,000)
SEGREGATED FUNDS	78,292,200	68,276,300
FEDERAL	(−0−)	(−0−)
OTHER	(78,292,200)	(68,276,300)
SERVICE	(−0−)	(−0−)
TOTAL−ALL SOURCES	789,511,700	777,592,200

20.507 Board of commissioners of public lands

(1) TRUST LANDS AND INVESTMENTS

(h) Trust lands and investments − general program operations	PR−S	A	1,385,700	1,385,700

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(j)	Payments to American Indian tribes or bands for raised sunken logs	PR	C	−0−	−0−
(k)	Trust lands and investments − interagency and intra−agency assistance	PR−S	A	−0−	−0−
(kd)	Payments in lieu of property taxes	PR−S	C	−0−	−0−
(mg)	Federal aid — flood control	PR−F	C	52,700	52,700

20.507 DEPARTMENT TOTALS

PROGRAM REVENUE	1,438,400	1,438,400
FEDERAL	(52,700)	(52,700)
OTHER	(−0−)	(−0−)
SERVICE	(1,385,700)	(1,385,700)
TOTAL−ALL SOURCES	1,438,400	1,438,400

20.510 Elections board

(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS

(a)	General program operations; general purpose revenue	GPR	B	1,278,200	1,280,500
(bm)	Training of chief inspectors	GPR	B	−0−	−0−
(c)	Voting system transitional assistance	GPR	B	−0−	−0−
(d)	Election administration transfer	GPR	A	−0−	−0−
(g)	Recount fees	PR	C	−0−	−0−
(gm)	Gifts and grants	PR	C	−0−	−0−
(h)	Materials and services	PR	A	20,200	20,200

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(i)	General program operations; program revenue	PR	A	37,500	37,500
(j)	Electronic filing software	PR	C	−0−	−0−
(q)	Wisconsin election campaign fund	SEG	C	100,000	750,000
(t)	Election administration	SEG	A	100	100
(x)	Federal aid	SEG−F	C	129,200	129,200

20.510 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	1,278,200	1,280,500
PROGRAM REVENUE	57,700	57,700
OTHER	(57,700)	(57,700)
SEGREGATED FUNDS	229,300	879,300
FEDERAL	(129,200)	(129,200)
OTHER	(100,100)	(750,100)
TOTAL−ALL SOURCES	1,565,200	2,217,500

20.515 Employee trust funds, department of

(1) EMPLOYEE BENEFIT PLANS

(a)	Annuity supplements and payments	GPR	S	1,908,800	1,549,000
(c)	Contingencies	GPR	S	−0−	−0−
(g)	Health care coverage for employees of the Wisconsin historical foundation	PR	C	−0−	−0−
(gm)	Gifts and grants	PR	C	−0−	−0−
(m)	Federal aid	PR−F	C	−0−	−0−
(sr)	Gifts and grants; public employee trust fund	PR−F	C	−0−	−0−
(t)	Automated operating system	SEG	C	272,000	272,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(u) Employee−funded reimbursement account plan	SEG	C	−0−	−0−
(um) Benefit administration	SEG	B	5,000	5,000
(ut) Insurance administrative costs	SEG	A	377,500	377,500
(w) Administration	SEG	A	19,783,300	19,754,500
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,908,800	1,549,000
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SEGREGATED FUNDS			20,437,800	20,409,000
OTHER			(20,437,800)	(20,409,000)
TOTAL−ALL SOURCES			22,346,600	21,958,000
(2) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM				
(a) Private employer health care coverage program; operating costs	GPR	B	200	200
(b) Grants for program administration	GPR	B	−0−	−0−
(g) Private employer health care coverage plan	PR	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			200	200
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			200	200
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,909,000	1,549,200
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SEGREGATED FUNDS			20,437,800	20,409,000
OTHER			(20,437,800)	(20,409,000)
TOTAL−ALL SOURCES			22,346,800	21,958,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
20.521 Ethics board				
(1) ETHICS AND LOBBYING REGULATION				
(a) General program operations; general purpose revenue	GPR	A	245,300	245,300
(b) Code of ethics investigations	GPR	B	50,000	50,000
(g) General program operations; program revenue	PR	A	382,700	382,700
(h) Gifts and grants	PR	C	−0−	−0−
(i) Materials and services	PR	A	15,000	15,000
20.521 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			295,300	295,300
PROGRAM REVENUE			397,700	397,700
OTHER			(397,700)	(397,700)
TOTAL−ALL SOURCES			693,000	693,000
20.525 Office of the governor				
(1) EXECUTIVE ADMINISTRATION				
(a) General program operations	GPR	S	3,390,000	3,390,000
(b) Contingent fund	GPR	S	21,700	21,700
(c) Membership in national associations	GPR	S	125,900	125,900
(d) Disability board	GPR	S	−0−	−0−
(f) Literacy improvement aids	GPR	A	25,200	25,200
(i) Gifts and grants	PR	C	−0−	−0−
(m) Federal aid	PR−F	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,562,800	3,562,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			3,562,800	3,562,800
(2) EXECUTIVE RESIDENCE				
(a) General program operations	GPR	S	217,500	217,500
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			217,500	217,500
TOTAL−ALL SOURCES			217,500	217,500
20.525 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			3,780,300	3,780,300
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			3,780,300	3,780,300
20.536 Investment board				
(1) INVESTMENT OF FUNDS				
(k) General program operations	PR	C	19,390,300	19,390,300
(ka) General program operations; environmental improvement fund	PR−S	C	−0−	−0−
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			19,390,300	19,390,300
OTHER			(19,390,300)	(19,390,300)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			19,390,300	19,390,300
20.540 Office of the lieutenant governor				
(1) EXECUTIVE COORDINATION				
(a) General program operations	GPR	A	390,900	390,900
(g) Gifts, grants and proceeds	PR	C	−0−	−0−
(k) Grants from state agencies	PR−S	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(m) Federal aid	PR−F	C	−0−	−0−
20.540 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			390,900	390,900
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			390,900	390,900
20.545 State employment relations, office of				
(1) STATE EMPLOYMENT RELATIONS				
(a) General program operations	GPR	A	4,707,000	4,707,000
(i) Services to non−state governmental units	PR	A	260,000	267,300
(j) Gifts and donations	PR	C	−0−	−0−
(jm) Employee development and training services	PR	A	462,100	269,400
(k) Funds received from other state agencies	PR	C	325,000	325,000
(ka) Publications	PR	A	167,600	167,600
(km) Collective bargaining grievance arbitrations	PR	A	85,200	85,200
(m) Federal grants and contracts	PR−F	C	−0−	−0−
(pz) Indirect cost reimbursements	PR−F	C	−0−	−0−
20.545 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			4,707,000	4,707,000
PROGRAM REVENUE			1,299,900	1,114,500
FEDERAL			(−0−)	(−0−)
OTHER			(1,299,900)	(1,114,500)
TOTAL−ALL SOURCES			6,006,900	5,821,500

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2005−06	2006−07
20.550	**Public defender board**					
(1)	LEGAL ASSISTANCE					
	(a)	Program administration	GPR	A	2,321,500	2,321,500
	(b)	Appellate representation	GPR	A	4,505,700	4,505,700
	(c)	Trial representation	GPR	A	40,633,400	40,633,400
	(d)	Private bar and investigator reimbursement	GPR	B	24,294,400	24,092,400
	(e)	Private bar and investigator payments; administration costs	GPR	A	671,800	673,000
	(f)	Transcripts, discovery and interpreters	GPR	A	1,339,100	1,339,100
	(fb)	Payments from clients; administrative costs	PR	A	158,900	158,900
	(g)	Gifts, grants and proceeds	PR	C	−0−	−0−
	(h)	Contractual agreements	PR−S	A	−0−	−0−
	(i)	Tuition payments	PR	C	−0−	−0−
	(kj)	Conferences and training	PR−S	A	133,900	133,900
	(L)	Private bar and inv. reimbursement; payments for legal representation	PR	C	1,024,700	1,024,700
	(m)	Federal aid	PR−F	C	−0−	−0−

20.550 DEPARTMENT TOTALS		
GENERAL PURPOSE REVENUES	73,765,900	73,565,100
PROGRAM REVENUE	1,317,500	1,317,500
FEDERAL	(−0−)	(−0−)
OTHER	(1,183,600)	(1,183,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
SERVICE			(133,900)	(133,900)
TOTAL−ALL SOURCES			75,083,400	74,882,600
20.566 Revenue, department of				
(1) COLLECTION OF TAXES				
(a) General program operations	GPR	A	43,487,900	43,395,100
(g) Administration of county sales and use taxes	PR	A	3,288,900	3,283,900
(ga) Cigarette tax stamps	PR	A	179,100	179,100
(gb) Business tax registration	PR	A	1,484,600	1,479,600
(gd) Administration of special district taxes	PR	A	352,600	352,600
(ge) Administration of local professional football stadium districts	PR	A	134,700	134,700
(gf) Administration of resort tax	PR	A	21,500	21,500
(gg) Administration of local taxes	PR	A	238,300	170,400
(gm) Administration of tax on controlled substances dealers	PR	A	−0−	−0−
(go) Administration of tax incremental financing program	PR	C	102,700	102,700
(h) Debt collection	PR	A	450,800	450,800
(ha) Administration of liquor tax	PR	A	952,000	952,000
(hm) Collections under contracts	PR	S	354,200	354,200
(hn) Collections under the multi−state tax commission audit program	PR−S	S	57,400	57,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(hp)	Admin of endang res; prof football distr; breast cancer res; vet trst pymts	PR	A	30,000	30,000
(i)	Gifts and grants	PR	C	−0−	−0−
(m)	Federal funds; state operations	PR−F	C	−0−	−0−
(q)	Recycling surcharge administration	SEG	A	218,200	218,200
(qm)	Administration of rental vehicle fee	SEG	A	34,900	34,900
(r)	Administration of dry cleaner fees	SEG	A	55,900	55,900
(s)	Petroleum inspection fee collection	SEG	A	161,800	161,800
(u)	Motor fuel tax administration	SEG	A	1,373,900	1,373,900

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	43,487,900	43,395,100
PROGRAM REVENUE	7,646,800	7,568,900
FEDERAL	(−0−)	(−0−)
OTHER	(7,589,400)	(7,511,500)
SERVICE	(57,400)	(57,400)
SEGREGATED FUNDS	1,844,700	1,844,700
OTHER	(1,844,700)	(1,844,700)
TOTAL−ALL SOURCES	52,979,400	52,808,700

(2) STATE AND LOCAL FINANCE

(a)	General program operations	GPR	A	7,826,600	7,479,200
(am)	Lottery and gaming credit administration	GPR	A	−0−	−0−
(g)	County assessment studies	PR	C	−0−	−0−
(gb)	Manufacturing property assessment	PR	A	1,151,400	1,151,400

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(gi)	Municipal finance report compliance	PR	A	40,300	40,300
(h)	Reassessments	PR	A	635,500	635,500
(hi)	Wisconsin property assessment manual	PR	A	97,700	97,700
(i)	Gifts and grants	PR	C	−0−	−0−
(m)	Federal funds; state operations	PR−F	C	−0−	−0−
(q)	Railroad and air carrier tax administration	SEG	A	204,600	204,600
(r)	Lottery credit administration	SEG	A	268,100	268,100

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	7,826,600	7,479,200
PROGRAM REVENUE	1,924,900	1,924,900
FEDERAL	(−0−)	(−0−)
OTHER	(1,924,900)	(1,924,900)
SEGREGATED FUNDS	472,700	472,700
OTHER	(472,700)	(472,700)
TOTAL−ALL SOURCES	10,224,200	9,876,800

(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL

(a)	General program operations	GPR	A	26,440,000	25,549,500
(b)	Integrated tax system technology	GPR	A	4,259,700	4,259,700
(c)	Expert professional services	GPR	B	75,000	75,000
(g)	Services	PR	A	98,200	98,200
(gm)	Reciprocity agreement and publications	PR	A	201,100	201,100
(go)	Reciprocity agreement; Illinois	PR	A	−0−	−0−
(i)	Gifts and grants	PR	C	−0−	−0−

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(k)	Internal services	PR−S	A	3,272,700	3,272,700
(m)	Federal funds; state operations	PR−F	C	−0−	−0−
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			30,774,700	29,884,200
	PROGRAM REVENUE			3,572,000	3,572,000
	FEDERAL			(−0−)	(−0−)
	OTHER			(299,300)	(299,300)
	SERVICE			(3,272,700)	(3,272,700)
	TOTAL−ALL SOURCES			34,346,700	33,456,200
(7)	INVESTMENT AND LOCAL IMPACT FUND				
(e)	Investment and local impact fund supplement	GPR	A	−0−	−0−
(g)	Investment and local impact fund administrative expenses	PR	A	−0−	−0−
(n)	Federal mining revenue	PR−F	C	−0−	−0−
(v)	Investment and local impact fund	SEG	C	−0−	−0−
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			−0−	−0−
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	OTHER			(−0−)	(−0−)
	SEGREGATED FUNDS			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			−0−	−0−
(8)	LOTTERY				
(q)	General program operations	SEG	A	18,797,500	18,622,300
(r)	Retailer compensation	SEG	S	33,773,900	34,504,200
(s)	Prizes	SEG	S	−0−	−0−
(v)	Vendor fees	SEG	S	12,215,200	12,471,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(8) PROGRAM TOTALS				
SEGREGATED FUNDS			64,786,600	65,597,500
OTHER			(64,786,600)	(65,597,500)
TOTAL−ALL SOURCES			64,786,600	65,597,500
20.566 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			82,089,200	80,758,500
PROGRAM REVENUE			13,143,700	13,065,800
FEDERAL			(−0−)	(−0−)
OTHER			(9,813,600)	(9,735,700)
SERVICE			(3,330,100)	(3,330,100)
SEGREGATED FUNDS			67,104,000	67,914,900
OTHER			(67,104,000)	(67,914,900)
TOTAL−ALL SOURCES			162,336,900	161,739,200
20.575 Secretary of state				
(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(g) Program fees	PR	A	772,200	772,200
(ka) Agency collections	PR−S	A	4,000	4,000
20.575 DEPARTMENT TOTALS				
PROGRAM REVENUE			776,200	776,200
OTHER			(772,200)	(772,200)
SERVICE			(4,000)	(4,000)
TOTAL−ALL SOURCES			776,200	776,200
20.585 Treasurer, state				
(1) CUSTODIAN OF STATE FUNDS				
(b) Insurance	GPR	A	−0−	−0−
(e) Unclaimed property; contingency appropriation	GPR	S	−0−	−0−
(g) Processing services	PR	A	325,800	250,800
(h) Training conferences	PR	C	−0−	−0−
(i) Gifts and grants	PR	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(j) Unclaimed property; claims	PR	C	−0−	−0−
(k) Unclaimed property; administrative expenses	PR	A	10,125,100	5,878,200
(kb) General program operations	PR−S	A	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			10,450,900	6,129,000
OTHER			(10,450,900)	(6,129,000)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			10,450,900	6,129,000
(2) COLLEGE TUITION PREPAYMENT PROGRAM				
(q) Pymt of qualified higher ed expenses & refunds; college tuition & exp pgm	SEG	S	−0−	−0−
(s) Administrative expenses; college tuition and expenses program	SEG	A	67,000	67,000
(t) Payment of qualified higher ed expenses & refunds; college savings program	SEG	S	−0−	−0−
(tm) Administrative expenses; college savings program	SEG	A	827,000	782,000
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			894,000	849,000
OTHER			(894,000)	(849,000)
TOTAL−ALL SOURCES			894,000	849,000
20.585 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			10,450,900	6,129,000
OTHER			(10,450,900)	(6,129,000)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			894,000	849,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(894,000)	(849,000)
TOTAL−ALL SOURCES			11,344,900	6,978,000
General Executive Functions				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			381,331,000	381,255,500
PROGRAM REVENUE			546,376,600	538,074,300
FEDERAL			(149,366,500)	(148,694,600)
OTHER			(76,760,100)	(71,230,000)
SERVICE			(320,250,000)	(318,149,700)
SEGREGATED FUNDS			166,957,300	158,328,500
FEDERAL			(129,200)	(129,200)
OTHER			(166,828,100)	(158,199,300)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			1,094,664,900	1,077,658,300

Judicial

20.625 Circuit courts

(1) COURT OPERATIONS

(a)	Circuit courts	GPR	S	56,902,900	56,902,900
(as)	Violent crime court costs	GPR	A	−0−	−0−
(b)	Permanent reserve judges	GPR	A	−0−	−0−
(c)	Court interpreter fees	GPR	A	1,091,800	1,225,100
(d)	Circuit court support payments	GPR	B	18,739,600	18,739,600
(e)	Guardian ad litem costs	GPR	A	4,738,500	4,738,500
(m)	Federal aid	PR−F	C	−0−	−0−

(1) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES	81,472,800	81,606,100
PROGRAM REVENUE	−0−	−0−
FEDERAL	(−0−)	(−0−)
TOTAL−ALL SOURCES	81,472,800	81,606,100

(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(a) General program operations	GPR	S	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
20.625 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			81,472,800	81,606,100
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			81,472,800	81,606,100
20.660 Court of appeals				
(1) APPELLATE PROCEEDINGS				
(a) General program operations	GPR	S	8,524,300	8,524,300
(m) Federal aid	PR−F	C	−0−	−0−
20.660 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			8,524,300	8,524,300
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			8,524,300	8,524,300
20.665 Judicial commission				
(1) JUDICIAL CONDUCT				
(a) General program operations	GPR	A	208,100	208,100
(cm) Contractual agreements	GPR	B	18,200	18,200
(d) General program operations; judicial council	GPR	A	11,800	11,800
(mm) Federal aid	PR−F	C	−0−	−0−
20.665 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			238,100	238,100
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			238,100	238,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
20.680 Supreme court					
(1) SUPREME COURT PROCEEDINGS					
(a)	General program operations	GPR	S	4,361,900	4,361,900
(m)	Federal aid	PR−F	C	−0−	−0−
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,361,900	4,361,900
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	TOTAL−ALL SOURCES			4,361,900	4,361,900
(2) DIRECTOR OF STATE COURTS					
(a)	General program operations	GPR	A	5,981,300	6,019,400
(b)	Judicial planning and research	GPR	A	−0−	−0−
(g)	Gifts and grants	PR	C	−0−	−0−
(ga)	Court commissioner training	PR	C	60,300	60,300
(gc)	Court interpreter training and certification	PR	C	26,900	45,600
(h)	Materials and services	PR	C	60,900	60,900
(i)	Municipal judge training	PR	C	135,900	135,900
(j)	Court information systems	PR	C	8,344,300	8,344,300
(kc)	Central services	PR−S	A	199,900	199,900
(ke)	Interagency and intra−agency automation assistance	PR−S	C	−0−	−0−
(m)	Federal aid	PR−F	C	489,800	489,800
(qm)	Mediation fund	SEG	C	728,400	728,400
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,981,300	6,019,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
PROGRAM REVENUE			9,318,000	9,336,700
FEDERAL			(489,800)	(489,800)
OTHER			(8,628,300)	(8,647,000)
SERVICE			(199,900)	(199,900)
SEGREGATED FUNDS			728,400	728,400
OTHER			(728,400)	(728,400)
TOTAL−ALL SOURCES			16,027,700	16,084,500
(3) BAR EXAMINERS AND RESPONSIBILITY				
(g) Board of bar examiners	PR	C	646,400	646,400
(h) Office of lawyer regulation	PR	C	2,162,100	2,162,100
(3) PROGRAM TOTALS				
PROGRAM REVENUE			2,808,500	2,808,500
OTHER			(2,808,500)	(2,808,500)
TOTAL−ALL SOURCES			2,808,500	2,808,500
(4) LAW LIBRARY				
(a) General program operations	GPR	A	1,949,000	1,949,000
(g) Library collections and services	PR	C	130,600	130,600
(h) Gifts and grants	PR	C	544,700	544,700
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,949,000	1,949,000
PROGRAM REVENUE			675,300	675,300
OTHER			(675,300)	(675,300)
TOTAL−ALL SOURCES			2,624,300	2,624,300
20.680 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			12,292,200	12,330,300
PROGRAM REVENUE			12,801,800	12,820,500
FEDERAL			(489,800)	(489,800)
OTHER			(12,112,100)	(12,130,800)
SERVICE			(199,900)	(199,900)
SEGREGATED FUNDS			728,400	728,400
OTHER			(728,400)	(728,400)
TOTAL−ALL SOURCES			25,822,400	25,879,200
Judicial FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			102,527,400	102,698,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
PROGRAM REVENUE			12,801,800	12,820,500
FEDERAL			(489,800)	(489,800)
OTHER			(12,112,100)	(12,130,800)
SERVICE			(199,900)	(199,900)
SEGREGATED FUNDS			728,400	728,400
FEDERAL			(−0−)	(−0−)
OTHER			(728,400)	(728,400)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			116,057,600	116,247,700

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS

(a)	General program operations — assembly	GPR	S	21,906,000	21,906,000
(b)	General program operations — senate	GPR	S	15,249,700	15,249,700
(d)	Legislative documents	GPR	S	4,126,500	4,126,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			41,282,200	41,282,200
	TOTAL−ALL SOURCES			41,282,200	41,282,200

(2) SPECIAL STUDY GROUPS

(a)	Retirement committees	GPR	A	61,100	61,100
(ab)	Retirement actuarial studies	GPR	A	14,200	14,200
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			75,300	75,300
	TOTAL−ALL SOURCES			75,300	75,300

(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS

(a)	Revisor of statutes bureau	GPR	B	865,800	865,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(b)	Legislative reference bureau	GPR	B	5,364,600	5,364,600
(c)	Legislative audit bureau	GPR	B	5,166,700	5,166,700
(d)	Legislative fiscal bureau	GPR	B	3,502,300	3,502,300
(e)	Legislative council	GPR	B	3,532,600	3,532,600
(em)	Legislative technology services bureau	GPR	B	3,423,400	3,424,300
(f)	Joint committee on legislative organization	GPR	B	−0−	−0−
(fa)	Membership in national associations	GPR	S	148,900	148,900
(g)	Gifts and grants to service agencies	PR	C	−0−	−0−
(ka)	Audit bureau reimbursable audits	PR−S	A	1,801,600	1,753,400
(m)	Federal aid	PR−F	C	−0−	−0−

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	22,004,300	22,005,200
PROGRAM REVENUE	1,801,600	1,753,400
FEDERAL	(−0−)	(−0−)
OTHER	(−0−)	(−0−)
SERVICE	(1,801,600)	(1,753,400)
TOTAL−ALL SOURCES	23,805,900	23,758,600

20.765 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	63,361,800	63,362,700
PROGRAM REVENUE	1,801,600	1,753,400
FEDERAL	(−0−)	(−0−)
OTHER	(−0−)	(−0−)
SERVICE	(1,801,600)	(1,753,400)
TOTAL−ALL SOURCES	65,163,400	65,116,100

Legislative
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	63,361,800	63,362,700
PROGRAM REVENUE	1,801,600	1,753,400
FEDERAL	(−0−)	(−0−)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(−0−)	(−0−)
SERVICE			(1,801,600)	(1,753,400)
SEGREGATED FUNDS			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			65,163,400	65,116,100

General Appropriations

20.835 Shared revenue and tax relief

(1) SHARED REVENUE PAYMENTS

(b)	Small municipalities shared revenue	GPR	S	−0−	−0−
(c)	Expenditure restraint program account	GPR	S	58,145,700	58,145,700
(cb)	Municipal levy restraint payment account	GPR	S	−0−	−0−
(cd)	Municipal levy restraint bonus payment account	GPR	S	−0−	−0−
(cf)	County levy restraint payment account	GPR	S	−0−	−0−
(cg)	County levy restraint bonus payment account	GPR	S	−0−	−0−
(d)	Shared revenue account	GPR	S	32,412,000	32,500,000
(db)	County and municipal aid account	GPR	S	854,703,100	854,703,100
(dm)	Public utility distribution account	GPR	S	2,086,400	8,214,400
(e)	State aid; tax exempt property	GPR	S	67,900,000	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(f)	County mandate relief account	GPR	S	−0−	−0−
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,015,247,200	953,563,200
	TOTAL−ALL SOURCES			1,015,247,200	953,563,200
(2)	TAX RELIEF				
(b)	Claim of right credit	GPR	S	−0−	−0−
(c)	Homestead tax credit	GPR	S	109,800,000	104,600,000
(ci)	Development zones investment credit	GPR	S	−0−	−0−
(cL)	Development zones location credit	GPR	S	−0−	−0−
(cm)	Development zones jobs credit	GPR	S	−0−	−0−
(cn)	Development zones sales tax credit	GPR	S	−0−	−0−
(d)	Farmers' drought property tax credit	GPR	S	−0−	−0−
(dm)	Farmland preservation credit	GPR	S	13,600,000	13,600,000
(dn)	Farmland tax relief credit	GPR	S	−0−	−0−
(ep)	Cigarette and tobacco product tax refunds	GPR	S	13,200,000	13,200,000
(f)	Earned income tax credit	GPR	S	14,168,000	14,768,000
(ka)	Farmland tax relief credit; Indian gaming receipts	PR−S	C	−0−	−0−
(kf)	Earned income tax credit; temporary assistance for needy families	PR−S	A	59,532,000	59,532,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
1	(q) Farmland tax relief credit	SEG	S	15,000,000	15,000,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			150,768,000	146,168,000
	PROGRAM REVENUE			59,532,000	59,532,000
	SERVICE			(59,532,000)	(59,532,000)
	SEGREGATED FUNDS			15,000,000	15,000,000
	OTHER			(15,000,000)	(15,000,000)
	TOTAL−ALL SOURCES			225,300,000	220,700,000
2	(3) STATE PROPERTY TAX CREDITS				
3	(b) School levy tax credit	GPR	S	469,305,000	469,305,000
4	(q) Lottery and gaming credit	SEG	S	117,142,500	119,909,400
5	(s) Lottery and gaming credit; late				
6	applications	SEG	S	200,000	200,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			469,305,000	469,305,000
	SEGREGATED FUNDS			117,342,500	120,109,400
	OTHER			(117,342,500)	(120,109,400)
	TOTAL−ALL SOURCES			586,647,500	589,414,400
7	(4) COUNTY AND LOCAL TAXES				
8	(g) County taxes	PR	C	−0−	−0−
9	(gb) Special district taxes	PR	C	−0−	−0−
10	(gd) Premier resort area tax	PR	C	−0−	−0−
11	(ge) Local professional football stadium				
12	district taxes	PR	C	−0−	−0−
13	(gg) Local taxes	PR	C	−0−	−0−
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(5) PAYMENTS IN LIEU OF TAXES				
(a) Payments for municipal services	GPR	A	21,998,800	21,998,800
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			21,998,800	21,998,800
TOTAL−ALL SOURCES			21,998,800	21,998,800
20.835 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,657,319,000	1,591,035,000
PROGRAM REVENUE			59,532,000	59,532,000
OTHER			(−0−)	(−0−)
SERVICE			(59,532,000)	(59,532,000)
SEGREGATED FUNDS			132,342,500	135,109,400
OTHER			(132,342,500)	(135,109,400)
TOTAL−ALL SOURCES			1,849,193,500	1,785,676,400
20.855 Miscellaneous appropriations				
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
(a) Obligation on operating notes	GPR	S	−0−	−0−
(b) Operating note expenses	GPR	S	−0−	−0−
(bm) Payment of cancelled drafts	GPR	S	850,000	850,000
(c) Interest payments to program revenue accounts	GPR	S	−0−	−0−
(d) Interest payments to segregated funds	GPR	S	−0−	−0−
(dm) Interest reimbursements to federal government	GPR	S	−0−	−0−
(e) Interest on prorated local government payments	GPR	S	−0−	−0−
(gm) Payment of cancelled drafts; program revenues	PR	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(q) Redemption of operating notes	SEG	S	−0−	−0−
(r) Interest payments to general fund	SEG	S	−0−	−0−
(rm) Payment of cancelled drafts; segregated revenues	SEG	S	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			850,000	850,000
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			850,000	850,000
(3) CAPITOL RENOVATION EXPENSES				
(b) Capitol restoration and relocation planning	GPR	B	−0−	−0−
(c) Historically significant furnishings	GPR	B	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
(a) Interest on overpayment of taxes	GPR	S	2,250,000	2,250,000
(am) Great Lakes protection fund contribution	GPR	C	−0−	−0−
(b) Election campaign payments	GPR	S	300,000	325,000
(bm) Oil pipeline terminal tax distribution	GPR	S	−0−	652,100
(c) Minnesota income tax reciprocity	GPR	S	53,700,000	57,300,000

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(ca)	Minnesota income tax reciprocity bench mark	GPR	A	−0−	−0−
(cm)	Illinois income tax reciprocity	GPR	S	29,800,000	31,500,000
(cn)	Illinois income tax reciprocity bench mark	GPR	A	−0−	−0−
(co)	Illinois income tax reciprocity, 1998 and 1999	GPR	A	−0−	−0−
(e)	Transfer to conservation fund; land acquisition reimbursement	GPR	S	233,500	237,500
(fm)	Transfer to the transportation fund; hub facility exemptions	GPR	S	2,530,400	2,530,400
(q)	Terminal tax distribution	SEG	S	1,276,500	1,338,100
(r)	Petroleum allowance	SEG	S	420,000	360,000
(s)	Transfer to conservation fund; motorboat formula	SEG	S	12,747,400	13,193,300
(t)	Transfer to conservation fund; snowmobile formula	SEG	S	4,600,500	4,788,500
(u)	Transfer to conservation fund; all−terrain vehicle formula	SEG	S	1,672,700	1,961,000
(w)	Transfer to transportation fund; petroleum inspection fund	SEG	A	6,321,700	6,321,700

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	88,813,900	94,795,000
SEGREGATED FUNDS	27,038,800	27,962,600
OTHER	(27,038,800)	(27,962,600)
TOTAL−ALL SOURCES	115,852,700	122,757,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(5) STATE HOUSING AUTHORITY RESERVE FUND				
(a) Enhancement of credit of authority debt	GPR	A	−0−	−0−
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
(6) MISCELLANEOUS RECEIPTS				
(g) Gifts and grants	PR	C	−0−	−0−
(h) Vehicle and aircraft receipts	PR	A	−0−	−0−
(i) Miscellaneous program revenue	PR	A	−0−	−0−
(j) Custody accounts	PR	C	−0−	−0−
(k) Aids to individuals and organizations	PR−S	C	−0−	−0−
(ka) Local assistance	PR−S	C	−0−	−0−
(m) Federal aid	PR−F	C	−0−	−0−
(pz) Indirect cost reimbursements	PR−F	C	−0−	−0−
(6) PROGRAM TOTALS				
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(8) MARQUETTE UNIVERSITY				
(a) Dental clinic and educ facility; principal repayment, interest & rebates	GPR	S	994,100	995,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			994,100	995,100
TOTAL−ALL SOURCES			994,100	995,100
(9) STATE CAPITOL RENOVATION AND RESTORATION				
(a) South wing renovation and restoration	GPR	C	−0−	−0−
(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			90,658,000	96,640,100
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			27,038,800	27,962,600
OTHER			(27,038,800)	(27,962,600)
TOTAL−ALL SOURCES			117,696,800	124,602,700
20.865 Program supplements				
(1) EMPLOYEE COMPENSATION AND SUPPORT				
(a) Judgments, legal expenses and worker's compensation benefits	GPR	S	46,700	46,700
(c) Compensation and related adjustments	GPR	S	−0−	−0−
(ci) Nonrepresented university system faculty and academic pay adjustments	GPR	S	−0−	−0−
(cj) Pay adjustments for certain university employees	GPR	A	−0−	−0−
(d) Employer fringe benefit costs	GPR	S	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(e)	Additional biweekly payroll	GPR	A	−0−	−0−
(em)	Financial and procurement services	GPR	A	161,100	161,100
(fm)	Risk management	GPR	A	−0−	−0−
(fn)	Physically handicapped supplements	GPR	A	6,800	6,800
(g)	Judgments and legal expenses; program revenues	PR	S	−0−	−0−
(i)	Compensation and related adjustments; program revenues	PR	S	−0−	−0−
(ic)	Nonrepresented university system faculty and academic pay adjustments	PR	S	−0−	−0−
(j)	Employer fringe benefit costs; program revenues	PR	S	−0−	−0−
(jm)	Additional biweekly payroll; nonfederal program revenue	PR	S	−0−	−0−
(js)	Financial and procurement services; program revenues	PR	S	−0−	−0−
(kr)	Risk management; program revenues	PR−S	S	−0−	−0−
(Ln)	Physically handicapped supplements; program revenues	PR	S	−0−	−0−
(m)	Additional biweekly payroll; federal program revenues	PR−F	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(q) Judgments and legal expenses; segregated revenues	SEG	S	−0−	−0−
(s) Compensation and related adjustments; segregated revenues	SEG	S	−0−	−0−
(si) Nonrepresented university system faculty and academic pay adjustments	SEG	S	−0−	−0−
(t) Employer fringe benefit costs; segregated revenues	SEG	S	−0−	−0−
(tm) Additional biweekly payroll; nonfederal segregated revenues	SEG	S	−0−	−0−
(ts) Financial and procurement services; segregated revenues	SEG	S	−0−	−0−
(ur) Risk management; segregated revenues	SEG	S	−0−	−0−
(vn) Physically handicapped supplements; segregated revenues	SEG	S	−0−	−0−
(x) Additional biweekly payroll; federal segregated revenues	SEG−F	S	−0−	−0−

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	214,600	214,600
PROGRAM REVENUE	−0−	−0−
FEDERAL	(−0−)	(−0−)
OTHER	(−0−)	(−0−)
SERVICE	(−0−)	(−0−)
SEGREGATED FUNDS	−0−	−0−
FEDERAL	(−0−)	(−0−)
OTHER	(−0−)	(−0−)
TOTAL−ALL SOURCES	214,600	214,600

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2005−06	2006−07
(2)	STATE PROGRAMS AND FACILITIES				
(a)	Private facility rental increases	GPR	A	919,800	1,160,200
(ag)	State−owned office rent supplement	GPR	A	−0−	−0−
(am)	Space management and child care	GPR	A	−0−	−0−
(d)	State deposit fund	GPR	S	−0−	−0−
(e)	Maintenance of capitol and executive residence	GPR	A	5,337,400	5,337,400
(eb)	Executive residence furnishings replacement	GPR	C	12,000	12,000
(em)	Groundwater survey and analysis	GPR	A	216,100	216,100
(g)	Private facility rental increases; program revenues	PR	S	−0−	−0−
(gg)	State−owned office rent supplements; program revenues	PR	S	−0−	−0−
(gm)	Space management and child care; program revenues	PR	S	−0−	−0−
(j)	State deposit fund; program revenues	PR	S	−0−	−0−
(L)	Data processing and telecommunications study; program revenues	PR−S	S	−0−	−0−
(q)	Private facility rental increases; segregated revenues	SEG	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(qg) State−owned office rent supplements; segregated revenues	SEG	S	−0−	−0−
(qm) Space management and child care; segregated revenues	SEG	S	−0−	−0−
(t) State deposit fund; segregated revenues	SEG	S	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			6,485,300	6,725,700
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			6,485,300	6,725,700
(3) TAXES AND SPECIAL CHARGES				
(a) Property taxes	GPR	S	−0−	−0−
(g) Property taxes; program revenues	PR	S	−0−	−0−
(i) Payments for municipal services; program revenues	PR	S	−0−	−0−
(q) Property taxes; segregated revenues	SEG	S	−0−	−0−
(s) Payments for municipal services; segregated revenues	SEG	S	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
(a) General purpose revenue funds general program supplementation	GPR	B	150,000	150,000
(g) Program revenue funds general program supplementation	PR	S	−0−	−0−
(k) Public assistance programs supplementation	PR−S	C	−0−	−0−
(m) Federal funds general program supplementation	PR−F	C	−0−	−0−
(u) Segregated funds general program supplementation	SEG	S	−0−	−0−
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			150,000	150,000
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			150,000	150,000
(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.−SERVICE APPROPRIATIONS				
(g) Supplementation of program revenue and program rev.−service appropriations	PR	S	−0−	−0−
(8) PROGRAM TOTALS				
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.865 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,849,900	7,090,300
PROGRAM REVENUE			−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			6,849,900	7,090,300
20.866 Public debt				
(1) BOND SECURITY AND REDEMPTION FUND				
(u) Principal repayment and interest	SEG	S	−0−	−0−
20.866 DEPARTMENT TOTALS				
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.867 Building commission				
(1) STATE OFFICE BUILDINGS				
(a) Principal repayment and interest; housing of state agencies	GPR	S	−0−	−0−
(b) Principal repayment and interest; capitol and executive residence	GPR	S	12,106,800	13,272,200
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			12,106,800	13,272,200
TOTAL−ALL SOURCES			12,106,800	13,272,200
(2) ALL STATE−OWNED FACILITIES				
(b) Asbestos removal	GPR	A	−0−	−0−
(c) Hazardous materials removal	GPR	A	−0−	−0−
(f) Facilities preventive maintenance	GPR	A	−0−	−0−
(q) Building trust fund	SEG	C	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(r)	Planning and design	SEG	C	−0−	−0−
(u)	Aids for buildings	SEG	C	−0−	−0−
(v)	Building program funding contingency	SEG	C	−0−	−0−
(w)	Building program funding	SEG	C	−0−	−0−

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	−0−	−0−
SEGREGATED FUNDS	−0−	−0−
OTHER	(−0−)	(−0−)
TOTAL−ALL SOURCES	−0−	−0−

(3) STATE BUILDING PROGRAM

(a)	Principal repayment and interest	GPR	S	11,214,100	22,104,100
(b)	Principal repayment and interest	GPR	S	1,549,700	1,660,000
(bm)	Principal repayment, interest, and rebates; HR academy, inc.	GPR	S	115,500	116,100
(bp)	Principal repayment, interest and rebates	GPR	S	−0−	−0−
(br)	Principal repayment, interest and rebates	GPR	S	84,400	84,500
(bt)	Principal repayment, interest, and rebates; discovery place museum	GPR	S	−0−	−0−
(c)	Lease rental payments	GPR	S	−0−	−0−
(d)	Interest rebates on obligation proceeds; general fund	GPR	S	−0−	−0−

	Statute, Agency and Purpose	Source	Type	2005−06	2006−07
(e)	Principal repayment, interest and rebates; parking ramp	GPR	S	−0−	−0−
(g)	Principal repayment, interest and rebates; program revenues	PR	S	−0−	−0−
(h)	Principal repayment, interest and rebates	PR	S	−0−	−0−
(i)	Principal repayment, interest and rebates; capital equipment	PR	S	−0−	−0−
(k)	Interest rebates on obligation proceeds; program revenues	PR−S	C	−0−	−0−
(q)	Principal repayment and interest; segregated revenues	SEG	S	−0−	−0−
(r)	Interest rebates on obligation proceeds; conservation fund	SEG	S	−0−	−0−
(s)	Interest rebates on obligation proceeds; transportation fund	SEG	S	−0−	−0−
(t)	Interest rebates on obligation proceeds; veterans trust fund	SEG	S	−0−	−0−
(w)	Bonding services	SEG	S	1,024,200	1,024,200

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	12,963,700	23,964,700
PROGRAM REVENUE	−0−	−0−
OTHER	(−0−)	(−0−)
SERVICE	(−0−)	(−0−)
SEGREGATED FUNDS	1,024,200	1,024,200
OTHER	(1,024,200)	(1,024,200)
TOTAL−ALL SOURCES	13,987,900	24,988,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
(q) Funding in lieu of borrowing	SEG	C	−0−	−0−
(r) Interest on veterans obligations	SEG	C	−0−	−0−
(4) PROGRAM TOTALS				
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(5) SERVICES TO NONSTATE GOVERNMENTAL UNITS				
(g) Financial consulting services	PR	C	−0−	−0−
(5) PROGRAM TOTALS				
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			25,070,500	37,236,900
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			1,024,200	1,024,200
OTHER			(1,024,200)	(1,024,200)
TOTAL−ALL SOURCES			26,094,700	38,261,100
20.875 Budget stabilization fund				
(1) TRANSFERS TO FUND				
(a) General fund transfer	GPR	S	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
(2) TRANSFERS FROM FUND				
(q) Budget stabilization fund transfer	SEG	A	−0−	−0−
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2005−06	2006−07
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
General Appropriations FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			1,779,897,400	1,732,002,300
PROGRAM REVENUE			59,532,000	59,532,000
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(59,532,000)	(59,532,000)
SEGREGATED FUNDS			160,405,500	164,096,200
FEDERAL			(−0−)	(−0−)
OTHER			(160,405,500)	(164,096,200)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			1,999,834,900	1,955,630,500
STATE TOTAL			25,895,236,200	26,699,383,600
GENERAL PURPOSE REVENUES			12,728,137,200	12,993,153,500
PROGRAM REVENUE			9,520,161,700	9,721,219,000
FEDERAL			(5,845,857,300)	(5,957,454,600)
OTHER			(2,831,947,500)	(2,913,860,500)
SERVICE			(842,356,900)	(849,903,900)
SEGREGATED FUNDS			3,646,937,300	3,985,011,100
FEDERAL			(784,399,100)	(788,500,500)
OTHER			(2,585,701,600)	(2,897,065,800)
SERVICE			(172,863,200)	(192,328,900)
LOCAL			(103,973,400)	(107,115,900)

***−1851/1.2* SECTION 141.** 20.115 (1) (h) of the statutes is amended to read:

20.115 **(1)** (h) *Grain inspection and certification.* All moneys received for the inspection and certification of grain received in or shipped from the port of Milwaukee, the port of Superior or other locations in this state under s. 93.06 (1m)~~, to carry out the purposes for which they are received~~ and all moneys transferred under s. 16.56, for the expenses of inspecting and certifying grain under s. 93.06 (1m).

***−1243/P3.3* SECTION 142.** 20.115 (1) (hm) of the statutes is amended to read:

20.115 **(1)** (hm) *Ozone−depleting refrigerants and products regulation.* The amounts in the schedule for administration of the mobile air conditioner servicing and refrigerant recycling programs and for responsibilities under ~~ss.~~ s. 100.45 ~~and 100.50~~ relating to sales and labeling of products containing or made with ozone−depleting substances. All moneys received from fees under s. 100.45 (5) (a) 3. and (5m) shall be credited to this appropriation.

***−0561/3.15* SECTION 143.** 20.115 (2) (d) of the statutes is amended to read:

20.115 **(2)** (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of department facilities ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition, construction, development, enlargement, or improvement, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0495/1.1* SECTION 144.** 20.115 (3) (h) of the statutes is created to read:

20.115 **(3)** (h) *Loans for rural development.* All moneys received as origination fees, repayment of principal, and payment of interest on loans under s. 93.06 (1qm), to be used for loans for the development of rural business enterprises or rural economic development under s. 93.06 (1qm).

***−1247/1.1* SECTION 145.** 20.115 (4) (c) of the statutes is amended to read:

20.115 **(4)** (c) *Agricultural investment aids.* Biennially, the amounts in the schedule for agricultural research and development grants under s. 93.46 (2) and (3) and sustainable agriculture grants under s. 93.47.

***−0561/3.16* SECTION 146.** 20.115 (7) (b) of the statutes is amended to read:

20.115 **(7)** (b) *Principal repayment and interest, conservation reserve enhancement.* A sum sufficient to reimburse s. 20.866 (1) (u) for the principal and interest costs incurred in financing the conservation reserve enhancement program under s. 20.866 (2) (wf) ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1393/4.1* SECTION 147.** 20.115 (7) (f) of the statutes is amended to read:

20.115 **(7)** (f) *Principal repayment and interest; soil and water.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing funds for soil and water resource management projects under s. 92.14 ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a), to the extent that these payments are not made under par. (s).

***−1393/4.2* SECTION 148.** 20.115 (7) (s) of the statutes is created to read:

20.115 **(7)** (s) *Principal repayment and interest; soil and water, environmental fund.* From the environmental fund, the amounts in the schedule for the payment of principal and interest costs incurred in providing funds for soil and water resource management projects under s. 92.14, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1243/P3.4* SECTION 149.** 20.115 (8) (jm) of the statutes is repealed.

***−0774/P4.1* SECTION 150.** 20.143 (1) (c) of the statutes is amended to read:

20.143 **(1)** (c) *Wisconsin development fund; grants, loans, reimbursements, and assistance.* Biennially, the amounts in the schedule for grants under ~~ss. 560.145, 560.16, 560.175, and 560.26~~ s. 560.24, subject to s. 560.24 (3); for grants and loans under ~~ss. 560.62, 560.63, and 560.66; for loans under s. 560.147; s. 560.61~~ subch. V of ch. 560; for reimbursements under s. 560.167; for providing assistance under s. 560.06; for the costs specified in s. 560.607; for the loan under 1999 Wisconsin Act 9, section 9110 (4); for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997 Wisconsin Act 27, section 9110 (6g), 1999 Wisconsin Act 9, section 9110 (5), and 2003 Wisconsin Act 33, section 9109 (1d) and (2q); and for providing up to $100,000 annually for the continued development of a manufacturing and advanced technology training center in Racine. Of the amounts in the schedule, $50,000 shall be allocated in each of fiscal years 1997−98 and 1998−99 for providing the assistance under s. 560.06 (1). ~~Notwithstanding s. 560.607, of the amounts in the schedule, $125,000 shall be allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998−99, for grants and loans under s. 560.62 (1) (a).~~

***−0774/P4.2* SECTION 151.** 20.143 (1) (cb) of the statutes is repealed.

***−1272/P1.1* SECTION 152.** 20.143 (1) (cm) of the statutes is created to read:

20.143 **(1)** (cm) *Super employment and economic development zone grants.* Biennially, the amounts in the schedule for employment and economic development zone grants under s. 560.799.

***−1614/P3.1* SECTION 153.** 20.143 (1) (cs) of the statutes is created to read:

20.143 **(1)** (cs) *Training assistance grants.* Biennially, the amounts in the schedule for job training grants under s. 560.24.

***−1594/P2.1* SECTION 154.** 20.143 (1) (fj) of the statutes is renumbered 20.292 (1) (fj) and amended to read:

20.292 **(1)** (fj) *Manufacturing extension center grants.* The amounts in the schedule for grants under s. ~~560.25~~ 38.34.

***−0774/P4.3* SECTION 155.** 20.143 (1) (ie) of the statutes is amended to read:

20.143 **(1)** (ie) *Wisconsin development fund, repayments.* All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.147, 2003 stats., s. 560.16, 1995 stats., s. 560.165, 1993 stats., s. 560.62, 2003 stats., s. 560.63, 2003 stats., s. 560.66, 2003 stats., subch. V of ch. 560 ~~except s. 560.65,~~, and 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m), 1989 Wisconsin Act 336, section 3015 (3gx), 1997 Wisconsin Act 27, section 9110 (7f), 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act 9, section 9110 (4), to be used for grants and loans under subch. V of ch. 560 ~~except s. 560.65, for loans under s. 560.147, for grants under ss. 560.16 and 560.175~~, for assistance under s. 560.06 (2), for the loan under 1999 Wisconsin Act 9, section 9110 (4), for the grant under 2001 Wisconsin Act 16, section 9110 (7g), for the grants under 2003 Wisconsin Act 33, section 9109 (1d) and (2q), and for reimbursements under s. 560.167.

***−1306/2.1* SECTION 156.** 20.143 (1) (kj) of the statutes is amended to read:

20.143 **(1)** (kj) *Gaming economic development and diversification; grants and loans.* Biennially, the amounts in the schedule for grants and loans under ss. 560.137 and 560.138, for the grants under s. 560.139 (1) (a) and (2), for the grants under 2001 Wisconsin Act 16, section 9110 (2k), (11pk), and (11zx), and for transfer to the appropriation account under s. ~~20.292 (1)~~ 20.445 (7) (kd) of the amount in the

schedule under s. ~~20.292 (1)~~ 20.445 (7) (kd). Of the amounts in the schedule, $500,000 shall be allocated in each fiscal year for the grants under s. 560.137 (3m). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd−numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1786/P1.1* SECTION 157.** 20.155 (1) (Ls) of the statutes is created to read:

20.155 **(1)** (Ls) *Late payment charges.* All moneys received from telecommunications utilities under s. 196.219 (3m) (b) for consumer education purposes as determined by the commission.

***−0330/P2.1* SECTION 158.** 20.165 (1) (km) of the statutes is created to read:

20.165 **(1)** (km) *Transitional certifications of massage therapists and bodyworkers.* All moneys transferred under 2005 Wisconsin Act .... (this act), section 9253 (1), for the department to make determinations regarding applications for massage therapist and bodyworker certification transferred to the department under 2005 Wisconsin Act .... (this act), section 9153 (2) (b).

***−0561/3.17* SECTION 159.** 20.190 (1) (c) of the statutes is amended to read:

20.190 **(1)** (c) *Housing facilities principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing housing facilities at the state fair park in West Allis ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing these facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.18* SECTION 160.** 20.190 (1) (d) of the statutes is amended to read:

20.190 **(1)** (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of park facilities ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition, construction, development, enlargement, or improvement, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.19* SECTION 161.** 20.190 (1) (i) of the statutes is amended to read:

20.190 **(1)** (i) *State fair capital expenses.* The surplus of receipts transferred from par. (h), to be used for the acquisition of land, the payment of construction costs, including architectural and engineering services, furnishings, and equipment, maintenance of state−owned housing and temporary financing necessary to provide facilities for exposition purposes. The state fair park board may use moneys in this appropriation to reimburse s. 20.866 (1) (u) for payment of principal and interest costs incurred in financing state fair park facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.20* SECTION 162.** 20.190 (1) (j) of the statutes is amended to read:

20.190 **(1)** (j) *State fair principal repayment, interest and rebates.* A sum sufficient from revenues earned under par. (h) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing state fair park facilities ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing state fair park facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1648/2.1* SECTION 163.** 20.215 (1) (km) of the statutes is created to read:

20.215 **(1)** (km) *State aid for the arts; Indian gaming receipts.* The amounts in the schedule for grants−in−aid or contract payments to American Indian groups, individuals, organizations, and institutions under s. 44.53 (1) (fm) and (2) (am). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4b. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−0561/3.21* SECTION 164.** 20.225 (1) (c) of the statutes is amended to read:

20.225 **(1)** (c) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities approved by the building commission for operation by the educational communications board and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.22* SECTION 165.** 20.225 (1) (i) of the statutes is amended to read:

20.225 **(1)** (i) *Program revenue facilities; principal repayment, interest, and rebates.* A sum sufficient from gifts and grants to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities approved by the building commission for operation by the educational communications board ~~and~~, to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1803/1.1* SECTION 166.** 20.235 (1) (fe) of the statutes is amended to read:

20.235 **(1)** (fe) *Wisconsin higher education grants; University of Wisconsin System students.* A sum sufficient equal to ~~$20,745,900~~ $40,483,200 in the ~~2003−04~~ 2005−06 fiscal year, equal to ~~$19,926,800~~ $46,871,700 in the ~~2004−05~~ 2006−07 fiscal year, and equal to the amount ~~determined~~ calculated under s. 39.435 (7) for the Wisconsin higher education grant program under s. 39.435 for University of Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5), thereafter.

***−1861/2.1* SECTION 167.** 20.235 (1) (ke) of the statutes is repealed.

***−0561/3.23* SECTION 168.** 20.245 (1) (e) of the statutes is amended to read:

20.245 **(1)** (e) *Principal repayment, interest, and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities of the historical society~~;~~ and for the payment of principal and interest costs incurred in financing the acquisition and installation of systems and equipment necessary to prepare historic records for transfer to new storage facilities~~; and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition and installation, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.24* SECTION 169.** 20.245 (1) (j) of the statutes is amended to read:

20.245 **(1)** (j) *Self−amortizing facilities; principal repayment, interest, and rebates.* A sum sufficient from the revenues received under pars. (h) and (r) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or

improvement of facilities of the historical society ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.25* SECTION 170.** 20.250 (1) (c) of the statutes is amended to read:

20.250 **(1)** (c) *Principal repayment, interest, and rebates; biomedical research and technology incubator.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grants under s. 13.48 (31), ~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grants under s. 13.48 (31), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.26* SECTION 171.** 20.250 (1) (e) of the statutes is amended to read:

20.250 **(1)** (e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in aiding the construction of a basic science education facility and in aiding the funding of a health information technology center and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0421/3.1* SECTION 172.** 20.255 (1) (b) of the statutes is amended to read:

20.255 **(1)** (b) *General program operations; Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired.* The amounts in the schedule for the operation and maintenance of the facilities of the Wisconsin Educational Services Program for the Deaf and Hard

of Hearing and the Wisconsin Center for the Blind and Visually Impaired, including the matching of federal funds~~, but not including expenses financed under par. (js)~~.

***−0561/3.27* SECTION 173.** 20.255 (1) (d) of the statutes is amended to read:

20.255 **(1)** (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of institutional facilities for individuals with hearing impairments under s. 115.52, individuals with visual impairments under s. 115.525 and reference and loan library facilities under s. 43.05 (11) <u>and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a)</u>.

***−0421/3.2* SECTION 174.** 20.255 (1) (js) of the statutes is repealed.

***−0370/1.1* SECTION 175.** 20.255 (1) (kt) of the statutes is created to read:

20.255 **(1)** (kt) *American Indian language and culture education program; program operations.* The amounts in the schedule for the American Indian language and culture education program in subch. IV of ch. 115. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11b. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1742/3.3* SECTION 176.** 20.255 (2) (af) of the statutes is created to read:

20.255 **(2)** (af) *General equalization aids; supplement.* A sum sufficient equal to the amount determined under 2005 Wisconsin Act .... (this act), section 9141 (3) for the payment of educational aids under ss. 121.08, 121.09, 121.095, and 121.105 and subch. VI of ch. 121. No moneys may be encumbered or expended from this appropriation after June 30, 2007.

***−0747/1.1* SECTION 177.** 20.255 (2) (b) of the statutes is amended to read:

20.255 **(2)** (b) *Aids for special education and school age parents programs.* The amounts in the schedule for the payment of aids for special education and school age parents programs under ss. 115.88, 115.93 and 118.255. ~~On dates determined by the secretary of administration, amounts equal to the amounts paid by the department of health and family services under s. 49.45 (39) (b) 1m. shall lapse from this appropriation account to the general fund.~~

***−0423/3.1* SECTION 178.** 20.255 (2) (bd) of the statutes is created to read:

20.255 **(2)** (bd) *Additional special education aid.* The amounts in the schedule for aid under s. 115.881.

***−1534/3.1* SECTION 179.** 20.255 (2) (ce) of the statutes is created to read:

20.255 **(2)** (ce) *English for Southeast Asian children.* The amounts in the schedule for aid to the Wausau school district for English instruction for Southeast Asian children under s. 115.28 (35).

***−0609/3.2* SECTION 180.** 20.255 (2) (cr) of the statutes is renumbered 20.255 (2) (qr) and amended to read:

20.255 **(2)** (qr) *Aid for pupil transportation.* ~~The~~ From the transportation fund, the amounts in the schedule for the payment of state aid for transportation of public and private school pupils under subch. IV of ch. 121.

***−0422/1.1* SECTION 181.** 20.255 (2) (cv) of the statutes is repealed.

***−1588/4.1* SECTION 182.** 20.255 (2) (dc) of the statutes is created to read:

20.255 **(2)** (dc) *Grants for differentiated compensation programs.* The amounts in the schedule for grants to school districts for differentiated compensation programs under s. 115.40. No moneys may be expended from this appropriation after June 30, 2007.

***−0425/4.1* SECTION 183.** 20.255 (2) (dp) of the statutes is created to read:

20.255 **(2)** (dp) *Four−year−old kindergarten grants.* The amounts in the schedule for 4−year−old kindergarten grants under s. 115.445.

***−0400/3.1* SECTION 184.** 20.255 (2) (fh) of the statutes is created to read:

20.255 **(2)** (fh) *Mentoring grants for initial educators.* The amounts in the schedule for grants to persons employing initial educators under s. 115.405 (2m).

***−0400/3.2* SECTION 185.** 20.255 (2) (fk) of the statutes is amended to read:

20.255 **(2)** (fk) *Grant program for peer review and mentoring.* The amounts in the schedule for the grant program for peer review and mentoring under s. 115.405 (1).

***−0342/3.1* SECTION 186.** 20.255 (2) (fw) of the statutes is created to read:

20.255 **(2)** (fw) *Grants for advanced placement courses.* The amounts in the schedule for grants to school districts for advanced placement courses under s. 115.28 (45).

***−0343/3.1* SECTION 187.** 20.255 (2) (fy) of the statutes is created to read:

20.255 **(2)** (fy) *Grants to support gifted and talented pupils.* The amounts in the schedule for grants for the support of gifted and talented pupils under s. 118.35 (4).

***−1534/3.2* SECTION 188.** 20.255 (2) (kh) of the statutes is repealed.

***−0370/1.2* SECTION 189.** 20.255 (2) (kj) of the statutes is created to read:

20.255 **(2)** (kj) *Grants for diversity education programs.* The amounts in the schedule for grants for pupil diversity under s. 115.49. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11c. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered

balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1648/2.2* SECTION 190.** 20.255 (2) (km) of the statutes is created to read:

20.255 **(2)** (km) *Alternative school American Indian language and culture education aid.* The amounts in the schedule for the payment of aid to alternative schools for American Indian language and culture education programs under s. 115.751. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1648/2.3* SECTION 191.** 20.255 (2) (kn) of the statutes is created to read:

20.255 **(2)** (kn) *Grant to Beloit College.* The amounts in the schedule for a grant to Beloit College under s. 115.28 (47m). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 10t. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1762/2.1* SECTION 192.** 20.255 (3) (b) of the statutes is created to read:

20.255 **(3)** (b) *Adult literacy grants.* The amounts in the schedule for adult literacy grants to nonprofit organizations under 2005 Wisconsin Act .... (this act), section 9137 (2). No moneys may be expended from this appropriation after June 30, 2006.

***−0399/1.1* SECTION 193.** 20.255 (3) (c) of the statutes is amended to read:

20.255 **(3)** (c) ~~*National*~~ *Grants for national teacher certification or master educator licensure*. A sum sufficient for ~~payments~~ grants to teachers who are

certified by the National Board for Professional Teaching Standards or licensed as master educators as provided under s. 115.42.

***−0561/3.28* SECTION 194.** 20.285 (1) (d) of the statutes is amended to read:

20.285 **(1)** (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of university academic facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.29* SECTION 195.** 20.285 (1) (db) of the statutes is amended to read:

20.285 **(1)** (db) *Self−amortizing facilities principal and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for any amounts advanced to meet principal and interest costs on self−amortizing university facilities whenever the combined balances of all accounts of activities, of any campus, included in par. (h) and sub. (6) (g) are insufficient, as determined by the department of administration, to make transfers to pars. (kd) and (ke) as required by par. (h) and sub. (6) (g), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). Amounts advanced under the authority of this paragraph shall be repaid to the general fund in installments to be determined jointly by the department of administration and the campus concerned. For projects authorized by the building commission before July 1, 1998, annually an amount equal to 80% of the principal and interest costs for maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, annually an amount equal to 70% of the principal and interest costs for

maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.

***−1532/3.1* SECTION 196.** 20.285 (1) (ee) of the statutes is repealed.

***−1532/3.2* SECTION 197.** 20.285 (1) (fh) of the statutes is repealed.

***−1532/3.3* SECTION 198.** 20.285 (1) (ga) of the statutes is repealed.

***−1861/2.2* SECTION 199.** 20.285 (1) (h) of the statutes is amended to read:

20.285 **(1)** (h) *Auxiliary enterprises.* Except as provided under subs. ~~(4) (g) and (gm),~~ (5) (i)~~,~~ and (6) (g), all moneys received by the University of Wisconsin System for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph, but not including any moneys received from the sale of real property before July 1, 2007, to be used for the operation, maintenance, and capital expenditures of activities specified in this paragraph, including the transfer of funds to pars. (kd)~~,~~ and (ke), ~~and s. 20.235 (1) (ke),~~ and to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, for optional rental payments in addition to the mandatory rental payments under the leases and subleases in connection with the providing of facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate account shall be maintained for each campus and extension. Upon the request of the extension or any campus within the system, the board of regents may transfer surplus moneys appropriated under this paragraph to the

appropriation account under par. (kp). ~~Annually, the amount in the schedule under s. 20.005 (3) for the appropriation under s. 20.235 (1) (ke) shall be transferred from this appropriation to the appropriation account under s. 20.235 (1) (ke).~~

***−1532/3.4* SECTION 200.** 20.285 (1) (i) of the statutes is amended to read:

20.285 **(1)** (i) *State laboratory of hygiene.* ~~From the~~ All moneys received for or on account of the operation of the state laboratory of hygiene~~, all moneys not appropriated under par. (ih)~~, to be used for general program operations of the laboratory of hygiene.

***−1532/3.5* SECTION 201.** 20.285 (1) (ih) of the statutes is repealed.

***−1513/65* SECTION 202.** 20.285 (1) (iz) of the statutes is amended to read:

20.285 **(1)** (iz) *General operations receipts.* All moneys received for or on account of the University of Wisconsin System, unless otherwise specifically appropriated, including all moneys received from the sale of real property prior to July 1, 2007, to be used for general operations.

***−1513/65* SECTION 203.** 20.285 (1) (j) of the statutes is amended to read:

20.285 **(1)** (j) *Gifts and donations.* All moneys received from gifts, grants, bequests and devises, except moneys received from the sale of real property before July 1, 2007, to be administered and expended in accordance with the terms of the gift, grant, bequest or devise to carry out the purposes for which made and received.

***−0561/3.30* SECTION 204.** 20.285 (1) (je) of the statutes is amended to read:

20.285 **(1)** (je) *Veterinary diagnostic laboratory; fees.* All moneys received under s. 36.58 (3), other than from state agencies, to be used for general program operations of the veterinary diagnostic laboratory and to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the veterinary diagnostic laboratory enumerated in 2001 Wisconsin Act 16, section

9107 (1) (m) 1. ~~and~~, to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that facility, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.31* SECTION 205.** 20.285 (1) (jq) of the statutes is amended to read:

20.285 **(1)** (jq) *Steam and chilled−water plant; principal repayment, interest, and rebates; nonstate entities.* All moneys received from utility charges to the University of Wisconsin Hospitals and Clinics Authority and agencies of the federal government that are approved by the department of administration under s. 36.11 (48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in purchasing the Walnut Street steam and chilled−water plant enumerated under 2003 Wisconsin Act 33, section 9106 (1) (g) 2., ~~and~~ to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase of the plant, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0513/6* SECTION 206.** 20.285 (1) (ka) of the statutes is amended to read:

20.285 **(1)** (ka) *Sale of real property.* All net proceeds from the sale of real property by the board under s. 36.34, 1969 stats., and s. 36.33, except net proceeds received before July 1, 2007, to be used for the purposes of s. 36.34, 1969 stats., and s. 36.33, including the expenses enumerated in s. 13.48 (2) (d) incurred in selling the real property under those sections.

***−0561/3.32* SECTION 207.** 20.285 (1) (kd) of the statutes is amended to read:

20.285 **(1)** (kd) *Principal repayment, interest and rebates.* From the revenues credited under par. (h) and sub. (6) (g), a sum sufficient to reimburse s. 20.866 (1) (u)

for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of self−amortizing university facilities ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). For projects authorized by the building commission before July 1, 1998, annually an amount equal to 20% of the principal and interest costs for maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, but before July 1, 2001, annually an amount equal to 30% of the principal and interest costs for maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 2001, annually an amount equal to 40% of the principal and interest costs for maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.

***−0561/3.33* SECTION 208.** 20.285 (1) (km) of the statutes is amended to read:

20.285 **(1)** (km) *Aquaculture demonstration facility; principal repayment and interest.* The amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the aquaculture demonstration facility enumerated under 1999 Wisconsin Act 9, section 9107 (1) (i) 3. ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred

in financing that facility, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 1c. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−0561/3.34* SECTION 209.** 20.285 (1) (ko) of the statutes is amended to read:

20.285 **(1)** (ko) *Steam and chilled−water plant; principal repayment, interest, and rebates.* All moneys received from utility charges to University of Wisconsin−Madison campus operations that are approved by the department of administration under s. 36.11 (48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in purchasing the Walnut Street steam and chilled−water plant enumerated under 2003 Wisconsin Act 33, section 9106 (1) (g) 2., ~~and~~ to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase of the plant, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1520/1.1* SECTION 210.** 20.285 (2) (j) of the statutes is created to read:

20.285 **(2)** (j) Notwithstanding s. 20.001 (2) (c), annually, there shall lapse from the appropriation accounts under ss. 20.285 (1) (a), (h), and (j) an amount equal to the amount spent during that fiscal year from the appropriation account under s. 20.455 (1) (b) for legal advice regarding public broadcasting by the University of Wisconsin System, as determined by the secretary of administration.

***−1858/2.1* SECTION 211.** 20.285 (4) (g) of the statutes is repealed.

***−1858/2.2* SECTION 212.** 20.285 (4) (gm) of the statutes is repealed.

***−1532/3.6* SECTION 213.** 20.285 (5) (a) of the statutes is repealed.

***−0561/3.35* SECTION 214.** 20.285 (5) (i) of the statutes is amended to read:

20.285 **(5)** (i) *Nonincome sports.* All moneys received from the sale of parking provided for all events at athletic facilities at the University of Wisconsin−Madison, less related expenses appropriated under sub. (1) (h), to be used for the sports administered by the division of intercollegiate athletics at the University of Wisconsin−Madison other than men's basketball, football and hockey ~~and~~, for debt service on any sports−related facility, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). Of the amount appropriated under this paragraph, the board shall allocate at least $50,000 annually to support scholarships for women athletes.

***−1636/2.1* SECTION 215.** 20.292 (1) (bm) of the statutes is repealed.

***−1636/2.2* SECTION 216.** 20.292 (1) (ec) of the statutes is repealed.

***−1306/2.2* SECTION 217.** 20.292 (1) (ef) of the statutes is renumbered 20.445 (7) (ef) and amended to read:

20.445 **(7)** (ef) *School−to−work programs for children at risk.* The amounts in the schedule for grants to nonprofit organizations under s. ~~38.40~~ 106.13 (4m).

***−1560/3.1* SECTION 218.** 20.292 (1) (fc) of the statutes is renumbered 20.292 (1) (u) and amended to read:

20.292 **(1)** (u) *Driver education, local assistance.* ~~The~~ From the transportation fund, the amounts in the schedule~~,~~ to be distributed to technical college districts for operating driver training programs under s. 38.28 (2) (c) and (g).

***−1560/3.2* SECTION 219.** 20.292 (1) (fg) of the statutes is renumbered 20.292 (1) (v) and amended to read:

20.292 **(1)** (v) *Chauffeur training grants.* ~~As~~ From the transportation fund, as a continuing appropriation, the amounts in the schedule for advanced chauffeur training grants under s. 38.29.

***−1560/3.3* SECTION 220.** 20.292 (1) (fp) of the statutes is renumbered 20.292 (1) (r) and amended to read:

20.292 **(1)** (r) *Emergency medical technician — basic training; state operations.* ~~The~~ From the transportation fund, the amounts in the schedule for technical assistance and administrative support for emergency medical technician — basic training ~~under s. 146.55 (5)~~.

***−1306/2.3* SECTION 221.** 20.292 (1) (kd) of the statutes is renumbered 20.445 (7) (kd).

***−1510/2.2* SECTION 222.** 20.292 (2) (i) of the statutes is created to read:

20.292 **(2)** (i) *Closed schools; preservation of student records.* All moneys received from fees collected under s. 38.50 (11) (c) to be used for the administrative costs of taking possession of, preserving, and providing copies of student records of schools, as defined in s. 38.50 (11) (a) 1., that have discontinued their operations.

***−0561/3.36* SECTION 223.** 20.320 (1) (c) of the statutes is amended to read:

20.320 **(1)** (c) *Principal repayment and interest — clean water fund program.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.37* SECTION 224.** 20.320 (1) (t) of the statutes is amended to read:

20.320 **(1)** (t) *Principal repayment and interest — clean water fund program bonds.* From the environmental improvement fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). Fifty percent of all moneys received from municipalities as payment of interest on loans or portions of loans under s. 281.58 the revenues of which have not been pledged to secure revenue obligations shall be credited to this appropriation account.

***−0561/3.38* SECTION 225.** 20.320 (2) (c) of the statutes is amended to read:

20.320 **(2)** (c) *Principal repayment and interest — safe drinking water loan program.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the safe drinking water loan program under s. 20.866 (2) (td) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0501/1.1* SECTION 226.** 20.370 (1) (er) of the statutes is created to read:

20.370 **(1)** (er) *Parks and forests — campground reservation fees.* All moneys not retained by the department under s. 27.01 (11) (cr) 1. for payments to contracting parties under contracts entered into under s. 27.01 (11) (cm).

***−0383/5.1* SECTION 227.** 20.370 (1) (hw) of the statutes is created to read:

20.370 **(1)** (hw) *Pheasant hunting fees.* All moneys received under s. 29.185 for the stocking and propagation of pheasants on lands under the department's ownership, management, supervision, or control.

***−1258/5.1* SECTION 228.** 20.370 (1) (hx) of the statutes is created to read:

20.370 **(1)** (hx) *Grouse and woodcock restoration.* All moneys received under s. 29.191 (3) (c) for developing, managing, preserving, restoring, and maintaining the wild ruffed grouse and woodcock population in the state.

***−0413/1.1* SECTION 229.** 20.370 (1) (mr) of the statutes is repealed.

***−0385/1.1* SECTION 230.** 20.370 (1) (mu) of the statutes is amended to read:

20.370 **(1)** (mu) *General program operations — state funds.* The amounts in the schedule for general program operations that do not relate to the management and protection of the state's fishery resources and that are conducted under ss. 23.09 to 23.11, 27.01, 30.203, 30.277, and 90.21, and chs. 29 and 169, for the endangered resources program, as defined under s. 71.10 (5) (a) 2., and for transfers to the appropriation account under s. 20.285 (1) (kf).

***−1360/2.1* SECTION 231.** 20.370 (2) (bh) of the statutes is created to read:

20.370 **(2)** (bh) *Air management — state permit sources.* The amounts in the schedule for purposes related to stationary sources of air contaminants for which an operation permit is required under s. 285.60 but not under the federal clean air act as specified in s. 285.69 (2m) (d). All moneys received from fees collected under s. 285.69 (1g) and (2m) shall be credited to this appropriation account.

***−1560/3.4* SECTION 232.** 20.370 (2) (cf) of the statutes is renumbered 20.370 (2) (cq) and amended to read:

20.370 **(2)** (cq) *Air management — motor vehicle emission inspection and maintenance program, state funds.* ~~The~~ From the transportation fund, the amounts in the schedule for the administration of the motor vehicle emission inspection and maintenance program under s. 285.30.

***−1360/2.2* SECTION 233.** 20.370 (2) (ci) of the statutes is amended to read:

20.370 **(2)** (ci) *Air management — permit review and enforcement.* The amounts in the schedule for any purpose specified under s. 285.69 (1) or (5), except for purposes described in par. (bi), and for other activities to reduce air pollution, as provided in s. 285.69 (6). All moneys received from fees imposed under s. 285.69 (1), (1d), and (5), except moneys appropriated under par. (bi), shall be credited to this appropriation.

***−0455/1.1* SECTION 234.** 20.370 (2) (dh) of the statutes is amended to read:

20.370 **(2)** (dh) *Solid waste management — remediated property.* All moneys received under ss. 292.11 (7) (d) 2., 292.13 (3), 292.15 (5), 292.21 (1) (c) 1. d., 292.35 (13), 292.55 (2), 292.57 (2), and 292.94 for the department's activities related to the issuance of determinations under s. 292.13 (2), remedial action cost recovery under s. 292.35, remediation of property under ss. 292.11 (7) (d), 292.15 (2) and (4), ~~and~~, 292.55 (1), and 292.57 and conducting reviews described in s. 292.94.

***−1560/3.5* SECTION 235.** 20.370 (3) (ad) of the statutes is renumbered 20.370 (3) (ay) and amended to read:

20.370 **(3)** (ay) *Law enforcement — car kill deer; ~~general~~ transportation fund.* From the ~~general~~ transportation fund, the amounts in the schedule to pay 50% of the costs of the removal and disposal of car kill deer from highways.

***−0384/1.1* SECTION 236.** 20.370 (3) (at) of the statutes is amended to read:

20.370 **(3)** (at) *Education and safety programs.* All moneys remitted to the department under ss. 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and 350.055 for programs or courses of instruction under ss. 23.33 (5) (d), 29.591 (3), 30.74 (1) (a) and 350.055.

***−0384/1.2* SECTION 237.** 20.370 (3) (au) of the statutes is repealed.

***−0457/1.1* SECTION 238.** 20.370 (3) (bL) of the statutes is created to read:

20.370 **(3)** (bL) *Operator certification — fees.* From the general fund, from the moneys received under ss. 281.17 (3) and 281.48 (4s) (a) and (b), the amounts in the schedule for administrative activities related to the certification of operators of water systems, wastewater treatment plants, and septage servicing vehicles.

***−0461/2.1* SECTION 239.** 20.370 (3) (ig) of the statutes is created to read:

20.370 **(3)** (ig) *Processing electronic information.* From the general fund, all moneys received under s. 299.19 to be used for processing electronic information.

***−0500/2.1* SECTION 240.** 20.370 (3) (mv) of the statutes is renumbered 20.370 (1) (hv).

***−0500/2.2* SECTION 241.** 20.370 (3) (mw) of the statutes is created to read:

20.370 **(3)** (mw) *Water resources — public health.* The amounts in the schedule for public health activities relating to surface water quality.

***−0457/1.2* SECTION 242.** 20.370 (4) (bL) of the statutes is amended to read:

20.370 **(4)** (bL) *Wastewater management — fees.* From the general fund, ~~all~~ from the moneys received under ~~s.~~ ss. 281.17 (3) and s. 281.48 (4s) (a) and (b), all moneys not appropriated under sub. (3) (bL), for the certification of operators of water systems, wastewater treatment plants and septage servicing vehicles and ~~under s. 281.48 (4s) (a) and (b)~~ for wastewater management activities.

***−1258/5.2* SECTION 243.** 20.370 (4) (ku) of the statutes is amended to read:

20.370 **(4)** (ku) *Great Lakes trout and salmon.* All moneys received under ss. ~~29.191 (5),~~ 29.219 (3) (c) ~~and~~, 29.228 (7) (c), and 29.2285 (2) to provide additional funding for the trout and salmon rearing and stocking program for outlying waters and to administer s. 29.191 (5).

***−1258/5.3* SECTION 244.** 20.370 (4) (kv) of the statutes is amended to read:

20.370 **(4)** (kv) *Trout habitat improvement.* All moneys received under s. ~~29.191 (4)~~ 29.2285 (1) for improving and maintaining trout habitat in inland trout waters, for conducting trout surveys in inland trout waters and for administering that section.

***−1258/5.4* SECTION 245.** 20.370 (4) (ky) of the statutes is created to read:

20.370 **(4)** (ky) *Sturgeon stock and habitat.* All moneys received under s. 29.2285 (3) for assessing and managing the lake sturgeon stock and fishery in inland waters, as defined in s. 29.001 (45), for improving and maintaining lake sturgeon habitat in those inland waters, and for administering s. 29.2285 (3).

***−0459/1.1* SECTION 246.** 20.370 (4) (nz) of the statutes is amended to read:

20.370 **(4)** (nz) *General program operations — safe drinking water loan programs; federal funds.* ~~As a continuing appropriation, from~~ From the safe drinking water loan program federal revolving loan fund account in the environmental improvement fund, ~~the amounts in the schedule~~ all moneys received from the federal government for the general program operations of the safe drinking water loan program under s. 281.59 or 281.61 and other drinking water quality activities under s. 281.62 to be used for those operations and activities.

***−0519/3.3* SECTION 247.** 20.370 (5) (bz) of the statutes is created to read:

20.370 **(5)** (bz) *Resource aids — forestry outdoor activity grants.* All moneys received under s. 77.89 (2) (b) for grants awarded by the managed forest land board under s. 77.895.

***−0365/1.1* SECTION 248.** 20.370 (5) (cv) of the statutes is repealed.

***−1648/2.4* SECTION 249.** 20.370 (6) (bk) of the statutes is amended to read:

20.370 **(6)** (bk) *Environmental aids — wastewater and drinking water grant.* The amounts in the schedule for the wastewater and drinking water grant under s.

281.73. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17f. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm). No moneys may be encumbered from this appropriation after June 30, ~~2005~~ 2007.

***−1362/1.1* SECTION 250.** 20.370 (6) (br) of the statutes is amended to read:

20.370 **(6)** (br) *Environmental aids — waste reduction and recycling* ~~*demonstration grants*~~. From the recycling fund, as a continuing appropriation, the amounts in the schedule for waste reduction and recycling demonstration grants under s. 287.25 and ~~the grants required under 1999 Wisconsin Act 9, section 9136 (9) and (9cm)~~ for business waste reduction and recycling assistance under s. 287.26.

***−0458/2.1* SECTION 251.** 20.370 (6) (cr) (title) of the statutes is amended to read:

20.370 **(6)** (cr) (title) *Environmental aids — compensation for well contamination and abandonment*.

***−0561/3.39* SECTION 252.** 20.370 (7) (aa) of the statutes is amended to read:

20.370 **(7)** (aa) *Resource acquisition and development — principal repayment and interest*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill under s. 30.203, in financing the acquisition, construction, development, enlargement, or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw), in financing the Warren

Knowles−Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in financing the Warren Knowles−Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta), but not including payments made under par. (ac), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). Payments may not be made from this appropriation account for principal and interest costs incurred in financing land acquisition and development of state forests under ss. 20.866 (2) (ta) and (tz) until all moneys available under s. 20.370 (7) (au) have been expended.

***−0561/3.40* SECTION 253.** 20.370 (7) (ac) of the statutes is amended to read:

20.370 **(7)** (ac) *Principal repayment and interest — recreational boating bonds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in assisting municipalities and other qualifying entities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.41* SECTION 254.** 20.370 (7) (ag) of the statutes is amended to read:

20.370 **(7)** (ag) *Land acquisition — principal repayment and interest.* All moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition under s. 23.0917 (5m) from the appropriation under s. 20.866 (2) (ta) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.42* SECTION 255.** 20.370 (7) (aq) of the statutes is amended to read:

20.370 **(7)** (aq) *Resource acquisition and development — principal repayment and interest.* From the conservation fund, a sum sufficient to reimburse s. 20.866 (1)

(u) for the payment of principal and interest costs incurred in financing land acquisition activities under s. 20.866 (2) (ty) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.43* SECTION 256.** 20.370 (7) (ar) of the statutes is amended to read:

20.370 **(7)** (ar) *Dam repair and removal — principal repayment and interest.* From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the aid program for dams under s. 20.866 (2) (tL) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.44* SECTION 257.** 20.370 (7) (at) of the statutes is amended to read:

20.370 **(7)** (at) *Recreation development — principal repayment and interest.* From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in acquiring, constructing, developing, enlarging, or improving state recreation facilities and state fish hatcheries under s. 20.866 (2) (tu) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.45* SECTION 258.** 20.370 (7) (au) of the statutes is amended to read:

20.370 **(7)** (au) *State forest acquisition and development — principal repayment and interest.* From the conservation fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition and development for state forests from the appropriations under s. 20.866 (2) (ta) and (tz) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). ~~No moneys may be expended or encumbered from this appropriation after June 30, 2005.~~

***−0561/3.46* SECTION 259.** 20.370 (7) (bq) of the statutes is amended to read:

20.370 **(7)** (bq) *Principal repayment and interest — remedial action.* From the environmental fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing remedial action under ss. 281.83 and 292.31 and for the payment of this state's share of environmental repair that is funded under 42 USC 960l to 9675 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.47* SECTION 260.** 20.370 (7) (ca) of the statutes is amended to read:

20.370 **(7)** (ca) *Principal repayment and interest — nonpoint source grants.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing funds under s. 20.866 (2) (te) for nonpoint source water pollution abatement projects under s. 281.65 ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, to the extent that these payments are not made under par. (cg), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.48* SECTION 261.** 20.370 (7) (cb) of the statutes is amended to read:

20.370 **(7)** (cb) *Principal repayment and interest — pollution abatement bonds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of point source water pollution abatement facilities and sewage collection facilities under ss. 281.55, 281.56 and 281.57 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.49* SECTION 262.** 20.370 (7) (cc) of the statutes is amended to read:

20.370 **(7)** (cc) *Principal repayment and interest — combined sewer overflow; pollution abatement bonds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of combined sewer overflow projects under s. 281.63 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.50* SECTION 263.** 20.370 (7) (cd) of the statutes is amended to read:

20.370 **(7)** (cd) *Principal repayment and interest — municipal clean drinking water grants.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in making municipal clean drinking water grants under s. 281.53 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.51* SECTION 264.** 20.370 (7) (ce) of the statutes is amended to read:

20.370 **(7)** (ce) *Principal repayment and interest — nonpoint source.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing nonpoint source projects under s. 20.866 (2) (tf) ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.52* SECTION 265.** 20.370 (7) (cf) of the statutes is amended to read:

20.370 **(7)** (cf) *Principal repayment and interest — urban nonpoint source cost−sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing cost−sharing grants for projects under s. 20.866 (2) (th) ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of

obligations incurred in financing those grants, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.53* SECTION 266.** 20.370 (7) (cg) of the statutes is amended to read:

20.370 **(7)** (cg) *Principal repayment and interest — nonpoint repayments.* All moneys received as repayments of cash surpluses and cash advances from recipients of grants under the nonpoint source water pollution abatement program under s. 281.65, to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing funds under s. 20.866 (2) (te) for nonpoint source water pollution projects under s. 281.65 ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.54* SECTION 267.** 20.370 (7) (ea) of the statutes is amended to read:

20.370 **(7)** (ea) *Administrative facilities — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of administrative office, laboratory, equipment storage, or maintenance facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.55* SECTION 268.** 20.370 (7) (eq) of the statutes is amended to read:

20.370 **(7)** (eq) *Administrative facilities — principal repayment and interest.* From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of administrative office,

laboratory, equipment storage, or maintenance facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.56* SECTION 269.** 20.370 (7) (er) of the statutes is amended to read:

20.370 **(7)** (er) *Administrative facilities — principal repayment and interest; environmental fund.* From the environmental fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of administrative office, laboratory, equipment storage, or maintenance facilities under s. 20.866 (2) (tk) ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition, construction, development, enlargement, or improvement, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1560/3.6* SECTION 270.** 20.370 (7) (mc) of the statutes is renumbered 20.370 (7) (mr) and amended to read:

20.370 **(7)** (mr) *Resource maintenance and development — state park, forest and riverway roads.* As a continuing appropriation from the transportation fund, the amounts in the schedule for state park and forest roads and roads in the ~~lower~~ Lower Wisconsin ~~state riverway~~ State Riverway as defined in s. 30.40 (15) under s. 84.28 and for the maintenance of roads in state parks under ch. 27 and recreation areas in state forests under ch. 28 which are not eligible for funding under s. 84.28. The department may expend up to $400,000 from this appropriation in each fiscal year for state park and forest roads and roads in the ~~lower~~ Lower Wisconsin ~~state riverway~~ State Riverway as defined in s. 30.40 (15) under s. 84.28 and shall expend

the balance from the appropriation for the maintenance of roads which are not eligible for funding under s. 84.28.

***−0753/2.1* SECTION 271.** 20.370 (9) (hk) of the statutes is amended to read:

20.370 **(9)** (hk) *Approval fees to Lac du Flambeau band−service funds.* From the general fund, the amounts in the schedule for the purpose of making payments to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a) and (4m). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1363/1.3* SECTION 272.** 20.370 (9) (jL) of the statutes is repealed.

***−1363/1.4* SECTION 273.** 20.370 (9) (ju) of the statutes is repealed.

***−1227/1.1* SECTION 274.** 20.380 (1) (v) of the statutes is created to read:

20.380 **(1)** (v) *Tourism marketing; transportation fund.* From the transportation fund, as a continuing appropriation, an amount equal to 40 percent of the amounts collected under s. 77.995 (2), for tourism marketing.

***−1591/2.1* SECTION 275.** 20.395 (1) (gt) of the statutes is created to read:

20.395 **(1)** (gt) *Soo Locks improvements, state funds.* The amounts in the schedule for the purpose of providing the state share of a federal project to improve the Soo Locks connecting Lake Superior with the other Great Lakes.

***−1558/1.1* SECTION 276.** 20.395 (2) (cs) of the statutes is created to read:

20.395 **(2)** (cs) *Harbor assistance, federal funds.* All moneys received from the federal government for harbor assistance or harbor improvements under s. 85.095.

***−0077/3.1* SECTION 277.** 20.395 (4) (aq) of the statutes is amended to read:

20.395 **(4)** (aq) *Departmental management and operations, state funds.* The amounts in the schedule for departmental planning and administrative activities and the administration and management of departmental programs except those programs under subs. (2) (bq), (cq), and (dq) and (3) (iq), ~~including those activities in s. 85.07 and~~ including not less than $220,000 in each fiscal year to reimburse the department of justice for legal services provided the department under s. 165.25 (4) (a) and including activities related to the transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv) or (bx)~~,~~ and the scholarship and loan repayment incentive grant program under s. 85.107~~, and the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30~~ and to match federal funds for mass transit planning.

***−0077/3.2* SECTION 278.** 20.395 (4) (ax) of the statutes is amended to read:

20.395 **(4)** (ax) *Departmental management and operations, federal funds.* All moneys received from the federal government for the administration and management of departmental programs except those programs under subs. (2) (bx) and (dx) and (3) (ix), and for departmental planning and administrative activities including all moneys received as federal aid as authorized by the governor under s. 16.54 ~~to promote highway safety and continue the local traffic safety representatives program and for purposes of s. 85.07~~ and for activities related to the transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv), or (bx)~~,~~ and to transfer to the appropriation account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z), for such purposes.

***−0077/3.3* SECTION 279.** 20.395 (5) (dr) of the statutes is created to read:

20.395 **(5)** (dr) *Transportation safety, state funds.* The amounts in the schedule for activities related to highway safety under s. 85.07 and the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30.

***−0077/3.4* SECTION 280.** 20.395 (5) (dy) of the statutes is created to read:

20.395 **(5)** (dy) *Transportation safety, federal funds.* All moneys received from the federal government as authorized by the governor under s. 16.54 to promote highway safety and for purposes of s. 85.07, for such purposes.

***−1889/2.1* SECTION 281.** 20.395 (6) (af) of the statutes, as affected by 2003 Wisconsin Act 64, is amended to read:

20.395 **(6)** (af) *Principal repayment and interest, local roads for job preservation program and major highway and rehabilitation projects, state funds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the local roads for job preservation program under s. 86.312 and major highway and rehabilitation projects, as provided under ~~s.~~ ss. 20.866 (2) (uum) and 84.555, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the local roads for job preservation program under s. 86.312, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.59* SECTION 282.** 20.395 (6) (aq) of the statutes is amended to read:

20.395 **(6)** (aq) *Principal repayment and interest, transportation facilities, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of transportation facilities under ss. 84.51, 84.52,

84.53, 85.08 (2) (L) and (4m) (c) and (d), 85.09, and 85.095 (2) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.60* SECTION 283.** 20.395 (6) (ar) of the statutes is amended to read:

20.395 **(6)** (ar) *Principal repayment and interest, buildings, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of the department of transportation's administrative offices or equipment storage and maintenance facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1889/2.2* SECTION 284.** 20.395 (6) (au) of the statutes is created to read:

20.395 **(6)** (au) *Principal repayment and interest, southeast Wisconsin freeway rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing southeast Wisconsin freeway rehabilitation projects, as provided under ss. 20.866 (2) (uup) and 84.555.

***−0561/3.61* SECTION 285.** 20.410 (1) (e) of the statutes is amended to read:

20.410 **(1)** (e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of correctional facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.62* SECTION 286.** 20.410 (1) (ec) of the statutes is amended to read:

20.410 **(1)** (ec) *Prison industries principal, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of

equipment used in prison industries as authorized under s. 20.866 (2) (uy) if the moneys credited under par. (km) and appropriated under par. (ko) are insufficient, ~~and~~ to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under par. (ko) is insufficient to make full payment of those amounts, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0251/1.1* SECTION 287.** 20.410 (1) (gd) of the statutes is created to read:

20.410 **(1)** (gd) *Sex offender management.* All moneys received from sex offenders under s. 301.45 (10), for the supervision of persons on probation, parole, or extended supervision.

***−0252/2.1* SECTION 288.** 20.410 (1) (gi) of the statutes is amended to read:

20.410 **(1)** (gi) *General operations.* The amounts in the schedule to operate institutions and provide field services and administrative services. All moneys received under ~~s. 303.01 (8) that are attributable to moneys collected from earnings of inmates and residents under s. 303.01 (2) (em) and all moneys received under~~ ss. 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation account.

***−0252/2.2* SECTION 289.** 20.410 (1) (hm) of the statutes is repealed.

***−1648/2.5* SECTION 290.** 20.410 (1) (ke) of the statutes is created to read:

20.410 **(1)** (ke) *Jackson correctional institution wastewater treatment facility.* The amounts in the schedule to make improvements to the wastewater treatment facility at the Jackson correctional institution. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 16m. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered

balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1648/2.6* SECTION 291.** 20.410 (1) (ke) of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed.

***−0252/2.3* SECTION 292.** 20.410 (1) (km) of the statutes is amended to read:

20.410 **(1)** (km) *Prison industries.* The amounts in the schedule for the establishment and operation of prison industries~~, but not including the program under s. 303.01 (2) (em)~~. All moneys received from prison industries sales shall be credited to this appropriation. All moneys credited to this appropriation shall be expended first for the purpose under par. (ko). No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon approval of the joint committee on finance after a determination that the moneys are needed and that no other appropriation is available for that purpose.

***−0561/3.63* SECTION 293.** 20.410 (1) (ko) of the statutes is amended to read:

20.410 **(1)** (ko) *Prison industries principal repayment, interest and rebates.* A sum sufficient from the moneys credited under par. (km) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of equipment used in prison industries as authorized under s. 20.866 (2) (uy) ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.64* SECTION 294.** 20.410 (3) (e) of the statutes is amended to read:

20.410 **(3)** (e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of the department's juvenile correctional facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1624/2.1* SECTION 295.** 20.410 (3) (f) of the statutes is renumbered 20.505 (6) (f) and amended to read:

20.505 **(6)** (f) *Community intervention program.* The amounts in the schedule for the community intervention program under s. ~~301.263~~ 16.964 (11).

***−0648/1.1* SECTION 296.** 20.425 (1) (i) of the statutes is amended to read:

20.425 **(1)** (i) *Fees, collective bargaining training, ~~and~~ publications, and appeals.* The amounts in the schedule for the performance of fact−finding, mediation, and arbitration functions, for the provision of copies of transcripts, for the cost of operating training programs under ss. 111.09 (3), 111.71 (5), and 111.94 (3), ~~and~~ for the preparation of publications, transcripts, reports, and other copied material, and for costs related to conducting appeals under s. 230.45. All moneys received under ss. 111.09 (1) and (2), 111.71 (1) and (2), ~~and~~ 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, and all moneys received from the sale of publications, transcripts, reports, and other copied material shall be credited to this appropriation account.

***−1625/3.1* SECTION 297.** 20.433 (1) (b) of the statutes is created to read:

20.433 **(1)** (b) *Grants to organizations.* The amounts in the schedule to be used for grants to organizations under s. 48.982 (4), (6), and (7).

***−1417/P4.1* SECTION 298.** 20.433 (1) (h) of the statutes is amended to read:

20.433 **(1)** (h) *Grants to organizations; program revenues.* All moneys received under s. 69.22 (1m), less the amounts appropriated under par. (g), and all moneys credited to this appropriation account from the child abuse prevention and child mental health surcharge under s. 973.044, to be used for grants to organizations under s. 48.982 (4), (6), and (7).

***−0316/3.1* SECTION 299.** 20.435 (1) (gm) of the statutes is amended to read:

20.435 **(1)** (gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8), ~~250.05 (6),~~ 252.23, 252.24, 252.245, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) and ch. 69, for the purchase and distribution of medical supplies and to analyze and provide data under s. 250.04. All moneys received under ss. 146.50 (5) (f) and (8) (d), 250.04 (3m), ~~250.05 (6),~~ 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) (b) and ch. 69, other than s. 69.22 (1m), and as reimbursement for medical supplies shall be credited to this appropriation account.

***−0130/1.1* SECTION 300.** 20.435 (2) (title) of the statutes is repealed and recreated to read:

20.435 **(2)** (title) DISABILITY AND ELDER SERVICES; INSTITUTIONS.

***−0561/3.65* SECTION 301.** 20.435 (2) (ee) of the statutes is amended to read:

20.435 **(2)** (ee) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing

the acquisition, development, enlargement, or extension of mental health facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0303/4.1* SECTION 302.** 20.435 (3) (bm) of the statutes is repealed.

***−0293/1.1* SECTION 303.** 20.435 (3) (da) of the statutes is created to read:

20.435 **(3)** (da) *Child Welfare Program Enhancement Plan; aids.* The amounts in the schedule for activities provided under the Child Welfare Program Enhancement Plan developed under 45 CFR 1355.35.

***−0292/5.1* SECTION 304.** 20.435 (3) (de) of the statutes is renumbered 20.435 (5) (ab).

***−0292/5.2* SECTION 305.** 20.435 (3) (df) of the statutes is renumbered 20.435 (1) (ac).

***−0313/1.1* SECTION 306.** 20.435 (3) (dn) of the statutes is renumbered 20.435 (5) (dn).

***−1417/P4.2* SECTION 307.** 20.435 (3) (gb) of the statutes is created to read:

20.435 **(3)** (gb) *Child abuse prevention and child mental health.* All moneys received from the child abuse prevention and child mental health surcharge under s. 973.044 to be used for grants as described under s. 46.481 (2m).

***−0404/4.2* SECTION 308.** 20.435 (3) (jm) of the statutes is amended to read:

20.435 **(3)** (jm) *Licensing activities.* The amounts in the schedule for the costs of licensing child welfare agencies under s. 48.60, foster homes and treatment foster homes under s. 48.62, group homes under s. 48.625, ~~day care centers under s. 48.65~~ and shelter care facilities under s. 938.22 (7). All moneys received for these licensing activities and from fees under ss. 48.615, 48.625, ~~48.65 (3)~~ and 938.22 (7) (b) and (c) shall be credited to this appropriation account.

***−1635/3.1* SECTION 309.** 20.435 (3) (km) of the statutes is repealed.

***−0295/2.1* SECTION 310.** 20.435 (3) (o) of the statutes is repealed.

***−0261/1.1* SECTION 311.** 20.435 (4) (bc) of the statutes is amended to read:

20.435 **(4)** (bc) ~~*Health*~~ *Badger Care health care* ~~*for low−income families*~~ *program; general purpose revenue*. As a continuing appropriation, the amounts in the schedule for the ~~badger care~~ Badger Care health care program ~~for low−income families~~ under s. 49.665.

***−0316/3.2* SECTION 312.** 20.435 (4) (gm) of the statutes is amended to read:

20.435 **(4)** (gm) *Health services regulation* ~~*and vital statistics*~~. The amounts in the schedule for the purposes specified in ~~chs. 69 and~~ ch. 150. All moneys received under ~~ch. 69 and~~ s. 150.13 shall be credited to this appropriation account. ~~From the fees collected under s. 50.135 (2), $334,800 in fiscal year 2003−04 and $338,200 in fiscal year 2004−05 shall be credited to this appropriation account.~~

***−1649/6.15* SECTION 313.** 20.435 (4) (hg) of the statutes is renumbered 20.435 (1) (hg) and amended to read:

20.435 **(1)** (hg) *General program operations; health care information*. The amounts in the schedule to fund the activities of the department of health and family services ~~and the board on health care information~~ under ch. 153. The contract fees paid under s. 153.05 (6m) and assessments paid under s. 153.60, less $250,000 in assessments paid in each fiscal year, shall be credited to this appropriation account.

***−0316/3.3* SECTION 314.** 20.435 (4) (hi) of the statutes is renumbered 20.435 (1) (hi).

***−0265/3.1* SECTION 315.** 20.435 (4) (L) of the statutes is amended to read:

20.435 **(4)** (L) ~~*Medical assistance and food stamp fraud*~~ *Fraud and error reduction*. All moneys received as the state's share of the recovery of overpayments

and incorrect payments under ss. 49.847, 49.497 (1) and (1m), and 49.793 (2) and all moneys received from counties and tribal governing bodies as a result of any error reduction activities ~~in the medical assistance and food stamp programs~~ under ss. ~~49.45 (2) (a) 3m.,~~ 49.197~~, and 49.79 (9)~~ and 49.845, for any contracts under s. 49.197 (5), for any activities to reduce error and fraud under ~~ss. 49.45 (2) (a) 3m. and 49.79 (9)~~ s. 49.845, to pay federal sanctions under the food stamp program, and for food stamp reinvestment activities under reinvestment agreements with the federal department of agriculture that are designed to improve the food stamp program.

***−0261/1.2* SECTION 316.** 20.435 (4) (p) of the statutes is amended to read:

20.435 **(4)** (p) *Federal aid; Badger Care health care ~~for low−income families~~ program*. All federal moneys received for the ~~badger care~~ Badger Care health care program ~~for low−income families~~ under s. 49.665, to be used for that purpose.

***−1649/6.16* SECTION 317.** 20.435 (4) (r) of the statutes is created to read:

20.435 **(4)** (r) *Health care quality improvement fund; Medical Assistance.* From the health care quality improvement fund, as a continuing appropriation, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under s. 49.45, to provide a portion of the Medical Assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, and for services under the family care benefit under s. 46.284 (5).

***−1649/7.17* SECTION 318.** 20.435 (4) (rg) of the statutes is created to read:

20.435 **(4)** (rg) *Health care quality improvement fund; Medical Assistance payments.* From the health care quality improvement fund, a sum sufficient equal

to the amounts transferred under s. 16.518 (4), to provide a portion of the state share of Medical Assistance program benefits administered under s. 49.45, to provide a portion of the Medical Assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, and for services under the family care benefit under s. 46.284 (5).

***−1649/7.17* SECTION 319.** 20.435 (4) (rg) of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed.

***−1649/6.17* SECTION 320.** 20.435 (4) (rm) of the statutes is created to read:

20.435 **(4)** (rm) *Health care quality improvement fund; hospital supplemental payments.* From the health care quality improvement fund, the amounts in the schedule to provide payments for direct graduate medical education, a major managed care supplement, a pediatric services supplement, rural hospital supplements under s. 49.45 (5m) (am), and an essential access city hospital under s. 49.45 (6x) (a).

***−0261/1.3* SECTION 321.** 20.435 (4) (x) of the statutes is amended to read:

20.435 **(4)** (x) ~~*Health*~~ *Badger Care health care* ~~*for low−income families*~~ *program; Medical Assistance trust fund*. From the ~~medical assistance~~ Medical Assistance trust fund, all moneys received for the ~~badger care~~ Badger Care health care program ~~for low−income families~~ under s. 49.665.

***−0292/5.3* SECTION 322.** 20.435 (5) (ab) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

20.435 **(5)** (ab) *Child abuse and neglect prevention and universal home visitation grants.* The amounts in the schedule for child abuse and neglect

prevention grants under s. 46.515 and for universal home visitation grants under s. 46.516.

***−0976/2.1* SECTION 323.** 20.435 (5) (ce) of the statutes is amended to read:

20.435 **(5)** (ce) *~~Services~~ Primary health for homeless individuals.* As a continuing appropriation, the amounts in the schedule for primary health services for homeless individuals under s. 46.972 ~~(2)~~.

***−0113/2.1* SECTION 324.** 20.435 (5) (ch) of the statutes is renumbered 20.435 (5) (rb) and amended to read:

20.435 **(5)** (rb) *Emergency medical services; aids.* ~~The~~ From the transportation fund, the amounts in the schedule ~~to pay the costs~~ for emergency medical technician — basic training and examination aid under s. 146.55 (5) and for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel under s. 146.55 (4).

***−0317/2.1* SECTION 325.** 20.435 (5) (de) of the statutes is amended to read:

20.435 **(5)** (de) *Dental and oral health services.* The amounts in the schedule for the provision of dental and oral health services under s. 250.10.

***−0130/1.2* SECTION 326.** 20.435 (6) (title) of the statutes is repealed and recreated to read:

20.435 **(6)** (title) DISABILITY AND ELDER SERVICES; STATE OPERATIONS NONINSTITUTION.

***−0561/3.66* SECTION 327.** 20.435 (6) (e) of the statutes is amended to read:

20.435 **(6)** (e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the development or improvement of the workshop for the blind and to make

payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0309/4.1* SECTION 328.** 20.435 (6) (jm) of the statutes, as affected by 2003 Wisconsin Act 33, is amended to read:

20.435 **(6)** (jm) *Licensing and support services.* The amounts in the schedule for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a) and (b), and (5) (a), 49.45 (47), 50.02 (2), 50.025, 50.065 (2) (am) and (b) 1., (3) (a) and (b), and (5), 50.13, 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57 ~~and~~, 50.981, and 146.40 (4r) (b) and (er), and subch. IV of ch. 50 and to conduct health facilities plan and rule development activities, for accrediting nursing homes, convalescent homes, and homes for the aged, to conduct capital construction and remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2), and for the costs of inspecting, licensing or certifying, and approving facilities, issuing permits, and providing technical assistance, that are not specified under any other paragraph in this subsection. All moneys received under ss. 48.685 (8), 49.45 (47) (c), 50.02 (2), 50.025, 50.065 (8), 50.13, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.93 (1) (c), and 50.981, all moneys received from fees for the costs of inspecting, licensing or certifying, and approving facilities, issuing permits, and providing technical assistance, that are not specified under any other paragraph in this subsection, and all moneys received under s. 50.135 (2)~~, less the amounts credited to the appropriation account under sub. (4) (gm),~~ shall be credited to this appropriation account.

***−0130/1.3* SECTION 329.** 20.435 (7) (title) of the statutes is repealed and recreated to read:

20.435 **(7)** (title) DISABILITY AND ELDER SERVICES; AIDS AND LOCAL ASSISTANCE.

***−0084/3.1* SECTION 330.** 20.435 (7) (b) of the statutes is amended to read:

20.435 **(7)** (b) *Community aids and Medical Assistance payments.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, for foster care ~~and~~, treatment foster care, and subsidized guardianship care under ~~s.~~ ss. 46.261 and 49.19 (10), for Medical Assistance payment adjustments under s. 49.45 (52), and for Medical Assistance payments under s. 49.45 (6tw) and (53)~~, and for payments under SECTION 25 (3)~~. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

***−0976/2.2* SECTION 331.** 20.435 (7) (ce) of the statutes is renumbered 20.143 (2) (fr) and amended to read:

20.143 **(2)** (fr) ~~*Services*~~ *Mental health for homeless individuals.* The amounts in the schedule for mental health services for homeless individuals under s. ~~46.972 (3)~~ 560.9811.

***−1648/2.7* SECTION 332.** 20.435 (7) (kh) of the statutes is created to read:

20.435 **(7)** (kh) *Compulsive gambling awareness grants.* The amounts in the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18cm. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1306/2.4* SECTION 333.** 20.445 (1) (e) of the statutes is renumbered 20.445 (7) (b) and amended to read:

20.445 **(7)** (b) *Local youth apprenticeship grants.* ~~The~~ Biennially, the amounts in the schedule for local youth apprenticeship grants under s. 106.13 (3m).

***−1560/3.7* SECTION 334.** 20.445 (1) (fg) of the statutes is renumbered 20.445 (1) (uz) and amended to read:

20.445 **(1)** (uz) *Employment transit aids, state funds.* ~~The~~ From the transportation fund, the amounts in the schedule for the employment transit assistance program under s. 106.26.

***−1623/1.1* SECTION 335.** 20.445 (1) (ha) of the statutes is amended to read:

20.445 **(1)** (ha) *Worker's compensation operations.* The amounts in the schedule for the administration of the worker's compensation program by the department. All moneys received under ss. 102.28 (2) (b) and 102.75 for the department's activities and not appropriated under par. (hp) or (hr) shall be credited to this appropriation. From this appropriation, an amount not to exceed $5,000 may be expended each

fiscal year for payment of expenses for travel and research by the council on worker's compensation.

***−1623/1.2* SECTION 336.** 20.445 (1) (hr) of the statutes is created to read:

20.445 **(1)** (hr) *Health care worker injury prevention.* From the moneys received under ss. 102.28 (2) (b) and 102.75, the amounts in the schedule for the health care worker injury prevention activities specified under s. 102.77.

***−1700/1.1* SECTION 337.** 20.445 (1) (nc) of the statutes is amended to read:

20.445 **(1)** (nc) *Unemployment insurance administration; special federal moneys.* All moneys received from the federal government under section 903 of the federal Social Security Act, as amended, for federal fiscal years 2000 ~~and~~, 2001, and ~~the first $2,389,107 of the moneys received from the federal government under that act for federal fiscal year~~ 2002, as authorized by the governor under s. 16.54, to be used for administration of unemployment insurance. No moneys may be encumbered or expended from this appropriation until all moneys available for the purpose of administration of unemployment insurance under par. (n) have been encumbered or expended. No moneys may be encumbered or expended from this appropriation after September 30, 2007.

***−1595/2.1* SECTION 338.** 20.445 (1) (nd) of the statutes is amended to read:

20.445 **(1)** (nd) ~~*Unemployment insurance administration; apprenticeship*~~ *Employment services.* From the moneys received from the federal government under section 903 (d) of the federal Social Security Act, as amended, the amounts in the schedule, as authorized by the governor under s. 16.54, to be used for administration by the department of apprenticeship programs under subch. I of ch. 106 and for administration and service delivery of employment and workforce information services, including the delivery of reemployment assistance services to

unemployment insurance claimants. All moneys transferred from par. (n) for this purpose shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the treasurer of the unemployment reserve fund shall transfer any unencumbered balance in this appropriation account that is not needed or available to carry out the purpose of this appropriation to the appropriation account under par. (n). No moneys may be expended from this appropriation unless the treasurer of the unemployment reserve fund determines that such expenditure is currently needed for the ~~purpose~~ purposes specified in this paragraph.

***−0404/4.3* SECTION 339.** 20.445 (3) (cm) of the statutes is amended to read:

20.445 **(3)** (cm) *Wisconsin ~~works~~ Works child care and day care center licensing*. The amounts in the schedule for paying child care subsidies under s. 49.155 and for the cost of licensing day care centers under s. 49.98.

***−0265/3.2* SECTION 340.** 20.445 (3) (dz) of the statutes is amended to read:

20.445 **(3)** (dz) *Temporary Assistance for Needy Families programs; maintenance of effort*. ~~The~~ As a continuing appropriation, the amounts in the schedule, less the amounts withheld under s. 49.143 (3), for administration and benefit payments under Wisconsin Works under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work experience program for noncustodial parents under s. 49.36; for payments to local governments, organizations, tribal governing bodies, and Wisconsin Works agencies; and for emergency assistance for families with needy children under s. 49.138~~; and for job access loans under s. 49.147 (6)~~. Payments may be made from this appropriation for any contracts under s. 49.845 (4) and for any fraud investigation and error reduction activities under s. 49.197 (1m). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the

department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family services shall credit or deposit into this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (7) (bc). ~~All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.~~

***−1526/3.1* SECTION 341.** 20.445 (3) (jL) of the statutes is amended to read:

20.445 **(3)** (jL) *Job access loan repayments.* All moneys received from repayments of loans made under s. 49.147 (6), and from the department of revenue under s. 71.93 for delinquent job access loan repayments certified under s. 49.85, for ~~the purpose of~~ making loans under s. 49.147 (6) and for administrative costs associated with collecting delinquent job access loan repayments.

***−0404/4.4* SECTION 342.** 20.445 (3) (jm) of the statutes is created to read:

20.445 **(3)** (jm) *Day care center licensing.* All moneys received from day care center licensing activities and from fees under s. 49.98 (3) to be used for the costs of licensing day care centers under s. 49.98.

***−1523/3.1* SECTION 343.** 20.445 (3) (k) of the statutes is amended to read:

20.445 **(3)** (k) *Child support transfers.* All moneys transferred from the appropriation account under par. (r), to be expended under the Wisconsin ~~works~~ Works program under subch. III of ch. 49 and under the work experience program for noncustodial parents under s. 49.36, to be distributed as child support incentive payments as provided in s. 49.24, for costs associated with receiving and disbursing support and support−related payments, including any contract costs, for administering the program under s. 49.22 and all other purposes specified in s. 49.22,

and for the support of dependent children in accordance with applicable federal and state statutes, federal regulations, and state rules.

***−0489/1.1* SECTION 344.** 20.445 (3) (kx) of the statutes is amended to read:

20.445 **(3)** (kx) *Interagency and intra−agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs and projects ~~relating to economic support~~ for which received, including administration of the food stamp employment and training program under s. 49.13, and for local assistance and aids to individuals and organizations relating to economic support.

***−0265/3.3* SECTION 345.** 20.445 (3) (L) of the statutes is amended to read:

20.445 **(3)** (L) *Public assistance overpayment recovery and fraud and error reduction.* All moneys received as the state's share of the recovery of overpayments and incorrect payments under s. 49.191 (3) (c), 1997 stats., and s. 49.195, 1997 stats., for any contracts under s. 49.845 (4) and for any activities to reduce error and fraud under s. 49.197 relating to the Aid to Families with Dependent Children program and the Wisconsin Works program.

***−0404/4.5* SECTION 346.** 20.445 (3) (mc) of the statutes is amended to read:

20.445 **(3)** (mc) *Federal block grant operations.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received ~~and transferring moneys to the appropriation accounts under s. 20.435 (3) (kx) and (6) (kx)~~. All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants shall be credited to this appropriation account.

***−0604/5.3* SECTION 347.** 20.445 (3) (md) of the statutes is amended to read:

20.445 **(3)** (md) *Federal block grant aids.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and to be transferred to the appropriation accounts under ss. ~~20.255 (2) (kh), 20.433 (1) (k),~~ 20.435 (3) (kc), (kd), and ~~(km)~~ (kx), (4) (kz), (6) (kx), (7) (ky), and (8) (kx)~~,~~ and 20.835 (2) (kf). All block grant moneys received for these purposes from the federal government or any of its agencies and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account. The department may credit to this appropriation account the amount of any returned check, or payment in other form, that is subject to expenditure in the same contract period in which the original payment attempt was made, regardless of the fiscal year in which the original payment attempt was made.

***−0604/5.4* SECTION 348.** 20.445 (3) (me) of the statutes is created to read:

20.445 **(3)** (me) *Child care and temporary assistance overpayment recovery.* All moneys received from the recovery of overpayments, and incorrect or disallowed payments, and voluntary repayments of federal Child Care and Development Fund block grant funds, of federal Temporary Assistance for Needy Families block grant funds, and of state moneys paid from other appropriations to meet maintenance−of−effort requirements under the federal Temporary Assistance for Needy Families block grant program under 42 USC 601 to 619 and the federal Child Care and Development Fund block grant program under 42 USC 9858 that the department elects to treat as federal revenue, for costs related to recovering the overpayments and incorrect or disallowed payments, for activities to reduce errors under the Wisconsin Works program under ss. 49.141 to 49.161, and for any of the purposes specified under s. 49.175 (1).

***−1662/4.1* SECTION 349.** 20.445 (3) (t) of the statutes is created to read:

20.445 **(3)** (t) *Economic support; transportation fund.* From the transportation fund, the amounts in the schedule for Wisconsin Works under ss. 49.141 to 49.161.

***−1639/1.1* SECTION 350.** 20.445 (5) (n) of the statutes is amended to read:

20.445 **(5)** (n) *Federal program aids and operations.* All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer to the appropriation account under s. 20.435 (7) (kc) ~~up to $300,000~~ $600,000.

***−1306/2.5* SECTION 351.** 20.445 (7) (a) of the statutes is created to read:

20.445 **(7)** (a) *General program operations.* The amounts in the schedule for the general program operations of the governor's work−based learning board under s. 106.12.

***−1306/2.6* SECTION 352.** 20.445 (7) (em) (title) of the statutes is amended to read:

20.445 **(7)** (em) (title) ~~*Youth apprenticeship*~~ *On−the−job training grants for employers.*

***−1243/P3.5* SECTION 353.** 20.455 (1) (title) of the statutes is amended to read:

20.455 **(1)** (title) LEGAL AND REGULATORY SERVICES.

***−1243/P3.6* SECTION 354.** 20.455 (1) (g) of the statutes is created to read:

20.455 **(1)** (g) *Consumer protection, information, and education.* The amounts in the schedule for consumer protection and consumer information and education. All moneys received under s. 100.261 (3) (d) shall be credited to this appropriation account, subject to the limit under s. 100.261 (3) (e).

***−1243/P3.7* SECTION 355.** 20.455 (1) (j) of the statutes is created to read:

20.455 **(1)** (j) *Telephone solicitation regulation.* All moneys received from telephone solicitor registration and registration renewal fees paid under the rules promulgated under s. 100.52 (3) (a) for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).

***−1560/3.8* SECTION 356.** 20.455 (2) (cm) of the statutes is renumbered 20.455 (2) (s) and amended to read:

20.455 **(2)** (s) *Computers for transaction information for management of enforcement system.* ~~The~~ From the transportation fund, the amounts in the schedule for payments for a lease with option to purchase regarding computers for the transaction information for the management of enforcement system.

***−1037/2.1* SECTION 357.** 20.455 (2) (gr) of the statutes is amended to read:

20.455 **(2)** (gr) *Handgun purchaser record check.* All moneys received as fee payments under s. 175.35 (2i) and all moneys transferred under 2005 Wisconsin Act .... (this act), section 9229 (1), to provide services under s. 175.35.

***−1037/2.2* SECTION 358.** 20.455 (2) (gr) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

20.455 **(2)** (gr) *Handgun purchaser record check.* All moneys received as fee payments under s. 175.35 (2i) ~~and all moneys transferred under 2005 Wisconsin Act .... (this act), section 9229 (1),~~ to provide services under s. 175.35.

***−1059/P2.1* SECTION 359.** 20.455 (2) (kd) of the statutes is amended to read:

20.455 **(2)** (kd) *Drug law enforcement, crime laboratories, and genetic evidence activities.* The amounts in the schedule for activities relating to drug law enforcement, drug law violation prosecution assistance, activities of the state and regional crime laboratories, and for transferring to the appropriation account under

s. 20.475 (1) (km) the amounts in the schedule under s. 20.475 (1) (km). All moneys transferred from the appropriation account under par. (Lm) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), on June 30 of each year the unencumbered balance in this appropriation account lapses to the general fund.

***−1377/3.2* SECTION 360.** 20.455 (2) (kt) of the statutes is renumbered 20.505 (6) (kv) and amended to read:

20.505 **(6)** (kv) *County−tribal programs, local assistance.* The amounts in the schedule for distribution to county−tribal law enforcement programs under s. ~~165.90~~ 16.964 (7m). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1377/3.3* SECTION 361.** 20.455 (2) (ku) of the statutes is renumbered 20.505 (6) (kw) and amended to read:

20.505 **(6)** (kw) *County−tribal programs, state operations.* The amounts in the schedule to finance the activities of the department of justice associated with county−tribal law enforcement programs under s. ~~165.90~~ 16.964 (7m). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−1059/P2.2* SECTION 362.** 20.455 (2) (Lm) of the statutes is amended to read:

20.455 **(2)** (Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys received from crime laboratories and drug law enforcement assessments authorized under s. 165.755 and deoxyribonucleic acid analysis surcharges authorized under s.

973.046 to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay for the costs of mailing and materials under s. 165.76 for the submission of biological specimens by the departments of corrections and health and family services and by county sheriffs and to transfer to the appropriation account under par. (kd) the amounts in the schedule under par. (kd). Notwithstanding s. 20.001 (3) (c), on June 30 of each year the unencumbered balance in this appropriation account lapses to the general fund.

***−0252/2.4* SECTION 363.** 20.455 (5) (i) of the statutes is amended to read:

20.455 **(5)** (i) *Victim compensation, inmate payments.* All moneys received under s. 303.06 (2) ~~and (3)~~ for the administration of ch. 949 and for crime victim compensation payments or services.

***−0561/3.67* SECTION 364.** 20.465 (1) (d) of the statutes is amended to read:

20.465 **(1)** (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of armories and other military facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1560/3.9* SECTION 365.** 20.465 (3) (dd) of the statutes is renumbered 20.465 (3) (u) and amended to read:

20.465 **(3)** (u) *Regional emergency response teams.* ~~The~~ From the transportation fund, the amounts in the schedule for payments to regional emergency response teams under s. 166.215 (1).

***−1560/3.10* SECTION 366.** 20.465 (3) (dp) of the statutes is renumbered 20.465 (3) (v) and amended to read:

20.465 **(3)** (v) *Emergency response equipment.* ~~The~~ From the transportation fund, the amounts in the schedule for grants for the costs of computers and emergency response equipment under s. 166.21 (2) (br).

***−1560/3.11* SECTION 367.** 20.465 (3) (dr) of the statutes is renumbered 20.465 (3) (x) and amended to read:

20.465 **(3)** (x) *Emergency response supplement.* As a continuing appropriation, from the transportation fund, the amounts in the schedule to be used for response costs of a regional emergency response team that are not reimbursed under s. 166.215 (2) or (3) and for response costs of a local agency that are not reimbursed under s. 166.22 (4).

***−1560/3.12* SECTION 368.** 20.465 (3) (dt) of the statutes is renumbered 20.465 (3) (w) and amended to read:

20.465 **(3)** (w) *Emergency response training.* Biennially, from the transportation fund, the amounts in the schedule for the division of emergency management to provide training for emergency response to releases of hazardous substances.

***−1560/3.13* SECTION 369.** 20.465 (3) (f) of the statutes is renumbered 20.465 (3) (y) and amended to read:

20.465 **(3)** (y) *Civil air patrol aids.* ~~The~~ From the transportation fund, the amounts in the schedule to provide assistance to the civil air patrol under s. 166.03 (2) (a) 5.

***−1737/2.5* SECTION 370.** 20.475 (intro.) of the statutes is amended to read:

20.475 District attorneys. (intro.) There is appropriated to the department of ~~administration~~ justice for the following programs:

***−1737/2.6* SECTION 371.** 20.475 (1) (d) of the statutes is amended to read:

20.475 **(1)** (d) *Salaries and fringe benefits.* The amounts in the schedule for salaries and fringe benefits of district attorneys and state employees of the office of the district attorney, for payments under s. 978.045 (2) (b) and, beginning in the 1999−2000 fiscal year and ending in the 2003−04 fiscal year, for a payment of $80,000 in each fiscal year toward the department of ~~administration's~~ justice's unfunded prior service liability under the Wisconsin retirement system that results from granting the creditable service under s. 40.02 (17) (gm).

***−0549/3.1* SECTION 372.** 20.475 (1) (f) of the statutes is repealed.

***−0327/1.1* SECTION 373.** 20.485 (1) (a) of the statutes is created to read:

20.485 **(1)** (a) *Assistance to indigent residents.* The amounts in the schedule for the payment of assistance to indigent veterans under s. 45.357 to enable the veterans to reside at the southeastern facility at Union Grove operated by the department of veteran affairs.

***−0561/3.68* SECTION 374.** 20.485 (1) (f) of the statutes is amended to read:

20.485 **(1)** (f) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities provided under s. 20.866 (2) (x) and (z) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.69* SECTION 375.** 20.485 (1) (go) of the statutes is amended to read:

20.485 **(1)** (go) *Self−amortizing housing facilities; principal repayment and interest.* From the moneys received for providing housing services at the Wisconsin Veterans Home at King and the Wisconsin veterans facility in southeastern Wisconsin, a sum sufficient to reimburse s. 20.866 (1) (u) for the principal and interest costs incurred in acquiring, constructing, developing, enlarging or

improving housing facilities at the Wisconsin Veterans Home at King and the Wisconsin veterans facility in southeastern Wisconsin ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0323/1.1* SECTION 376.** 20.485 (2) (kg) of the statutes is created to read:

20.485 **(2)** (kg) *American Indian services coordinator.* The amounts in the schedule for an American Indian veterans benefits services coordinator position. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13g. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−0323/1.1* SECTION 377.** 20.485 (2) (km) of the statutes is created to read:

20.485 **(2)** (km) *American Indian grants.* The amounts in the schedule for grants to American Indian tribes and bands under s. 45.35 (14) (h). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13m. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

***−0325/1.1* SECTION 378.** 20.485 (2) (q) of the statutes is repealed.

***−0328/4.2* SECTION 379.** 20.485 (2) (th) of the statutes is repealed.

***−0329/3.1* SECTION 380.** 20.485 (2) (vg) of the statutes is amended to read:

20.485 **(2)** (vg) *Health care aid grants.* The amounts in the schedule for the payment of benefits to veterans and their dependents under s. 45.351 ~~(1j)~~ (2).

***−0329/3.2* SECTION 381.** 20.485 (2) (vm) of the statutes is amended to read:

20.485 **(2)** (vm) ~~*Subsistence grants*~~ *Assistance to needy veterans*. The amounts in the schedule for ~~payment of subsistence grants to veterans and their dependents~~ payments under s. 45.351 ~~(1)~~.

***−0323/1.3* SECTION 382.** 20.485 (2) (vz) of the statutes is repealed.

***−0561/3.70* SECTION 383.** 20.485 (3) (t) of the statutes is amended to read:

20.485 **(3)** (t) *Debt service.* As a continuing appropriation from the veterans mortgage loan repayment fund, all moneys deposited and held in accounts in the veterans mortgage loan repayment fund to reimburse s. 20.866 (1) (u) for the payment of debt service costs incurred in providing veterans mortgage loans under s. 45.79 (6) (a) and for debt service costs incurred in contracting public debt for any of the purposes under s. 18.04 (5), for these purposes, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.71* SECTION 384.** 20.485 (4) (qm) of the statutes is amended to read:

20.485 **(4)** (qm) *Repayment of principal and interest.* From the veterans trust fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of veterans cemeteries provided under s. 20.866 (2) (z) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1510/2.3* SECTION 385.** 20.485 (5) (title) of the statutes is renumbered 20.292 (2) (title).

***−1510/2.4* SECTION 386.** 20.485 (5) (g) of the statutes is renumbered 20.292 (2) (g) and amended to read:

20.292 **(2)** (g) *Proprietary school programs.* The amounts in the schedule for the examination and approval of proprietary school programs. All moneys received from the issuance of solicitor's permits under s. ~~45.54~~ 38.50 (8) and fees under s. ~~45.54~~ 38.50 (10) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the educational approval board may retain in this appropriation account the amount of the unencumbered balance on June 30 of each fiscal year that does not exceed 20 percent of the amount in the schedule for the next fiscal year and, of the balance remaining, 50 percent shall be transferred to the appropriation account under par. (gm) and 50 percent shall lapse to the general fund.

***−1510/2.5* SECTION 387.** 20.485 (5) (gm) of the statutes is renumbered 20.292 (2) (gm) and amended to read:

20.292 **(2)** (gm) *Student protection.* All moneys received from the fees received under s. ~~45.54~~ 38.50 (10) (c) 4. and all moneys transferred from the appropriation account under par. (g), for the purpose of indemnifying students, parents, or sponsors under s. ~~45.54 (10) (a)~~ 38.50 (10 (a) and for the purpose of preserving under s. 38.50 (11) the student records of schools, as defined in s. 38.50 (1) (e), that have discontinued their operations.

***−0330/P2.2* SECTION 388.** 20.485 (5) (h) of the statutes is repealed.

***−0984/4.4* SECTION 389.** 20.505 (1) (ie) of the statutes is repealed and recreated to read:

20.505 **(1)** (ie) *Land information; incorporations and annexations.* From the moneys received by the department under s. 59.72 (5) (a), the amounts in the schedule for the land information program under s. 16.967 and for reviews of proposed municipal incorporations and annexations by the department.

***−0984/4.5* SECTION 390.** 20.505 (1) (ig) of the statutes is repealed and recreated to read:

20.505 **(1)** (ig) *Land information; technical assistance and education.* All moneys received from counties and participants in educational seminars, courses, and conferences under s. 16.967 (9), for the purpose of providing technical assistance to counties and conducting educational seminars, courses, and conferences under s. 16.967 (9).

***−0984/4.6* SECTION 391.** 20.505 (1) (ij) of the statutes is repealed and recreated to read:

20.505 **(1)** (ij) *Land information; aids to counties.* From the moneys received by the department under s. 59.72 (5) (a), all moneys not appropriated under pars. (ie) and (if) for the purpose of providing aids to counties for land information projects under s. 16.967 (7).

***−0983/2.1* SECTION 392.** 20.505 (1) (ik) of the statutes is repealed.

***−1118/P1.1* SECTION 393.** 20.505 (1) (ja) of the statutes is amended to read:

20.505 **(1)** (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). ~~Two−ninths~~ Five−twelfths of the moneys received under s. 814.86 (1) shall be credited to this appropriation account.

***−1433/1.1* SECTION 394.** 20.505 (1) (kL) of the statutes is amended to read:

20.505 **(1)** (kL) *Printing, mail, communication, and information technology services; agencies.* ~~From~~ All moneys received from the sources specified in ss. 16.971, 16.972, 16.973, and 16.974 (3), ~~to provide~~ for the purpose of providing printing, mail processing, electronic communications, and information technology development, management, and processing services to state agencies~~, the amounts in the schedule~~.

***−0955/10.4* SECTION 395.** 20.505 (1) (kr) of the statutes is created to read:

20.505 **(1)** (kr) *Legal services.* All moneys received from assessments levied against state agencies under s. 16.004 (15) (b) for legal services provided by the department of administration to be used for providing those legal services.

***−0983/2.2* SECTION 396.** 20.505 (1) (kt) of the statutes is repealed.

***−1649/6.18* SECTION 397.** 20.505 (1) (sd) of the statutes is amended to read:

20.505 **(1)** (sd) *Revenue obligation proceeds to* ~~*pay the state's unfunded liability under the Wisconsin Retirement System*~~ *fund costs of the Medical Assistance program*. As a continuing appropriation, all proceeds from revenue obligations that are issued under subch. II of ch. 18, as authorized under s. 16.526, and deposited in a fund in the state treasury, or in an account maintained by a trustee, created under s. 18.57 (1), as authorized under s. 16.526 (2), to ~~pay part or all of the state's unfunded prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the department of administration~~ be transferred to the health care quality improvement fund, and to provide for reserves and to make ancillary payments, as determined by the building commission, and the remainder to be transferred to ~~a retirement liability~~ an excise tax revenue obligation redemption fund created under s. 18.562 (3). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

***−1649/6.19* SECTION 398.** 20.505 (1) (sh) of the statutes is amended to read:

20.505 **(1)** (sh) *Excise tax fund — revenue obligation repayment.* From the excise tax fund, a sum sufficient to pay ~~a retirement liability~~ an excise tax revenue obligation redemption fund created under s. 18.562 (3) the amount needed to pay the principal of and premium, if any, and interest on revenue obligations issued under

subch. II of ch. 18, as authorized under s. 16.526, and to make ancillary payments authorized by the authorizing resolution for the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

***−1649/6.20* SECTION 399.** 20.505 (1) (sm) of the statutes is amended to read:

20.505 **(1)** (sm) *Excise tax fund — provision of reserves and payment of ancillary costs relating to revenue obligations.* From the excise tax fund, a sum sufficient to provide for reserves and for ancillary payments relating to revenue obligations issued under subch. II of ch. 18, as authorized under s. 16.526 and the resolution authorizing the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

***−1649/6.21* SECTION 400.** 20.505 (1) (sp) of the statutes is amended to read:

20.505 **(1)** (sp) *Revenue obligation debt service.* From ~~a retirement liability~~ an excise tax revenue obligation redemption fund created under s. 18.562 (3), all moneys received by the fund for the payment of principal of and premium, if any, and interest on revenue obligations issued under subch. II of ch. 18, as authorized under s. 16.526, and for ancillary payments authorized by the authorizing resolution for the revenue obligations. All moneys received by the fund are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations under. s. 16.526 and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

***−0752/2.9* SECTION 401.** 20.505 (4) (ba) of the statutes is amended to read:

20.505 **(4)** (ba) *General program operations.* The amounts in the schedule for the expenses of committees created by law or executive order, for the state's

contribution to the advisory commission on intergovernmental relations, and for state membership dues and travel expenses and miscellaneous expenses for state participation in the Council of State Governments, Education Commission of the States under s. 39.76, Midwestern Higher Education Compact under s. 39.80, ~~Northeast Midwest Institute,~~ Council of Great Lakes Governors, Great Lakes Commission, and such other national or regional interstate governmental bodies as the governor determines. The secretary of administration may reduce or eliminate proposed expenditures under this paragraph in any fiscal year if the amount appropriated for that fiscal year is insufficient to fully fund the proposed expenditures.

***−0561/3.72* SECTION 402.** 20.505 (4) (es) of the statutes is amended to read:

20.505 **(4)** (es) *Principal, interest, and rebates; general purpose revenue — schools.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts under s. 16.995 ~~and~~, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), to the extent that these costs and payments are not paid under par. (ha), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.73* SECTION 403.** 20.505 (4) (et) of the statutes is amended to read:

20.505 **(4)** (et) *Principal, interest, and rebates; general purpose revenue — public library boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to public library boards under s. 16.995 ~~and~~, to make full payment of the amounts determined by the building commission under s.

13.488 (1) (m), to the extent that these costs and payments are not paid under par. (hb)<u>, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a)</u>.

***−0561/3.74* SECTION 404.** 20.505 (4) (ha) of the statutes is amended to read:

20.505 **(4)** (ha) *Principal, interest, and rebates; program revenue — schools.* All moneys received under s. 16.995 (3) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts under s. 16.995 ~~and~~<u>,</u> to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m)<u>, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a)</u>.

***−0561/3.75* SECTION 405.** 20.505 (4) (hb) of the statutes is amended to read:

20.505 **(4)** (hb) *Principal, interest, and rebates; program revenue — public library boards.* All moneys received under s. 16.995 (3) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to public library boards under s. 16.995 ~~and~~<u>,</u> to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m)<u>, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a)</u>.

***−1649/6.22* SECTION 406.** 20.505 (4) (i) of the statutes is created to read:

20.505 **(4)** (i) *Health care quality and patient safety board; gifts and grants.* All money received from gifts, grants, bequests, and devises to the health care quality and patient safety board, for the purposes for which made.

***−0745/2.3* SECTION 407.** 20.505 (4) (k) of the statutes is amended to read:

20.505 **(4)** (k) *Waste facility siting board; general program operations.* The amounts in the schedule for the general program operations of the waste facility siting board. All moneys transferred from the appropriation account under s. 20.370 (2) (eg) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation account at the end of each fiscal year shall lapse to the general fund.

***−1486/1.12* SECTION 408.** 20.505 (4) (Lm) of the statutes is created to read:

20.505 **(4)** (Lm) *Educational telecommunications; additional services.* All moneys received for the provision of telecommunications services to educational agencies under s. 16.998 to provide, or contract for the provision of, those services to those agencies.

***−1486/1.13* SECTION 409.** 20.505 (4) (mp) of the statutes is amended to read:

20.505 **(4)** (mp) *Federal e−rate aid.* All federal moneys received under 47 USC 254 for the provision of educational telecommunications access to educational agencies under s. 16.997 to pay administrative expenses relating to the receipt and disbursement of those federal moneys and to reimburse pars. (es) and (et) as provided in s. 16.995 (3m) and all federal moneys received under 47 USC 254 for the provision of additional educational telecommunications access to educational agencies under s. 16.998 to reduce the rates charged those educational agencies for those services as provided in s. 16.998.

***−1649/6.23* SECTION 410.** 20.505 (4) (q) of the statutes is created to read:

20.505 **(4)** (q) *Health care quality and patient safety board; general program operations.* Biennially, from the health care quality improvement fund, the amounts in the schedule for general program operations of the health care quality and patient safety board.

***−1649/6.24* SECTION 411.** 20.505 (4) (qb) of the statutes is created to read:

20.505 **(4)** (qb) *Health care quality and patient safety board; grants or loans.* As a continuing appropriation, from the health care quality improvement fund, the amounts in the schedule for grants or loans under s. 153.076.

***−0561/3.76* SECTION 412.** 20.505 (5) (c) of the statutes is amended to read:

20.505 **(5)** (c) *Principal repayment and interest; Black Point Estate.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in adapting for public use the property known as Black Point Estate and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.77* SECTION 413.** 20.505 (5) (g) of the statutes is amended to read:

20.505 **(5)** (g) *Principal repayment, interest and rebates; parking.* From the fees collected under s. 16.843 (2) (cm), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition for and construction of parking located in the city of Madison, ~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing parking, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.78* SECTION 414.** 20.505 (5) (kc) of the statutes is amended to read:

20.505 **(5)** (kc) *Principal repayment, interest and rebates.* All moneys transferred from par. (ka), to be transferred to the appropriation under s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities housing state agencies ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of

obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1670/3.2* SECTION 415.** 20.505 (6) (e) of the statutes is created to read:

20.505 **(6)** (e) *Indigent civil legal services.* The amounts in the schedule to provide grants for the provision of civil legal services to indigent persons under s. 16.964 (10).

***−1377/3.4* SECTION 416.** 20.505 (6) (kq) of the statutes is repealed.

***−1648/2.8* SECTION 417.** 20.505 (8) (hm) 4b. of the statutes is created to read:

20.505 **(8)** (hm) 4b. The amount transferred to s. 20.215 (1) (km) shall be the amount in the schedule under s. 20.215 (1) (km).

***−1648/2.9* SECTION 418.** 20.505 (8) (hm) 10t. of the statutes is created to read:

20.505 **(8)** (hm) 10t. The amount transferred to s. 20.255 (2) (kn) shall be the amount in the schedule under s. 20.255 (2) (kn).

***−1648/2.10* SECTION 419.** 20.505 (8) (hm) 11. of the statutes is created to read:

20.505 **(8)** (hm) 11. The amount transferred to s. 20.255 (2) (km) shall be the amount in the schedule under s. 20.255 (2) (km).

***−0370/1.3* SECTION 420.** 20.505 (8) (hm) 11b. of the statutes is created to read:

20.505 **(8)** (hm) 11b. The amount transferred to s. 20.255 (1) (kt) shall be the amount in the schedule under s. 20.255 (1) (kt).

***−0370/1.4* SECTION 421.** 20.505 (8) (hm) 11c. of the statutes is created to read:

20.505 **(8)** (hm) 11c. The amount transferred to s. 20.255 (2) (kj) shall be the amount in the schedule under s. 20.255 (2) (kj).

***−0323/1.4* SECTION 422.** 20.505 (8) (hm) 13g. of the statutes is created to read:

20.505 **(8)** (hm) 13g. The amount transferred to s. 20.485 (2) (kg) shall be the amount in the schedule under s. 20.485 (2) (kg).

***−0323/1.4* SECTION 423.** 20.505 (8) (hm) 13m. of the statutes is created to read:

20.505 **(8)** (hm) 13m. The amount transferred to s. 20.485 (2) (km) shall be the amount in the schedule under s. 20.485 (2) (km).

***−1377/3.5* SECTION 424.** 20.505 (8) (hm) 15d. of the statutes is repealed.

***−1377/3.6* SECTION 425.** 20.505 (8) (hm) 15g. of the statutes is amended to read:

20.505 **(8)** (hm) 15g. The amount transferred to ~~s. 20.455 (2) (kt)~~ sub. (6) (kv) shall be the amount in the schedule under ~~s. 20.455 (2) (kt)~~ sub. (6) (kv).

***−1377/3.7* SECTION 426.** 20.505 (8) (hm) 15h. of the statutes is amended to read:

20.505 **(8)** (hm) 15h. The amount transferred to ~~s. 20.455 (2) (ku)~~ sub. (6) (kw) shall be the amount in the schedule under ~~s. 20.455 (2) (ku)~~ sub. (6) (kw).

***−1648/2.11* SECTION 427.** 20.505 (8) (hm) 16m. of the statutes is created to read:

20.505 **(8)** (hm) 16m. The amount transferred to s. 20.410 (1) (ke) shall be the amount in the schedule under s. 20.410 (1) (ke).

***−1648/2.12* SECTION 428.** 20.505 (8) (hm) 16m. of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed.

***−1648/2.13* SECTION 429.** 20.505 (8) (hm) 18cm. of the statutes is created to read:

20.505 **(8)** (hm) 18cm. The amount transferred to s. 20.435 (7) (kh) shall be the amount in the schedule under s. 20.435 (7) (kh).

***−0391/9.1* SECTION 430.** 20.507 (1) (kd) of the statutes is created to read:

20.507 **(1)** (kd) *Payments in lieu of property taxes.* All moneys transferred from the appropriate trust funds, as defined in s. 24.60 (5), to make the payments required under s. 24.62 (3).

***−0598/1.1* SECTION 431.** 20.510 (1) (gm) of the statutes is created to read:

20.510 **(1)** (gm) *Gifts and grants.* All moneys received from gifts and grants, to be used for the purposes for which made and received.

***−1260/2.1* SECTION 432.** 20.515 (1) (g) of the statutes is created to read:

20.515 **(1)** (g) *Health care coverage for employees of the Wisconsin Historical Foundation, Inc.* All moneys received from the Wisconsin Historical Foundation, Inc., under s. 40.515 for the payment of health care coverage benefits for certain of its employees and the cost of administering the benefits under s. 40.515.

***−0281/2.1* SECTION 433.** 20.515 (1) (gm) of the statutes is created to read:

20.515 **(1)** (gm) *Gifts and grants.* All moneys received from gifts and grants to carry out the purposes for which made.

***−0281/2.2* SECTION 434.** 20.515 (1) (m) of the statutes is created to read:

20.515 **(1)** (m) *Federal aid.* All moneys received as federal aid, as authorized by the governor under s. 16.54, for operations and benefit programs under ch. 40.

***−0279/2.1* SECTION 435.** 20.515 (1) (r) of the statutes is amended to read:

20.515 **(1)** (r) *Benefit and coverage payments.* All moneys credited to the public employee trust fund for payment from the appropriate accounts and reserves of the fund of the benefits, contributions, insurance premiums, and refunds authorized by ch. 40 for the respective benefit plans and of the costs of legal counsel employed or selected under s. 40.03 (1) (c). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

***−0281/2.3* SECTION 436.** 20.515 (1) (sr) of the statutes is created to read:

20.515 **(1)** (sr) *Gifts and grants; public employee trust fund.* All moneys received from gifts and grants that are required to be deposited in the public employee trust fund to carry out the purposes for which made.

***−0132/2.1* SECTION 437.** 20.550 (1) (g) of the statutes is amended to read:

20.550 **(1)** (g) *Gifts ~~and~~, grants, and proceeds.* All moneys received from gifts and grants and, except as provided in pars. (fb), (h), (i), (kj), and (L), all proceeds from services, conferences, and sales of publications and promotional materials for the purposes for which made ~~and~~ or received.

***−1820/1.1* SECTION 438.** 20.566 (1) (ha) of the statutes is amended to read:

20.566 **(1)** (ha) *Administration of liquor tax.* The amounts in the schedule for computer ~~and~~, audit, and enforcement costs incurred in administering the tax under s. 139.03 (2m). All moneys received from the administration fee under s. 139.06 (1) (a) shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year, the unencumbered balance of this appropriation account, minus an amount equal to 10% of the sum of the amounts expended and the amounts encumbered from the account during the fiscal year, shall lapse to the general fund.

***−0371/5.1* SECTION 439.** 20.566 (1) (hp) of the statutes is amended to read:

20.566 **(1)** (hp) *Administration of endangered resources; professional football district; breast cancer research; veterans trust fund voluntary payments.* The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred in administering ss. 71.10 (5), (5e), ~~and~~ (5f), and (5g) and 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., ~~and~~ (5f) (i) and (5g) (h) 4. and 71.30 (10) (i) and (11) (i) shall be credited to this appropriation.

***−1118/P1.2* SECTION 440.** 20.680 (2) (j) of the statutes is amended to read:

20.680 **(2)** (j) *Court information systems.* All moneys received under ss. 814.61, 814.62, and 814.63 that are required to be credited to this appropriation account under those sections and ~~six−ninths~~ one−half of the moneys received under s. 814.86 (1) for the operation of circuit court automated information systems under s. 758.19 (4).

***−1734/1.20* SECTION 441.** 20.765 (1) (a) of the statutes is amended to read:

20.765 **(1)** (a) *General program operations — assembly.* A sum sufficient to carry out the functions of the assembly, excluding expenses for legislative documents. ~~No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005−07 fiscal biennium, other than moneys encumbered under this appropriation before July 26, 2003, until such time as the joint committee on legislative organization acts under 2003 Wisconsin Act 33, section 9133 (2).~~

***−1734/1.21* SECTION 442.** 20.765 (1) (b) of the statutes is amended to read:

20.765 **(1)** (b) *General program operations — senate.* A sum sufficient to carry out the functions of the senate, excluding expenses for legislative documents. ~~No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005−07 fiscal biennium, other than moneys encumbered under this appropriation before July 26, 2003, until such time as the joint committee on legislative organization acts under 2003 Wisconsin Act 33, section 9133 (2).~~

***−1734/1.22* SECTION 443.** 20.765 (1) (d) of the statutes is amended to read:

20.765 **(1)** (d) *Legislative documents.* A sum sufficient to pay legislative expenses for acquisition, production, retention, sales and distribution of legislative documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3) and 35.78

(1) or the rules of the senate and assembly, except as provided in sub. (3) (em). ~~No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005−07 fiscal biennium, other than moneys encumbered under this appropriation before July 26, 2003, until such time as the joint committee on legislative organization acts under 2003 Wisconsin Act 33, section 9133 (2).~~

***−1734/1.23* SECTION 444.** 20.765 (3) (fa) of the statutes is amended to read:

20.765 **(3)** (fa) *Membership in national associations.* A sum sufficient to be disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature to membership in national organizations including, without limitation because of enumeration, the National Conference of State Legislatures, the National Conference of Commissioners on Uniform State Laws and the National Committee on Uniform Traffic Laws and Ordinances. ~~No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005−07 fiscal biennium, other than moneys encumbered under this appropriation before July 26, 2003, until such time as the joint committee on legislative organization acts under 2003 Wisconsin Act 33, section 9133 (2).~~

***−1734/1.24* SECTION 445.** 20.765 (5) of the statutes is repealed.

***−1229/6.1* SECTION 446.** 20.835 (1) (c) of the statutes is amended to read:

20.835 **(1)** (c) *Expenditure restraint program account.* A sum sufficient to make the payments under s. 79.05. <u>No moneys may be encumbered or expended from this appropriation after December 31, 2006.</u>

***−1229/6.2* SECTION 447.** 20.835 (1) (cb) of the statutes is created to read:

20.835 **(1)** (cb) *Municipal levy restraint payment account.* Beginning in 2007, a sum sufficient to make the payments to municipalities under s. 79.051 (4) (a).

***−1229/6.3* SECTION 448.** 20.835 (1) (cd) of the statutes is created to read:

20.835 **(1)** (cd) *Municipal levy restraint bonus payment account.* Beginning in 2007, a sum sufficient to make the payments to municipalities under s. 79.051 (4) (b).

***−1231/7.1* SECTION 449.** 20.835 (1) (cf) of the statutes is created to read:

20.835 **(1)** (cf) *County levy restraint payment account.* Beginning in 2007, a sum sufficient to make the payments to counties under s. 79.052 (4) (a).

***−1231/7.2* SECTION 450.** 20.835 (1) (cg) of the statutes is created to read:

20.835 **(1)** (cg) *County levy restraint bonus payment account.* Beginning in 2007, a sum sufficient to make the payments to counties under s. 79.052 (4) (b).

***−0402/8.1* SECTION 451.** 20.835 (2) (cL) of the statutes is amended to read:

20.835 **(2)** (cL) *Development zones location credit.* A sum sufficient to make the payments under ss. 71.07 (2dL) (c) ~~2.~~, 71.28 (1dL) (c) ~~2.~~, and 71.47 (1dL) (c) ~~2~~.

***−1590/1.1* SECTION 452.** 20.835 (2) (f) of the statutes is amended to read:

20.835 **(2)** (f) *Earned income tax credit.* A sum sufficient to pay the excess claims approved under s. 71.07 (9e) that are not paid under ~~pars. (kf) and (r)~~ par. (kf).

***−1590/1.1* SECTION 453.** 20.835 (2) (r) of the statutes is repealed.

***−0945/2.1* SECTION 454.** 20.855 (4) (bm) of the statutes is created to read:

20.855 **(4)** (bm) *Oil pipeline terminal tax distribution.* A sum sufficient to distribute oil pipeline terminal taxes to towns, villages, and cities under s. 76.24 (2) (am), except that the distribution paid from this appropriation in fiscal year 2006−07 may not exceed $652,100.

***−1560/3.14* SECTION 455.** 20.855 (4) (f) of the statutes is repealed.

***−0945/2.2* SECTION 456.** 20.855 (4) (q) of the statutes is amended to read:

20.855 **(4)** (q) *Terminal tax distribution.* From the transportation fund, a sum sufficient for the towns', villages' and cities' share of railroad taxes under s. 76.24 (2) (a).

***−0561/3.79* SECTION 457.** 20.855 (8) (a) of the statutes is amended to read:

20.855 **(8)** (a) *Dental clinic and education facility; principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grant under s. 13.48 (32), ~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grant under s. 13.48 (32), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−1486/1.14* SECTION 458.** 20.865 (4) (gm) of the statutes is repealed.

***−0561/3.80* SECTION 459.** 20.866 (intro.) of the statutes is amended to read:

20.866 Public debt. (intro.) There are irrevocably appropriated to the bond security and redemption fund and to the capital improvement fund, as a first charge upon all revenues of this state, sums sufficient for payment of principal, interest ~~and~~, premium due, if any, ~~on~~ and payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any public debt contracted under subchs. I and IV of ch. 18.

***−1393/4.3* SECTION 460.** 20.866 (1) (u) of the statutes, as affected by 2003 Wisconsin Act 64, is amended to read:

20.866 **(1)** (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) ~~and~~, (f), and (s), 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.285 (1) (d), (db), ~~(fh), (ih),~~ (je), (jq), (kd), (km), and (ko) and

(5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (cg), (ea), (eq), and (er), 20.395 (6) (af), (aq), ~~and~~ (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4)~~,~~ (es), (et), (ha), and (hb) and (5) (c), (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h), (i), and (q) for the payment of principal ~~and~~, interest ~~on~~, premium due, if any, and payment due, if any, under an agreement or ancillary arrangement entered into pursuant to s. 18.06 (8) (a) with respect to any public debt contracted under subchs. I and IV of ch. 18.

***−0462/1.1* SECTION 461.** 20.866 (2) (tc) of the statutes is amended to read:

20.866 **(2)** (tc) *Clean water fund program*. From the capital improvement fund, a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred to the environmental improvement fund for the purposes of the clean water fund program under ss. 281.58 and 281.59. The state may contract public debt in an amount not to exceed ~~$637,743,200~~ $647,343,200 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, $8,250,000 is allocated to fund the minority business development and training program under s. 200.49 (2) (b). Moneys from this appropriation account may be expended for the purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of natural resources and the department of administration determine that moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

***−0462/1.2* SECTION 462.** 20.866 (2) (td) of the statutes is amended to read:

20.866 **(2)** (td) *Safe drinking water loan program*. From the capital improvement fund, a sum sufficient to be transferred to the environmental

improvement fund for the safe drinking water loan program under s. 281.61. The state may contract public debt in an amount not to exceed ~~$26,210,000~~ $32,310,000 for this purpose.

***−0453/3.1* SECTION 463.** 20.866 (2) (te) of the statutes is amended to read:

20.866 **(2)** (te) *Natural resources; nonpoint source grants.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide funds for nonpoint source water pollution abatement projects under s. 281.65 and to provide the grant under 2003 Wisconsin Act 33, section 9138 (3f). The state may contract public debt in an amount not to exceed ~~$85,310,400~~ $91,310,400 for this purpose.

***−0454/1.1* SECTION 464.** 20.866 (2) (tg) of the statutes is amended to read:

20.866 **(2)** (tg) *Natural resources; environmental repair.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial action under s. 281.83 and for payment of this state's share of environmental repair that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may contract public debt in an amount not to exceed ~~$48,000,000~~ $51,000,000 for this purpose. Of this amount, $7,000,000 is allocated for remedial action under s. 281.83.

***−0453/3.2* SECTION 465.** 20.866 (2) (th) of the statutes is amended to read:

20.866 **(2)** (th) *Natural resources; urban nonpoint source cost−sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost−sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66 and to provide municipal flood control and riparian restoration cost−sharing grants under s. 281.665. The state may contract public debt in an amount not to exceed ~~$22,400,000~~

$27,100,000 for this purpose. Of this amount, $500,000 is allocated in fiscal biennium 2001−03 for dam rehabilitation grants under s. 31.387.

***−1889/2.3* SECTION 466.** 20.866 (2) (uum) of the statutes is amended to read:

20.866 **(2)** (uum) *Transportation; major highway and rehabilitation projects.* From the capital improvement fund, a sum sufficient for the department of transportation to fund major highway and rehabilitation projects, as provided under s. 84.555. The state may contract public debt in an amount not to exceed ~~$565,480,400~~ $815,480,400 for this purpose.

***−1889/2.4* SECTION 467.** 20.866 (2) (uup) of the statutes is created to read:

20.866 **(2)** (uup) *Transportation; southeast Wisconsin freeway rehabilitation projects.* From the capital improvement fund, a sum sufficient for the department of transportation to fund southeast Wisconsin freeway rehabilitation projects, as provided under s. 84.555. The state may contract public debt in an amount not to exceed $213,100,000 for this purpose.

***−1056/2.1* SECTION 468.** 20.866 (2) (uv) of the statutes is amended to read:

20.866 **(2)** (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~$28,000,000~~ $39,400,000 for this purpose.

***−1055/P1.1* SECTION 469.** 20.866 (2) (uw) of the statutes is amended to read:

20.866 **(2)** (uw) *Transportation; rail acquisitions and improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).

The state may contract public debt in an amount not to exceed ~~$32,500,000~~ $39,000,000 for these purposes.

***−0496/1.1* SECTION 470.** 20.866 (2) (we) of the statutes is amended to read:

20.866 **(2)** (we) *Agriculture; soil and water.* From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The state may contract public debt in an amount not to exceed ~~$20,575,000~~ $27,575,000 for this purpose.

***−1917/1* SECTION 471.** 20.866 (2) (xm) of the statutes, as affected by 2005 Wisconsin Act 1, is amended to read:

20.866 **(2)** (xm) *Building commission; refunding tax−supported and self−amortizing general obligation debt.* From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to finance tax−supported or self−amortizing facilities. ~~In addition to the amount that may be contracted under par. (xe), the~~ The state may contract public debt in ~~an~~ any amount ~~not to exceed $1,000,000,000~~ for this purpose. Such indebtedness shall be construed to include any premium and interest payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred for tax−supported and self−amortizing facilities in proportional amounts to the purposes for which the debt was refinanced. ~~No moneys may be expended under this paragraph unless~~ It is the intent of the legislature that this refunding authority only be used if the true interest costs to the state can be reduced by the expenditure.

***−1917/1* SECTION 472.** 20.866 (2) (zo) of the statutes is amended to read:

20.866 **(2)** (zo) *Veterans affairs; refunding bonds.* From the funds and accounts under s. 18.04 (6) (b), a sum sufficient for the department of veterans affairs to fund, refund, or acquire the whole or any part of public debt as set forth in s. 18.04 (5). The building commission may contract public debt in ~~an~~ any amount ~~not to exceed $840,000,000 for these purposes, exclusive of any amount issued~~ to fund, refund, or acquire any public debt contracted under par. (zn).

***−0561/3.81* SECTION 473.** 20.867 (1) (a) of the statutes is amended to read:

20.867 **(1)** (a) *Principal repayment and interest; housing of state agencies.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the housing of state agencies and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.82* SECTION 474.** 20.867 (1) (b) of the statutes is amended to read:

20.867 **(1)** (b) *Principal repayment and interest; capitol and executive residence.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing building projects at the capitol and executive residence and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.83* SECTION 475.** 20.867 (3) (a) of the statutes is amended to read:

20.867 **(3)** (a) *Principal repayment and interest.* A sum sufficient to pay all principal repayment and interest costs on tax−supported borrowing which is not initially allocable to the respective programs and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.84* SECTION 476.** 20.867 (3) (b) of the statutes is amended to read:

20.867 **(3)** (b) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing

capital improvements for other public purposes authorized by law but not otherwise specified in this chapter and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.85* SECTION 477.** 20.867 (3) (bm) of the statutes is amended to read:

20.867 **(3)** (bm) *Principal repayment, interest, and rebates; HR Academy, Inc.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a youth and family center for HR Academy, Inc., in the city of Milwaukee, ~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of a youth and family center for the HR Academy, Inc., and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.86* SECTION 478.** 20.867 (3) (bp) of the statutes is amended to read:

20.867 **(3)** (bp) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a Swiss cultural center in the village of New Glarus, ~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of a Swiss cultural center in the village of New Glarus, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.87* SECTION 479.** 20.867 (3) (br) of the statutes is amended to read:

20.867 **(3)** (br) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the youth activities center specified in s. 13.48 (34),

~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of ~~that~~ the youth activities center, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.88* SECTION 480.** 20.867 (3) (bt) of the statutes is amended to read:

20.867 **(3)** (bt) *Principal repayment, interest, and rebates; Discovery Place museum.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grant under s. 13.48 (32r), ~~and~~ to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grant under s. 13.48 (32r), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.89* SECTION 481.** 20.867 (3) (g) of the statutes is amended to read:

20.867 **(3)** (g) *Principal repayment, interest and rebates; program revenues.* From the appropriate program revenue accounts, a sum sufficient to pay all principal and interest costs on self−amortizing borrowing issued under s. 20.866 (2) which are not initially allocable to the respective programs ~~and~~, to make any payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of such borrowing, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0561/3.90* SECTION 482.** 20.867 (3) (h) of the statutes is amended to read:

20.867 **(3)** (h) *Principal repayment, interest, and rebates.* A sum sufficient to guarantee full payment of principal and interest costs for self−amortizing or partially self−amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) ~~(ih),~~ (je), (jq), (kd), (km), and (ko), 20.370 (7) (eq) and 20.485 (1) (go) if

moneys available in those appropriations are insufficient to make full payment, ~~and~~ to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) ~~(ih),~~ (je), (jq), (kd), (km), or (ko), or 20.485 (1) (go) is insufficient to make full payment of those amounts, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from program revenue appropriations and corresponding appropriations from program receipts in segregated funds and including actions to enforce contractual obligations that will result in additional program revenue for the state, to ensure recovery of the amounts advanced.

***−0561/3.91* SECTION 483.** 20.867 (3) (i) of the statutes is amended to read:

20.867 **(3)** (i) *Principal repayment, interest and rebates; capital equipment.* A sum sufficient to pay principal and interest on public debt contracted under s. 20.866 (2) (ym) ~~and~~, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations contracted under s. 20.866 (2) (ym) for programs financed from program revenue or program revenue−service appropriations, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All payments under this paragraph shall be repaid to the general fund from the revenues of state agencies for which capital equipment is financed under s. 20.866 (2) (ym).

***−0561/3.92* SECTION 484.** 20.867 (3) (q) of the statutes is amended to read:

20.867 **(3)** (q) *Principal repayment and interest; segregated revenues.* From the appropriate segregated funds, a sum sufficient to pay all principal and interest costs on self−amortizing borrowing issued under s. 20.866 (2) which are not initially allocable to the respective programs and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

***−0734/1.1* SECTION 485.** 20.905 (1) of the statutes is amended to read:

20.905 **(1)** MANNER OF PAYMENT. Payments to the state may be made in legal tender, postal money order, express money order, bank draft, or certified check. Payments to the state may also be made by personal check or individual check drawn in the ordinary course of business unless otherwise required by individual state agencies. Payments to the state made by a debit or credit card approved by the depository selection board may be accepted by state agencies. Prior to authorizing the use of a card, the depository selection board shall determine how any charges associated with the use of the card shall be paid, unless the method of payment of such charges is specified by law. Unless otherwise specifically prohibited by law, payments to the state may be made by electronic funds transfer.

***−0734/1.2* SECTION 486.** 20.905 (2) of the statutes is amended to read:

20.905 **(2)** PROTESTED PAYMENT. If a personal check tendered to make any payment to the state is not paid by the bank on which it is drawn, if an electronic funds transfer does not take place because of insufficient funds, or if a demand for payment under a debit or credit card transaction is not paid by the bank upon which demand is made, the person by whom the check has been tendered, the person whose funds were to be electronically transferred, or the person entering into the debit or credit card transaction shall remain liable for the payment of the amount for which the check was tendered, the amount that was to be electronically transferred, or the

amount agreed to be paid by debit or credit card and for all legal penalties, additions and a charge set by the depository selection board which is comparable to charges for unpaid drafts made by establishments in the private sector. In addition, the officer to whom the check was tendered, to whom the electronic funds transfer was promised, or to whom the debit or credit card was presented may, if there is probable cause to believe that a crime has been committed, provide any information or evidence relating to the crime to the district attorney of the county having jurisdiction over the offense for prosecution as provided by law. If any license has been granted upon any such check, any such electronic funds transfer, or any such debit or credit card transaction, the license shall be subject to cancellation for the nonpayment of the check, the failure to make the electronic funds transfer, or failure of the bank to honor the demand for payment authorized by debit or credit card.

***−0282/1.1* SECTION 487.** 20.916 (8) (a) of the statutes is amended to read:

20.916 **(8)** (a) The director of the office of state employment relations shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by state officers and employees whose compensation is established under s. 20.923 or 230.12. Such amounts shall include maximum permitted amounts for meal and lodging costs, other allowable travel expenses under sub. (9) (d), and porterage tips, except as authorized under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the ~~secretary~~ director may recommend to the committee a per diem amount and method of reimbursement for any or all expenses under sub. (9) (b), (c), and (d).

***−1737/2.7* SECTION 488.** 20.923 (6) (ac) of the statutes is renumbered 20.923 (6) (dm) and amended to read:

20.923 **(6)** (dm) ~~Administration~~ Justice, department of: deputy and assistant district attorneys.

***−0404/4.6* SECTION 489.** 21.72 (1) (a) 3m. of the statutes is created to read:

21.72 **(1)** (a) 3m. A license issued under ss. 49.98 and 49.99.

***−0347/2.1* SECTION 490.** 21.72 (1) (a) 4. of the statutes is amended to read:

21.72 **(1)** (a) 4. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), 146.50 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), ~~250.05 (5),~~ 252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 255.08 (2) (a), or 343.305 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

***−0365/1.2* SECTION 491.** 23.09 (25) of the statutes is repealed.

***−1513/3.2* SECTION 492.** 23.15 (6) of the statutes is created to read:

23.15 **(6)** This section does not apply to property that is authorized to be sold under s. 16.848.

***−0468/2.1* SECTION 493.** 23.22 (1) (cg) of the statutes is created to read:

23.22 **(1)** (cg) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

***−0468/2.2* SECTION 494.** 23.22 (1) (cr) of the statutes is created to read:

23.22 **(1)** (cr) "Qualified lake association" means an association that meets the qualifications under s. 281.68 (3m) (a).

***−0468/2.3* SECTION 495.** 23.22 (2) (c) of the statutes is amended to read:

23.22 **(2)** (c) Under the program established under par. (a), the department shall promulgate rules to establish a procedure to award cost−sharing grants to public and private entities for up to 50% of the costs of projects to control invasive

species. The rules promulgated under this paragraph shall establish criteria for determining eligible projects and eligible grant recipients. Eligible projects shall include education and inspection activities at boat landings. The rules shall allow cost−share contributions to be in the form of money or in−kind goods or services or any combination thereof. In promulgating these rules, the department shall consider the recommendations of the council under sub. (3) (c). From the appropriation under s. 20.370 (6) (ar), the department shall make available in each fiscal year at least $500,000 for cost−sharing grants to be awarded to local governmental units, nonprofit conservation organizations, and qualified lake associations for the control of invasive species that are aquatic species.

***−0984/4.7* SECTION 496.** 23.27 (3) (a) of the statutes is repealed and recreated to read:

23.27 **(3)** (a) *Duties.* The department shall conduct a natural heritage inventory program. The department shall cooperate with the department of administration under s. 16.967 in conducting this program. This program shall establish a system for determining the existence and location of natural areas, the degree of endangerment of natural areas, an evaluation of the importance of natural areas, information related to the associated natural values of natural areas, and other information and data related to natural areas. This program shall establish a system for determining the existence and location of native plant and animal communities and endangered, threatened, and critical species, the degree of endangerment of these communities and species, the existence and location of habitat areas associated with these communities and species, and other information and data related to these communities and species. This program shall establish and

coordinate standards for the collection, storage, and management of information and data related to the natural heritage inventory.

***−0984/4.8* SECTION 497.** 23.32 (2) (d) of the statutes is repealed and recreated to read:

23.32 **(2)** (d) The department shall cooperate with the department of administration under s. 16.967 in conducting wetland mapping activities or any related land information collection activities.

***−0984/4.9* SECTION 498.** 23.325 (1) (a) of the statutes is repealed and recreated to read:

23.325 **(1)** (a) Shall consult with the department of administration, the department of transportation, and the state cartographer, and may consult with other potential users of the photographic products resulting from the survey, to determine the scope and character of the survey.

***−0355/2.1* SECTION 499.** 23.33 (2) (i) 1. of the statutes is amended to read:

23.33 **(2)** (i) 1. Directly issue, transfer, or renew the registration documentation with or without using the ~~expedited~~ service specified in par. (ig) 1.

***−0355/2.2* SECTION 500.** 23.33 (2) (i) 3. of the statutes is amended to read:

23.33 **(2)** (i) 3. Appoint persons who are not employees of the department as agents of the department to issue, transfer, or renew the registration documentation using either or both of the ~~expedited~~ services specified in par. (ig) 1.

***−0355/2.3* SECTION 501.** 23.33 (2) (ig) 1. (intro.) of the statutes is amended to read:

23.33 **(2)** (ig) 1. (intro.) For the issuance of original or duplicate registration documentation and for the transfer or renewal of registration documentation, the

department may implement either or both of the following ~~expedited~~ procedures to be provided by the department and any agents appointed under par. (i) 3.:

***−0355/2.4* SECTION 502.** 23.33 (2) (ig) 1. a. of the statutes is amended to read:

23.33 **(2)** (ig) 1. a. A ~~noncomputerized~~ procedure under which the department or an agent ~~may accept~~ appointed under par. (i) 3. accepts applications for registration ~~certificates~~ documentation and issue a validated registration receipt at the time the applicant submits the application accompanied by the required fees.

***−0355/2.5* SECTION 503.** 23.33 (2) (ig) 1. b. of the statutes is amended to read:

23.33 **(2)** (ig) 1. b. A ~~computerized~~ procedure under which the department or agent may accept applications for registration documentation and issue to each applicant all or some of the items of the registration documentation at the time the applicant submits the application accompanied by the required fees.

***−0355/2.6* SECTION 504.** 23.33 (2) (ig) 2. of the statutes is amended to read:

23.33 **(2)** (ig) 2. Under either procedure under subd. 1., the applicant shall receive any remaining items of registration documentation directly from the department at a later date. The items of registration documentation issued at the time of the submittal of the application under either procedure shall be sufficient to allow the all−terrain vehicle for which the application is submitted to be operated in compliance with the registration requirements under this subsection. The items of registration documentation issued under subd. 1. b. shall include at least one registration decal.

***−0355/2.7* SECTION 505.** 23.33 (2) (ir) (title) of the statutes is repealed and recreated to read:

23.33 **(2)** (ir) (title) *Registration; supplemental fees.*

***−0355/2.8* SECTION 506.** 23.33 (2) (ir) 1. of the statutes is amended to read:

23.33 **(2)** (ir) 1. In addition to the applicable fee under par. (c), (d), or (e), each agent appointed under par. (i) 3. shall collect ~~an expedited~~ a service fee of $3 each time the agent issues a validated registration receipt under par. (ig) 1. a. The agent shall retain the entire amount of each ~~expedited~~ service fee the agent collects.

***−0355/2.9* SECTION 507.** 23.33 (2) (ir) 2. of the statutes is amended to read:

23.33 **(2)** (ir) 2. In addition to the applicable fee under par. (c), (d), or (e), the department or the agent appointed under par. (i) 3. shall collect ~~an expedited~~ a service fee of ~~$3~~ $5 each time the ~~expedited~~ service under par. (ig) 1. b. is provided. The agent shall remit to the department $1 of each ~~expedited~~ service fee the agent collects.

***−1219/2.3* SECTION 508.** 23.41 (5) of the statutes is amended to read:

23.41 **(5)** Each contract for construction work entered into by the department under this section shall be awarded on the basis of bids or competitive sealed proposals in accordance with procedures established by the department. Each contract for construction work shall be awarded to the lowest responsible bidder or the person submitting the most advantageous competitive sealed proposal as determined by the department. If the bid of the lowest responsible bidder or the proposal of the person submitting the most advantageous competitive sealed proposal is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, the department may reject all bids or competitive sealed proposals. Every such contract is exempted from ss. 16.70 to 16.75, 16.755, 16.76, 16.767 to 16.77, 16.78 to 16.82, 16.855, 16.87, and 16.89, but ss. 16.528, 16.754 ~~and~~, 16.765, 16.771, and 16.871 apply to the contract. Every such contract involving an expenditure of more than $60,000 is not valid until the contract is approved by the governor.

***−0391/9.2* SECTION 509.** 24.06 of the statutes is amended to read:

24.06 Plat of lands. The board may subdivide any parcel of public lands into smaller parcels or village lots, with streets and alleys if necessary, whenever it believes a larger net price can be obtained by selling the land in such smaller parcels or lots. A survey and plat of such subdivision, verified by its maker as true and correct, shall be returned and recorded in the office of the board, and the parcels or lots designated thereon shall be appraised before they are offered for sale. Such subdivision shall be ordered, the proceedings therefor governed and such appraisal made in substantial accord with s. 24.08. Nothing in this section shall prohibit the board from selling any parcel of public lands as a whole parcel.

***−0391/9.3* SECTION 510.** 24.11 (1) (c) of the statutes is created to read:

24.11 **(1)** (c) Unless otherwise required by law to be deposited into a fund other than any of the trust funds, as defined in s. 24.60 (5), all moneys received from the sale of public lands that occurs on or after the effective date of this paragraph .... [revisor inserts date], shall be credited to the appropriate trust fund, except that any such moneys deposited in the normal school fund shall be credited to the account established under s. 24.605 in the normal school fund.

***−0391/9.4* SECTION 511.** 24.32 (1) of the statutes is amended to read:

24.32 **(1)** Unless such resale be prevented by payment as hereinbefore provided by s. 24.29, such lands ~~shall~~ may be offered for sale by sealed bid or at public auction to the highest bidder, in the manner and upon the terms provided, for original sales, and if not then sold shall be subject to private entry thereafter.

***−0391/9.5* SECTION 512.** 24.605 of the statutes is created to read:

24.605 Accounts in normal school fund for deposit of proceeds from sale of lands. The board shall establish in the normal school fund an account to

which are credited the proceeds from the sale of any public lands that are required by law to be deposited in the normal school fund. Moneys credited to the account may only be used to invest in land under s. 24.61 (2) (a) 10. and for the payment of expenses necessarily related to investing in land under s. 24.61 (2) (a) 10.

***−0390/2.1* SECTION 513.** 24.61 (2) (a) (title) of the statutes is amended to read:

24.61 **(2)** (a) (title) *Authorized investments* *by board*.

***−0391/9.6* SECTION 514.** 24.61 (2) (a) 10. of the statutes is created to read:

24.61 **(2)** (a) 10. Land in this state, but subject to the condition established under par. (cm).

***−0390/2.2* SECTION 515.** 24.61 (2) (b) of the statutes is amended to read:

24.61 **(2)** (b) *Deposited with secretary of administration*. All bonds, notes, and other securities ~~so~~ purchased under par. (a) shall be deposited with the secretary of administration.

***−0390/2.3* SECTION 516.** 24.61 (2) (c) of the statutes is created to read:

24.61 **(2)** (c) *Delegation of investment authority to investment board*. The board may delegate to the investment board the authority to invest part or all of the moneys belonging to the trust funds. If the board delegates the authority, the investment board may invest the moneys belonging to the trust funds in any fixed income investment or fund that invests in fixed income instruments.

***−0391/9.7* SECTION 517.** 24.61 (2) (cm) of the statutes is created to read:

24.61 **(2)** (cm) *Investments in land in this state*. The board may not invest moneys in the purchase of any land under par. (a) 10. unless all of the following occur:

1. The land is within any applicable consolidation area approved by the board.

2. The total acreage of public lands managed by the board does not exceed the total acreage of public lands managed by the board on the effective date of this subdivision .... [revisor inserts date].

3. The board determines that the purchase of the land will improve timberland management, address forest fragmentation, or increase public access to the land.

4. The moneys are derived from the sale of public lands on or after the effective date of this subdivision .... [revisor inserts date].

***−0390/2.4* SECTION 518.** 24.62 (1) of the statutes is amended to read:

24.62 **(1)** Except as authorized in sub. (2), the board shall deduct its expenses incurred in administering investments and loans under s. 24.61 from the gross receipts of the fund to which the interest and income of the investment or loan will be added. <u>If the board delegates to the investment board the authority to invest part or all of the moneys belonging to the trust funds, the investment board shall deduct its expenses incurred in administering investments under s. 24.61 as provided under s. 25.17 (9).</u>

***−0391/9.8* SECTION 519.** 24.62 (3) of the statutes is created to read:

24.62 **(3)** If any land purchased under s. 24.61 (2) (a) 10. was at the time of purchase subject to assessment or levy of a real property tax, the board shall make annual payments in lieu of property taxes to the appropriate local governmental unit in an amount equal to 74 cents per acre. The payments shall be made from the appropriation under s. 20.507 (1) (kd).

***−0390/2.5* SECTION 520.** 25.17 (1) (afp) of the statutes is created to read:

25.17 **(1)** (afp) Agricultural college fund (s. 24.82), but subject to the terms of delegation under s. 24.61 (2) (c);

***−0390/2.6* SECTION 521.** 25.17 (1) (axp) of the statutes is created to read:

25.17 **(1)** (axp) Common school fund (s. 24.76), but subject to the terms of delegation under s. 24.61 (2) (c);

***−1649/6.25* SECTION 522.** 25.17 (1) (gd) of the statutes is created to read:

25.17 **(1)** (gd) Health care quality improvement fund (s. 25.775);

***−0390/2.7* SECTION 523.** 25.17 (1) (kd) of the statutes is created to read:

25.17 **(1)** (kd) Normal school fund (s. 24.80), but subject to the terms of delegation under s. 24.61 (2) (c);

***−0390/2.8* SECTION 524.** 25.17 (1) (xLc) of the statutes is created to read:

25.17 **(1)** (xLc) University fund (s. 24.81), but subject to the terms of delegation under s. 24.61 (2) (c);

***−0390/2.9* SECTION 525.** 25.17 (1) (zm) of the statutes is amended to read:

25.17 **(1)** (zm) All other funds of the state or of any state department or institution, except ~~funds which under article X of the constitution are controlled and invested by the board of commissioners of public lands,~~ funds which are required by specific provision of law to be controlled and invested by any other authority, and moneys in the University of Wisconsin trust funds, and in the trust funds of the state universities.

***−1219/2.4* SECTION 526.** 25.18 (1) (a) of the statutes is amended to read:

25.18 **(1)** (a) Notwithstanding s. 20.930 and all provisions of subch. IV of ch. 16 ~~and s. 20.930~~, except s. 16.771, employ special legal or investment counsel in any matters arising out of the scope of its investment authority. The employment of special legal counsel shall be with the advice and consent of the attorney general whenever such special counsel is to be compensated by the board. Any expense of counsel so employed shall be borne by the fund for which the services shall be furnished.

***−1219/2.5* SECTION 527.** 25.18 (1) (f) of the statutes is amended to read:

25.18 **(1)** (f) Maintain and repair any building or other structure or premises which it owns in fee or in which it owns the beneficial interest and, notwithstanding all provisions of subch. IV or V of ch. 16, except ss. 16.771 and 16.871, it shall have exclusive authority to make such agreements and enter into such contracts as it deems necessary for such purpose. All noncapital costs under this paragraph shall be charged to the current income accounts of the funds having an interest in the building, structure or premises.

***−1219/2.6* SECTION 528.** 25.18 (1) (m) of the statutes is amended to read:

25.18 **(1)** (m) Notwithstanding all provisions of subchs. IV and V of ch. 16, except ss. 16.771 and 16.871, employ professionals, contractors or other agents necessary to evaluate or operate any property if a fund managed by the board has an interest in, or is considering purchasing or lending money based upon the value of, that property. Costs under this paragraph shall be paid by the fund and charged to the appropriate account under s. 40.04 (3).

***−0328/4.3* SECTION 529.** 25.36 (1) of the statutes is amended to read:

25.36 **(1)** Except as provided in sub. (2), all moneys appropriated or transferred by law shall constitute the veterans trust fund which shall be used for the lending of money to the mortgage loan repayment fund under s. 45.35 (22) and for the veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy), ~~(vz),~~ (w), (z), and (zm), 45.014, 45.25, 45.35 (23), 45.351 ~~(1)~~, 45.353, 45.356, 45.357, ~~45.396,~~ 45.397, and 45.43 (7) and administered by the department of veterans affairs, including all moneys received from the federal government for the benefit of veterans or their dependents; all moneys paid as interest on and repayment of loans under the post−war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds

as they existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans under this fund; all moneys paid as expenses for, interest on, and repayment of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid as expenses for, interest on, and repayment of veterans personal loans; the net proceeds from the sale of mortgaged properties related to veterans personal loans; all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond issuance purchased with moneys in the veterans trust fund; all moneys received from the state investment board under s. 45.356 (9) (b); all moneys received from the veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts of money received by the board of veterans affairs for the purposes of this fund.

***−1560/3.15* SECTION 530.** 25.40 (1) (a) 5g. of the statutes is created to read:

25.40 **(1)** (a) 5g. Fees collected under s. 342.14 (3m) that are deposited into the environmental fund for nonpoint source water pollution abatement.

***−1560/3.16* SECTION 531.** 25.40 (1) (fm) of the statutes is amended to read:

25.40 **(1)** (fm) All moneys received as fees under s. 101.9208 (1), except fees received under s. 101.9208 (1) (b) <u>and (dm)</u>.

***−1227/1.2* SECTION 532.** 25.40 (2) (b) 19rm. of the statutes is created to read:

25.40 **(2)** (b) 19rm. Section 20.380 (1) (v).

***−1662/4.2* SECTION 533.** 25.40 (2) (b) 20m. of the statutes is created to read:

25.40 **(2)** (b) 20m. Section 20.445 (3) (t).

***−1560/3.17* SECTION 534.** 25.46 (1m) of the statutes is amended to read:

25.46 **(1m)** The ~~moneys transferred under s. 20.855 (4) (f)~~ <u>fees imposed under ss. 101.9208 (1) (dm) and 342.14 (3m)</u> for nonpoint source water pollution abatement.

***−0523/2.1* SECTION 535.** 25.50 (7) of the statutes is amended to read:

25.50 **(7)** REIMBURSEMENT OF EXPENSES. The state treasurer shall deduct ~~quarterly a maximum of 0.25% of the amount of income received~~ monthly from the earnings of the fund during the preceding calendar ~~quarter for~~ month an amount sufficient to cover all actual and necessary expenses incurred by the state in administering the fund in the preceding calendar month, except that in no fiscal year may the state treasurer deduct an amount exceeding the amount appropriated under s. 20.585 (1) (g) for that fiscal year.

***−1513/4.5* SECTION 536.** 25.60 of the statutes is amended to read:

25.60 Budget stabilization fund. There is created a separate nonlapsible trust fund designated as the budget stabilization fund, consisting of moneys transferred to the fund from the general fund under ss. 13.48 (14) (c), 16.518 (3), ~~and~~, 16.72 (4) (b), and 16.848.

***−0560/2.1* SECTION 537.** 25.77 (3) of the statutes is amended to read:

25.77 **(3)** ~~All~~ In each fiscal year, all except $13,800,000 of the moneys received under s. 50.14 (2) from assessments on licensed beds of facilities ~~except $14,300,000 in fiscal year 2003−04 and $13,800,000 in fiscal year 2004−05 and, beginning July 1, 2005, 45% in each fiscal year~~.

***−1089/5.1* SECTION 538.** 25.77 (4) of the statutes is created to read:

25.77 **(4)** All moneys received under s. 49.45 (2) (a) 26. from assessments on health maintenance organizations.

***−1649/6.26* SECTION 539.** 25.775 of the statutes is created to read:

25.775 Health care quality improvement fund. There is created a separate nonlapsible trust fund designated as the health care quality improvement fund, consisting of all of the following:

(1) All moneys transferred under 2005 Wisconsin Act .... (this act), section 9225 (1).

(2) All moneys received from s. 20.505 (1) (sd).

(3) In each fiscal year, $250,000 of the assessments paid under s. 153.60.

(4) Repayment of any loans made under s. 153.076 (2).

(5) All moneys transferred under s. 16.518 (4).

***−1649/7.17* SECTION 540.** 25.775 (1) of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed.

***−1649/7.17* SECTION 541.** 25.775 (5) of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed.

***−1379/1.1* SECTION 542.** 27.01 (7) (c) 7. of the statutes is amended to read:

27.01 **(7)** (c) 7. Any vehicle, except a motor bus, occupied by a person ~~holding~~ <u>who is at least 18 years of age and who holds</u> a conservation patron license issued under s. 29.235.

***−0387/4.1* SECTION 543.** 27.01 (7) (f) 1. of the statutes is amended to read:

27.01 **(7)** (f) 1. Except as provided in par. (gm), the fee for an annual vehicle admission receipt is ~~$19.50~~ <u>$24.50</u> for each vehicle that has Wisconsin registration plates, except that no fee is charged for a receipt issued under s. 29.235 (6).

***−0387/4.2* SECTION 544.** 27.01 (7) (f) 2. of the statutes is amended to read:

27.01 **(7)** (f) 2. Except as provided in subds. 3. and 4. and par. (gm) 4., the fee for a daily vehicle admission receipt is ~~$4.85~~ <u>$6.85</u> for any vehicle which has Wisconsin registration plates.

***−0387/4.3* SECTION 545.** 27.01 (7) (g) 1. of the statutes is amended to read:

27.01 **(7)** (g) 1. Except as provided in par. (gm), the fee for an annual vehicle admission receipt is ~~$29.50~~ <u>$34.50</u> for any vehicle that has a registration plate or

plates from another state, except that no fee is charged for a receipt issued under s. 29.235 (6).

***−0387/4.4* SECTION 546.** 27.01 (7) (gm) 1. of the statutes is amended to read:

27.01 **(7)** (gm) 1. Instead of the fees under pars. (f) 1. and (g) 1., the department shall charge an individual ~~$9.50~~ $12 or ~~$14.50~~ $17, respectively, for an annual vehicle admission receipt if the individual applying for the receipt or a member of his or her household owns a vehicle for which a current annual vehicle admission receipt has been issued for the applicable fee under par. (f) 1. or (g) 1.

***−1379/1.2* SECTION 547.** 27.01 (8) (b) 3. of the statutes is amended to read:

27.01 **(8)** (b) 3. Any person ~~holding~~ who is at least 18 years of age and who holds a conservation patron license issued under s. 29.235.

***−0387/4.5* SECTION 548.** 27.01 (10) (d) 1. of the statutes is amended to read:

27.01 **(10)** (d) 1. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is ~~$8~~ $10 for a resident camping party.

***−0387/4.6* SECTION 549.** 27.01 (10) (d) 2. of the statutes is amended to read:

27.01 **(10)** (d) 2. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is ~~$10~~ $12 for a nonresident camping party.

***−0387/4.7* SECTION 550.** 27.01 (10) (d) 3. of the statutes is amended to read:

27.01 **(10)** (d) 3. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is ~~$7~~ $9 for a resident camping party.

***−0387/4.8* SECTION 551.** 27.01 (10) (d) 4. of the statutes is amended to read:

27.01 **(10)** (d) 4. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is ~~$9~~ $11 for a nonresident camping party.

***−0387/4.9* SECTION 552.** 27.01 (10) (d) 5. of the statutes is amended to read:

27.01 **(10)** (d) 5. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground by the department is ~~$6~~ $8 for a resident camping party.

***−0387/4.10* SECTION 553.** 27.01 (10) (d) 6. of the statutes is amended to read:

27.01 **(10)** (d) 6. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground by the department is ~~$8~~ $10 for a nonresident camping party.

***−0501/1.2* SECTION 554.** 27.01 (11) (cm) 1. of the statutes is renumbered 27.01 (11) (cm).

***−0501/1.3* SECTION 555.** 27.01 (11) (cm) 2. of the statutes is renumbered 27.01 (11) (cr) (intro.) and amended to read:

27.01 **(11)** (cr) (intro.) A contract entered into under this paragraph shall require that the department retain $1 of each reservation fee collected. Under the contract the other party shall be required to do either of the following:

***−0501/1.4* SECTION 556.** 27.01 (11) (cr) (title) of the statutes is created to read:

27.01 **(11)** (cr) (title) *Contracts; distribution of fees.*

***−0501/1.5* SECTION 557.** 27.01 (11) (cr) 1. and 2. of the statutes are created to read:

27.01 **(11)** (cr) 1. Remit the entire amount of each reservation fee it collects to the department. The department shall credit to the appropriation under s. 20.370 (1) (er) for payment to the party all but $1 of each fee remitted.

2. Remit $1 of each reservation fee it collects to the department.

***−1258/5.5* SECTION 558.** 29.024 (10) of the statutes is amended to read:

29.024 **(10)** STAMPS; ARTWORK. The department may design and produce waterfowl hunting stamps, pheasant hunting stamps, grouse and woodcock hunting stamps, wild turkey hunting stamps, inland waters trout stamps and Great Lakes trout and salmon stamps. The department may select artwork for stamps through a contest or otherwise may acquire original artwork for stamps.

***−1258/5.6* SECTION 559.** 29.164 (title) of the statutes is amended to read:

29.164 (title) **Wild turkey hunting ~~license~~ approvals.**

***−1258/5.7* SECTION 560.** 29.164 (2) (c) 2. of the statutes is amended to read:

29.164 **(2)** (c) 2. If the department establishes a wild turkey hunting zone where or a season time period during which wild turkey hunting is permitted, no person may hunt wild turkeys in that wild turkey hunting zone or during that season time period unless the person has a wild turkey hunting license ~~that is valid for that zone~~ and ~~that has~~ a valid wild turkey hunting stamp ~~attached or imprinted in the manner required by the rule promulgated under s. 29.024 (5) (a) 3~~ as required under subd. 1. and unless the person has a wild turkey hunting tag that is valid for that zone and that time period.

***−1258/5.8* SECTION 561.** 29.164 (3) (a) of the statutes is renumbered 29.164 (3) (a) 1. and amended to read:

29.164 **(3)** (a) 1. If the department requires wild turkey hunting licenses under sub. (2) (a) and the number of applications for wild turkey hunting ~~licenses~~ tags for a given wild turkey hunting zone or a given wild turkey hunting season time period exceeds the number of available wild turkey hunting ~~licenses~~ tags allocated by the department for that zone or that season time period, the department shall issue wild

turkey hunting licenses and tags for that zone or that season time period according to the cumulative preference system under this subsection.

***−1258/5.9* SECTION 562.** 29.164 (3) (a) 2. of the statutes is created to read:

29.164 **(3)** (a) 2. If the department requires wild turkey hunting licenses under sub. (2) (a) and the number of applications for wild turkey hunting tags for a given wild turkey hunting zone or a given wild turkey hunting season time period does not exceed the number of available wild turkey hunting tags allocated by the department for that zone or that season time period, the department shall issue a wild turkey hunting license and tag to each applicant.

***−1258/5.10* SECTION 563.** 29.164 (3) (e) of the statutes is amended to read:

29.164 **(3)** (e) *Notification; issuance; payment.* The department shall issue a notice of approval to those qualified applicants selected to receive a wild turkey hunting license and tag under par. (a). A person who receives a notice of approval and who pays the license fee in the manner required by the department shall be issued a wild turkey hunting license and tag. The department may not charge a fee for a tag that is issued under this paragraph.

***−1258/5.11* SECTION 564.** 29.164 (4) (title) of the statutes is amended to read:

29.164 **(4)** (title) WILD TURKEY HUNTING STAMPS; ADDITIONAL TAGS.

***−1258/5.12* SECTION 565.** 29.164 (4) (b) of the statutes is repealed and recreated to read:

29.164 **(4)** (b) *Additional tags.* The department may issue the wild turkey hunting tags that were allocated for a given wild turkey hunting zone or season time period under sub. (3) (a) 2. but that were not issued. The department shall charge the fee specified in s. 29.563 (2) (f) or (g) for each of these additional tags. The

issuance of a tag under this paragraph does not affect the priority that the person receiving the tag may have under the cumulative preference system.

***−0383/5.2* SECTION 566.** 29.185 of the statutes is created to read:

29.185 Pheasant hunting permits. (1) REQUIREMENT. No person may hunt pheasant on lands that are stocked with pheasants and that are under the department's ownership, management, supervision, or control unless the person has been issued a pheasant hunting permit by the department.

(2) ISSUANCE. (a) The department shall issue a pheasant hunting permit, to any of the following who apply for the permit:

1. The holder of a valid conservation patron license.

2. The holder of a valid license authorizing the hunting of small game to which is attached, or on which is imprinted, a pheasant hunting stamp issued under s. 29.191 (2).

3. The holder of a valid sports license to which is attached, or on which is imprinted, a pheasant hunting stamp issued under s. 29.191 (2).

(b) 1. Any person who is exempt from the requirement to have a license authorizing the hunting of small game or who is not required to pay a fee for a license authorizing the hunting of small game is exempt from the permit requirement under sub. (1).

2. Any person hunting pheasant under s. 29.195 is exempt from the permit requirement under sub. (1).

(3) RECORD OF PHEASANT TAKEN. The department may require, by rule, that each person that is issued a pheasant hunting permit under this section record the number of pheasant taken by that person on lands under the department's ownership, management, supervision, or control.

(4) USE OF MONEY FROM FEES. The fees collected under this subsection shall be credited to the appropriation under s. 20.370 (1) (hw).

***−1258/5.13* SECTION 567.** 29.191 (title) of the statutes is repealed and recreated to read:

29.191 (title) **Hunting stamps.**

***−1258/5.14* SECTION 568.** 29.191 (3) of the statutes is created to read:

29.191 **(3)** GROUSE AND WOODCOCK HUNTING STAMP. (a) *Requirement.* 1. Except as provided in subd. 2., no person may hunt ruffed grouse or woodcock unless he or she has a valid conservation patron license, or has a valid grouse and woodcock hunting stamp that, in the manner required by the rule promulgated under s. 29.024 (5) (a) 3., is attached to or imprinted on the person's hunting license that authorizes the hunting of small game or to the person's sports license.

2. Any person who is exempt from the requirement to have a license authorizing the hunting of small game or who is not required to pay a fee for a license authorizing the hunting of small game is exempt from the requirement under subd. 1.

(b) *Issuance.* The grouse and woodcock hunting stamp shall be issued by the department subject to s. 29.024.

(c) *Use of moneys from fees.* The fees collected under this subsection shall be credited to the appropriation under s. 20.370 (1) (hx).

***−1258/5.15* SECTION 569.** 29.191 (4) of the statutes is renumbered 29.2285 (1).

***−1258/5.16* SECTION 570.** 29.191 (5) of the statutes is renumbered 29.2285 (2).

***−1258/5.17* SECTION 571.** 29.192 (4) of the statutes is amended to read:

29.192 **(4)** If the department decides to limit the number of ~~hunters or trappers~~ persons taking Canada geese, sharp−tailed grouse, fishers, otters, bobcats or sturgeon by issuing permits and if the number of persons seeking the permits exceeds the number of available permits, the department shall issue the permits according to a cumulative preference system established by the department. The department shall give a preference point to each applicant for each previous season for which the applicant applied but was not issued a permit. The system shall establish preference categories for these applicants, with higher priority given to those categories with more points than those with fewer points. Applicants who fail to apply at least once during any 3 consecutive years shall lose all previously accumulated preference points. If the number of applicants within a preference category or a subcategory exceeds the number of permits available in the category or subcategory, the department shall select at random within the category or subcategory the applicants to be issued the permits.

***−1258/5.18* SECTION 572.** 29.219 (3) (b) of the statutes is amended to read:

29.219 **(3)** (b) *Authorization.* Unless otherwise specifically prohibited, a resident 2−day sports fishing license only authorizes fishing in outlying trout and salmon waters, as defined in s. ~~29.191 (5)~~ 29.2285 (2) (a).

***−1258/5.19* SECTION 573.** 29.228 (7) (b) of the statutes is amended to read:

29.228 **(7)** (b) *Authorization.* Unless otherwise specifically prohibited, a nonresident 2−day sports fishing license only authorizes fishing in outlying trout and salmon waters, as defined in s. ~~29.191 (5)~~ 29.2285 (2) (a).

***−1258/5.20* SECTION 574.** 29.2285 (title) of the statutes is created to read:

29.2285 (title) **Fishing stamps and tags.**

***−1258/5.21* SECTION 575.** 29.2285 (3) of the statutes is created to read:

29.2285 **(3)** STURGEON HOOK AND LINE TAGS. (a) *Requirement.* No person may possess a lake sturgeon taken by hook and line from the waters of the state unless he or she is issued one or more sturgeon hook and line tags.

(b) *Issuance.* The department shall issue sturgeon hook and line tags to each person holding or applying for a fishing license or a sports license if the person intends to possess a lake sturgeon taken by hook and line in the waters of the state.

(c) *Tagging requirement.* Any person having taken a lake sturgeon by means of a hook and line shall immediately attach a current, validated sturgeon hook and line tag issued to that person to the tail of the sturgeon. No person may possess, control, store, or transport a lake sturgeon carcass unless it is tagged as required under this paragraph.

(d) *License requirement.* Any person fishing for lake sturgeon shall hold a license authorizing the fishing or shall be exempt from holding such a license under s. 29.219 (1) (b) 1. or 2. or 29.228 (1) (b).

(e) *Use of moneys from fees.* The department shall deposit the receipts from the sale of sturgeon hook and line tags issued under this subsection into the conservation fund and shall credit these receipts to the appropriation account under s. 20.370 (4) (ky).

***−1258/5.22* SECTION 576.** 29.229 (2) (k) of the statutes is created to read:

29.229 **(2)** (k) Sturgeon hook and line tags.

***−1258/5.23* SECTION 577.** 29.229 (5) of the statutes is amended to read:

29.229 **(5)** RESTRICTIONS ON APPROVALS. A person who is fishing under the authority of an approval issued under this section shall be subject to the same conditions, limitations, and restrictions as are imposed on the equivalent approval

issued under ~~s.~~ ss. ~~29.191 (4),~~ 29.219, 29.228, 29.2285 (1), and 29.231, including bag limits, size limits, rest days, and closed seasons.

***−1258/5.24* SECTION 578.** 29.2295 (2) (m) of the statutes is created to read:

29.2295 **(2)** (m) Sturgeon hook and line tags.

***−0753/2.2* SECTION 579.** 29.2295 (4) (c) 2. of the statutes is amended to read:

29.2295 **(4)** (c) 2. If the amount appropriated under s. 20.370 (9) (hk) is insufficient to make all of the payments under ~~this subsection~~ par. (a), the department shall make the remaining payments from the appropriation under s. 20.370 (9) (ht).

***−0753/2.3* SECTION 580.** 29.2295 (4m) of the statutes is created to read:

29.2295 **(4m)** RESOURCE MANAGEMENT. In addition to any payment made under sub. (4) (a), the department shall make an annual payment of $50,000 to the band for the purposes of fishery management within the reservation.

***−0382/1.1* SECTION 581.** 29.235 (1) of the statutes is amended to read:

29.235 **(1)** ISSUANCE. A resident conservation patron license shall be issued subject to s. 29.024 by the department to any resident ~~14~~ 12 years old or older who applies for the license. A nonresident conservation patron license shall be issued subject to s. 29.024 by the department to any person ~~14~~ 12 years old or older who is not a resident and who applies for the license.

***−1258/5.25* SECTION 582.** 29.235 (2) of the statutes is amended to read:

29.235 **(2)** AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES. A resident conservation patron license confers upon the licensee all the combined privileges conferred by a resident small game hunting license, a resident deer hunting license, a resident wild turkey hunting license, a resident archer hunting license, a waterfowl hunting stamp, a pheasant hunting stamp, a grouse and

woodcock hunting stamp, a wild turkey hunting stamp, a resident annual fishing license, an inland waters trout stamp, a Great Lakes trout and salmon stamp, a sturgeon hook and line tag, and a trapping license.

***−1258/5.26* SECTION 583.** 29.235 (2m) of the statutes is amended to read:

29.235 **(2m)** AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A nonresident conservation patron license confers upon the licensee all the combined privileges conferred by a nonresident small game hunting license, a nonresident deer hunting license, a nonresident wild turkey hunting license, a nonresident archer hunting license, a waterfowl hunting stamp, a pheasant hunting stamp, a grouse and woodcock hunting stamp, a wild turkey hunting stamp, a nonresident annual fishing license, an inland waters trout stamp, ~~and~~ a Great Lakes trout and salmon stamp, and a sturgeon hook and line tag.

***−1379/1.3* SECTION 584.** 29.235 (3) of the statutes is amended to read:

29.235 **(3)** AUTHORIZATION; ADMISSION TO STATE PARKS AND RELATED AREAS. A person may operate a motor vehicle, except a motor bus, as defined in s. 340.01 (31), subject to the admission requirements under s. 27.01 (7), in any vehicle admission area under s. 27.01 (7) without having an admission receipt affixed to the vehicle or otherwise displayed and without paying a fee if the vehicle has as an occupant a holder of a resident or nonresident conservation patron license who can present the license upon demand in the vehicle admission area. The conservation patron license permits the license holder to enter Heritage Hill state park or a state trail without paying an admission fee. This subsection does not apply to holders of conservation patron licenses who are under the age of 18 years.

***−1379/1.4* SECTION 585.** 29.235 (5) of the statutes is amended to read:

29.235 **(5)** SUBSCRIPTION. At the time the department issues a conservation patron license, it shall provide ~~the~~ each licensee who is at least 18 years of age with an annual subscription to the Wisconsin natural resources magazine without any additional fee or charge.

***−1379/1.5* SECTION 586.** 29.235 (6) of the statutes is amended to read:

29.235 **(6)** ADMISSION RECEIPT. At the same time the department issues a conservation patron license, it may issue an annual resident or nonresident vehicle admission receipt or a special receipt for admission to state parks and similar areas. The department may issue an annual resident or nonresident vehicle admission receipt or a special receipt for admission to state parks and similar areas to a person who has a conservation patron license on location at the state park or similar area. A person who is issued a receipt under this subsection shall affix the receipt by its own adhesive to the interior surface of the lower left−hand corner of the windshield of the vehicle or otherwise display it as authorized under a rule promulgated under s. 27.01 (7) (e) 2. A receipt issued under this section is not considered part of a conservation patron license for the purpose of issuing a duplicate. No duplicate receipt may be issued for a receipt that is affixed by its own adhesive to a windshield unless the license holder provides evidence that the vehicle upon which the sticker receipt is affixed is no longer usable or that the vehicle was transferred to another person and the license holder presents the original receipt or remnants of it to the department. Section 29.024 (7) applies to the issuance of a duplicate receipt that is displayed as authorized under the rule promulgated under s. 27.01 (7) (e) 2. This subsection does not apply to holders of conservation patron licenses who are under the age of 18 years.

***−1258/5.27* SECTION 587.** 29.401 (2m) of the statutes is amended to read:

29.401 **(2m)** The department may not promulgate or enforce a rule that prohibits persons from possessing barbed hooks while fishing for trout in inland trout waters, as defined in s. ~~29.191 (4)~~ 29.2285 (1) (a), during the period beginning on January 1 and ending on the Friday immediately preceding the first Saturday in the following May.

***−1510/2.6* SECTION 588.** 29.506 (7m) (a) of the statutes is amended to read:

29.506 **(7m)** (a) The department shall issue a taxidermy school permit to a person who applies for the permit; who, on August 15, 1991, holds a valid taxidermist permit issued under this section; and who, on August 15, 1991, operates a taxidermy school approved by the educational approval board under s. ~~45.54~~ 38.50.

***−1491/2.1* SECTION 589.** 29.519 (1) (title) of the statutes is amended to read:

29.519 **(1)** (title) ~~LICENSE~~ LICENSES; PERMITS; FEES AUTHORIZED.

***−1491/2.2* SECTION 590.** 29.519 (1) (bg) of the statutes is created to read:

29.519 **(1)** (bg) The department may charge the fee specified in s. 29.563 (7) (c) 2g. for the 2nd and any subsequent permit issued to allot individual licensee catch quotas for a given year. The department may charge the reduced fee specified in s. 29.563 (7) (c) 2m. for the issuance of any such permit for a species for which, during the year that the permit is in effect, there is no open fishing season.

***−1491/2.3* SECTION 591.** 29.519 (1) (bn) of the statutes is created to read:

29.519 **(1)** (bn) The department may charge the fee specified in s. 29.563 (7) (c) 2r. for the 2nd and any subsequent permit issued to regulate fishing for a species for which there is a harvest limit but for which there is no allotment of catch quotas to individual licensees.

***−1491/2.4* SECTION 592.** 29.519 (1) (br) of the statutes is created to read:

29.519 **(1)** (br) The department may charge the fee specified in s. 29.563 (7) (c) 2w. for the transfer of a permit issued under par. (bg) or (bn).

***−1491/2.5* SECTION 593.** 29.519 (7) of the statutes is amended to read:

29.519 **(7)** COMMERCIAL FISHING BOARDS. The Lake Superior and Lake Michigan commercial fishing boards established under s. 15.345 (2) and (3) shall review and consider applications for a transfer of ~~license~~ licenses under this section and shall approve or deny applications on the basis of rules promulgated by the department. The boards shall recommend to the department species harvest limits and formulas for the allotment of individual licensee catch quotas when the department establishes species harvest limits for allocation among licensees. The boards shall assist the department in establishing criteria for identifying inactive licensees. The criteria established for identifying inactive licensees shall be the basis for rules governing the issuance of licenses. The boards may also advise the department on all other commercial fishing matters relating to Lake Michigan and Lake Superior.

***−1258/5.28* SECTION 594.** 29.559 (1) (c) of the statutes is created to read:

29.559 **(1)** (c) Any person, including the department, who issues a wild turkey hunting tag under s. 29.164 (4) (b) or a sturgeon hook and line tag under s. 29.2285 (3) (b) shall collect, in addition to the statutory fee, and issuing fee for each tag that the person is issued. A person appointed under s. 29.024 (6) (a) 2., 3., or 4. may retain 15 cents for each issuing fee of each tag to compensate for services in issuing the tag.

***−1258/5.29* SECTION 595.** 29.563 (2) (a) 1. of the statutes is amended to read:

29.563 **(2)** (a) 1. Small game: ~~$14.25~~ $17.25.

***−1258/5.30* SECTION 596.** 29.563 (2) (a) 2. of the statutes is amended to read:

29.563 **(2)** (a) 2. Small game issued to a resident senior citizen: ~~$6.25~~ $7.25.

***−1258/5.31* SECTION 597.** 29.563 (2) (a) 4. of the statutes is amended to read:

29.563 **(2)** (a) 4. Small game issued to 12−year−olds to 17−year−olds: ~~$7.25~~ $6.25.

***−1258/5.32* SECTION 598.** 29.563 (2) (a) 5. of the statutes is amended to read:

29.563 **(2)** (a) 5. Deer: ~~$18.25~~ $29.25.

***−1258/5.33* SECTION 599.** 29.563 (2) (a) 5m. of the statutes is amended to read:

29.563 **(2)** (a) 5m. Elk: ~~$43.25~~ $42.25.

***−1258/5.34* SECTION 600.** 29.563 (2) (a) 6. of the statutes is amended to read:

29.563 **(2)** (a) 6. Class A bear: ~~$43.25~~ $46.25.

***−1258/5.35* SECTION 601.** 29.563 (2) (a) 7. of the statutes is amended to read:

29.563 **(2)** (a) 7. Class B bear: ~~$12.25~~ $11.25.

***−1258/5.36* SECTION 602.** 29.563 (2) (a) 8. of the statutes is amended to read:

29.563 **(2)** (a) 8. Archer: ~~$18.25~~ $29.25.

***−1258/5.37* SECTION 603.** 29.563 (2) (a) 9. of the statutes is amended to read:

29.563 **(2)** (a) 9. Wild turkey: ~~$11.25~~ $12.25.

***−1258/5.38* SECTION 604.** 29.563 (2) (b) 1. of the statutes is amended to read:

29.563 **(2)** (b) 1. Annual small game: ~~$78.25~~ $77.25.

***−1258/5.39* SECTION 605.** 29.563 (2) (b) 2. of the statutes is amended to read:

29.563 **(2)** (b) 2. Five−day small game: ~~$48.25~~ $47.25.

***−1258/5.40* SECTION 606.** 29.563 (2) (b) 3. of the statutes is amended to read:

29.563 **(2)** (b) 3. Deer: ~~$158.25~~ $157.25.

***−1258/5.41* SECTION 607.** 29.563 (2) (b) 3m. of the statutes is amended to read:

29.563 **(2)** (b) 3m. Elk: ~~$249.25~~ $248.25.

***−1258/5.42* SECTION 608.** 29.563 (2) (b) 4. of the statutes is amended to read:

29.563 **(2)** (b) 4. Class A bear: ~~$249.25~~ $248.25.

***−1258/5.43* SECTION 609.** 29.563 (2) (b) 5. of the statutes is amended to read:

29.563 **(2)** (b) 5. Class B bear: ~~$108.25~~ $107.25.

***−1258/5.44* SECTION 610.** 29.563 (2) (b) 6. of the statutes is amended to read:

29.563 **(2)** (b) 6. Archer: ~~$158.25~~ $157.25.

***−1258/5.45* SECTION 611.** 29.563 (2) (b) 7. of the statutes is amended to read:

29.563 **(2)** (b) 7. Fur−bearing animal: ~~$158.25~~ $157.25.

***−1258/5.46* SECTION 612.** 29.563 (2) (b) 8. of the statutes is amended to read:

29.563 **(2)** (b) 8. Wild turkey: ~~$58.25~~ $57.25.

***−0383/5.3* SECTION 613.** 29.563 (2) (c) 3. of the statutes is created to read:

29.563 **(2)** (c) 3. Pheasant: $9.75.

***−0383/5.4* SECTION 614.** 29.563 (2) (d) of the statutes is renumbered 29.563 (2) (d) 1.

***−0383/5.5* SECTION 615.** 29.563 (2) (d) 2. of the statutes is created to read:

29.563 **(2)** (d) 2. Pheasant: $9.75.

***−1258/5.47* SECTION 616.** 29.563 (2) (e) 2. of the statutes is amended to read:

29.563 **(2)** (e) 2. Pheasant: ~~$7~~ $9.75.

***−1258/5.48* SECTION 617.** 29.563 (2) (e) 3. of the statutes is amended to read:

29.563 **(2)** (e) 3. Waterfowl: ~~$6.75~~ $9.75.

***−1258/5.49* SECTION 618.** 29.563 (2) (e) 4. of the statutes is created to read:

29.563 **(2)** (e) 4. Grouse and woodcock. $9.75.

***−1258/5.50* SECTION 619.** 29.563 (2) (f) of the statutes is created to read:

29.563 **(2)** (f) *Resident tags.* Each additional wild turkey hunting tag issued to a resident under s. 29.164 (4) (b): $9.75.

***−1258/5.51* SECTION 620.** 29.563 (2) (g) of the statutes is created to read:

29.563 **(2)** (g) *Nonresident tags.* Each additional wild turkey hunting tag issued to a nonresident under s. 29.164 (4) (b): $14.75.

***−1258/5.52* SECTION 621.** 29.563 (3) (a) 1. of the statutes is amended to read:

29.563 **(3)** (a) 1. Annual: ~~$16.25~~ $19.25.

***−1258/5.53* SECTION 622.** 29.563 (3) (a) 2. of the statutes is amended to read:

29.563 **(3)** (a) 2. Annual fishing issued to a resident senior citizen: ~~$6.25~~ $9.25.

***−1258/5.54* SECTION 623.** 29.563 (3) (a) 3. of the statutes is amended to read:

29.563 **(3)** (a) 3. Husband and wife: ~~$28.25~~ $34.25.

***−1258/5.55* SECTION 624.** 29.563 (3) (a) 7. of the statutes is amended to read:

29.563 **(3)** (a) 7. Annual or temporary fishing issued to a disabled person under s. 29.193 (3) (a) or (b) or (3m): ~~$6.25~~ $9.25.

***−1258/5.56* SECTION 625.** 29.563 (3) (c) 1. of the statutes is amended to read:

29.563 **(3)** (c) 1. Inland waters trout: ~~$7~~ $9.75.

***−1258/5.57* SECTION 626.** 29.563 (3) (cm) of the statutes is created to read:

29.563 **(3)** (cm) *Tags.* 1. Sturgeon hook and line issued to a resident: $19.75.

2. Sturgeon hook and line issued to nonresident: $49.75.

***−1258/5.58* SECTION 627.** 29.563 (4) (a) 1. of the statutes is amended to read:

29.563 **(4)** (a) 1. Sports: ~~$43.25~~ $61.25 or a greater amount at the applicant's option.

***−1258/5.59* SECTION 628.** 29.563 (4) (a) 2. of the statutes is amended to read:

29.563 **(4)** (a) 2. Conservation patron: ~~$137.25~~ $135.25 or a greater amount at the applicant's option.

***−1258/5.60* SECTION 629.** 29.563 (4) (b) 1. of the statutes is amended to read:

29.563 **(4)** (b) 1. Sports: ~~$273.25~~ $272.25 or a greater amount at the applicant's option.

***−1258/5.61* SECTION 630.** 29.563 (4) (b) 2. of the statutes is amended to read:

29.563 **(4)** (b) 2. Conservation patron: ~~$597.25~~ $595.25 or a greater amount at the applicant's option.

***−1491/2.6* SECTION 631.** 29.563 (5) (a) 1. of the statutes is amended to read:

29.563 **(5)** (a) 1. Guide: ~~$39.25~~ $59.25.

***−1491/2.7* SECTION 632.** 29.563 (5) (a) 2. of the statutes is amended to read:

29.563 **(5)** (a) 2. Sport trolling: ~~$100~~ $149.25.

***−1491/2.8* SECTION 633.** 29.563 (5) (b) 1. of the statutes is amended to read:

29.563 **(5)** (b) 1. Guide: ~~$99.25~~ $149.25.

***−1491/2.9* SECTION 634.** 29.563 (5) (b) 2. of the statutes is amended to read:

29.563 **(5)** (b) 2. Lake Michigan and Green Bay sport trolling: ~~$400~~ $599.25.

***−1491/2.10* SECTION 635.** 29.563 (5) (b) 3. of the statutes is amended to read:

29.563 **(5)** (b) 3. Lake Superior sport trolling: ~~$400~~ $599.25.

***−1491/2.11* SECTION 636.** 29.563 (7) (a) 1. of the statutes is amended to read:

29.563 **(7)** (a) 1. Outlying waters: ~~$899.25~~ $999.25 for the first licensed boat and ~~$899.25~~ $999.25 for each additional licensed boat.

***−1491/2.12* SECTION 637.** 29.563 (7) (a) 2. of the statutes is amended to read:

29.563 **(7)** (a) 2. Outlying waters without boat: ~~$899.25~~ $999.25.

***−1491/2.13* SECTION 638.** 29.563 (7) (b) 1. of the statutes is amended to read:

29.563 **(7)** (b) 1. Outlying waters: ~~$6,499.25~~ $7,499.25 for the first licensed boat and ~~$6,499.25~~ $7,499.25 for each additional licensed boat.

***−1491/2.14* SECTION 639.** 29.563 (7) (b) 2. of the statutes is amended to read:

29.563 **(7)** (b) 2. Outlying waters without boat: ~~$6,499.25~~ $7,499.25.

***−1491/2.15* SECTION 640.** 29.563 (7) (c) (title) of the statutes is amended to read:

29.563 **(7)** (c) (title) *Other commercial ~~licenses~~ approvals*.

−1491/2.16 **SECTION 641.** 29.563 (7) (c) 1. of the statutes is amended to read:

29.563 **(7)** (c) 1. Outlying waters license transfers under s. 29.519 (2) (d): ~~$25~~ $49.25.

−1491/2.17 **SECTION 642.** 29.563 (7) (c) 2g. of the statutes is created to read:

29.563 **(7)** (c) 2g. Commercial catch quota permit under s. 29.519 (1) (bg): $100.

−1491/2.19 **SECTION 643.** 29.563 (7) (c) 2m. of the statutes is created to read:

29.563 **(7)** (c) 2m. Reduced fee for catch quota permit under s. 29.519 (1) (bg): $25.

−1491/2.20 **SECTION 644.** 29.563 (7) (c) 2r. of the statutes is created to read:

29.563 **(7)** (c) 2r. Commercial fishing permit under s. 29.519 (1) (bn): $100.

−1491/2.18 **SECTION 645.** 29.563 (7) (c) 2w. of the statutes is created to read:

29.563 **(7)** (c) 2w. Commercial fishing permit transfer under s. 29.519 (1) (br): $50.

−1491/2.21 **SECTION 646.** 29.563 (7) (c) 6. of the statutes is amended to read:

29.563 **(7)** (c) 6. Wholesale fish dealer: ~~$100~~ $249.25.

−1258/5.62 **SECTION 647.** 29.563 (12) (a) 1. of the statutes is amended to read:

29.563 **(12)** (a) 1. Deer: ~~$12.25~~ $14.25.

−1258/5.63 **SECTION 648.** 29.563 (12) (a) 2. of the statutes is amended to read:

29.563 **(12)** (a) 2. Archer, sports or conservation patron: ~~$12.25~~ $14.25 if deer tags are included; ~~$9.25~~ $11.25 after open season and deer tags are not included.

−1258/5.64 **SECTION 649.** 29.563 (12) (a) 3. of the statutes is amended to read:

29.563 **(12)** (a) 3. Other hunting: ~~$7.25~~ $9.25.

−1380/2.1 **SECTION 650.** 29.563 (12) (b) of the statutes is renumbered 29.563 (12) (b) 1. and amended to read:

29.563 **(12)** (b) 1. Fishing: ~~$8.25~~ $9.25 except as provided in subd. 2.

***−1380/2.2* SECTION 651.** 29.563 (12) (b) 2. of the statutes is created to read:

29.563 **(12)** (b) 2. The total cost of issuing the original approval, including any supplemental fee under sub. (14), if the total cost is less than $10.

***−1258/5.65* SECTION 652.** 29.563 (13) (a) of the statutes is amended to read:

29.563 **(13)** (a) *Surcharge generally.* The surcharge for approvals listed under subs. (2) (a) 1., 2. and 4. to 9. and (b) 1. to 8. and (4) (a) 1. and 1m. and (b) 1. and 1m. is ~~$1~~ $2 and shall be added to the fee specified for these approvals under subs. (2) and (4).

***−1258/5.66* SECTION 653.** 29.563 (13) (b) of the statutes is amended to read:

29.563 **(13)** (b) *Surcharge for conservation patron license.* The surcharge for licenses listed under sub. (4) (a) 2. and 2m. and (b) 2. and 2m. is ~~$2~~ $4 and shall be added to the fee specified for these approvals under sub. (4).

***−0383/5.6* SECTION 654.** 29.563 (14) (c) 3. of the statutes is amended to read:

29.563 **(14)** (c) 3. Each application for a hunter's choice permit, bonus deer hunting permit, elk hunting license, wild turkey hunting license, Canada goose hunting permit, sharp−tailed grouse hunting permit, pheasant hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25 cents.

***−0383/5.7* SECTION 655.** 29.563 (14) (c) 4. of the statutes is amended to read:

29.563 **(14)** (c) 4. Each bonus deer hunting permit issued for which a fee is charged under s. 29.563 (2) (c) 1. or (d) 1.: 75 cents.

***−1258/5.67* SECTION 656.** 29.563 (14) (c) 6. of the statutes is created to read:

29.563 **(14)** (c) 6. Each wild turkey hunting tag issued under s. 29.164 (4) (b) or sturgeon hook and line tag issued under s. 29.2285 (3) (b): 25 cents.

***−0384/1.3* SECTION 657.** 29.591 (3) of the statutes is amended to read:

29.591 **(3)** INSTRUCTION FEE. The department ~~may not charge~~ shall promulgate a rule establishing a fee for the course of instruction under the hunter education program and the bow hunter education program. If the department offers an advanced hunter education course or an advanced bow hunter education course, the rule may authorize the department to charge an additional fee for those courses. The instructor conducting a course under this subsection shall collect the instruction fee from each person who receives instruction. The ~~department may reimburse instructors for allowable costs, as determined by the department,~~ instructor may retain up to $5 for each person who receives instruction from that instructor for allowable costs of instruction, as determined by the department. The instructor shall remit the remainder of the fee, or if nothing is retained, the entire fee, to the department.

***−0469/1.1* SECTION 658.** 30.28 (2m) (c) of the statutes is repealed.

***−0355/2.10* SECTION 659.** 30.50 (3b) of the statutes is amended to read:

30.50 **(3b)** "Certification or registration documentation" means a certificate of number certificate, certificate of number card, certification decal, registration certificate, registration card, ~~self−validated receipt,~~ or registration decal.

***−0355/2.11* SECTION 660.** 30.50 (11m) of the statutes is repealed.

***−0355/2.12* SECTION 661.** 30.52 (1m) (a) 3. of the statutes is amended to read:

30.52 **(1m)** (a) 3. Appoint persons who are not employees of the department as agents of the department to issue, transfer, or renew the certification or registration documentation using ~~either or both of the expedited services~~ the service under par. (ag) 1.

***−0355/2.13* SECTION 662.** 30.52 (1m) (ag) 1. (intro.) and b. of the statutes are consolidated, renumbered 30.52 (1m) (ag) 1. and amended to read:

30.52 **(1m)** (ag) 1. For the issuance of original or duplicate certification or registration documentation and for the transfer or renewal of certification or registration documentation, the department may implement ~~either or both of the following expedited procedures to be provided by the department and any agents appointed under par. (a) 3.: b. A computerized~~ a procedure under which the department or an agent ~~may accept~~ appointed under par. (a) 3. accepts applications for certification or registration documentation and ~~issue~~ issues to each applicant all or some of the items of the certification or registration documentation at the time the applicant submits the application accompanied by the required fees.

***−0355/2.14* SECTION 663.** 30.52 (1m) (ag) 1. a. of the statutes is repealed.

***−0355/2.15* SECTION 664.** 30.52 (1m) (ag) 2. of the statutes is amended to read:

30.52 **(1m)** (ag) 2. Under ~~either~~ the procedure under subd. 1., the applicant shall receive any remaining items of certification or registration documentation directly from the department at a later date. The items of certification or registration documentation issued at the time of the submittal of the application ~~under either procedure~~ shall be sufficient to allow the boat for which the application is submitted to be operated in compliance with the registration requirements under this section and ss. 30.51 and 30.523.

***−0355/2.16* SECTION 665.** 30.52 (1m) (ar) (title) of the statutes is repealed and recreated to read:

30.52 **(1m)** (ar) (title) *Supplemental fees.*

***−0355/2.17* SECTION 666.** 30.52 (1m) (ar) 1. of the statutes is repealed.

***−0355/2.18* SECTION 667.** 30.52 (1m) (ar) 2. of the statutes is renumbered 30.52 (1m) (ar) and amended to read:

30.52 **(1m)** (ar) In addition to the applicable fee under sub. (3), the department or the agent appointed under par. (a) 3. shall collect an expedited service fee of ~~$3~~ $5 each time the expedited service under par. (ag) ~~1. b.~~ is provided. The agent shall remit to the department $1 of each expedited service fee the agent collects.

***−0355/2.19* SECTION 668.** 30.52 (1m) (f) 1. of the statutes is amended to read:

30.52 **(1m)** (f) 1. A dealer in boats who assists a customer in applying for a certification of number or registration without using ~~either~~ the procedure specified in par. (ag) 1., may charge the customer a reasonable fee for providing this assistance.

***−0364/1.1* SECTION 669.** 30.52 (3m) (a) of the statutes is amended to read:

30.52 **(3m)** (a) Any applicant for the issuance or renewal of a certificate of number or registration under sub. (3) (b) to (im) may, in addition to paying the fee charged for the certificate, elect to make a voluntary ~~$1~~ $3 contribution to be used for lake research.

***−0503/1.1* SECTION 670.** 30.715 (1) (am) of the statutes is created to read:

30.715 **(1)** (am) "Highway" has the meaning given in s. 340.01 (22).

***−0503/1.2* SECTION 671.** 30.715 (2) of the statutes is amended to read:

30.715 **(2)** No person may place or use a boat or boating equipment or place a boat trailer in a navigable water if the person has reason to believe that the boat, boat trailer, or boating equipment has any aquatic plants or zebra mussels attached.

***−0503/1.3* SECTION 672.** 30.715 (3) of the statutes is repealed.

***−0503/1.4* SECTION 673.** 30.715 (4) (a) of the statutes is amended to read:

30.715 **(4)** (a) Remove any aquatic plants or zebra mussels from a boat, boat trailer, or boating equipment before placing it in a navigable water.

***−0503/1.5* SECTION 674.** 30.715 (4) (am) of the statutes is created to read:

30.715 **(4)** (am) Remove any aquatic plants or zebra mussels from a boat, boat trailer, or boating equipment before transporting it on a highway or while transporting it on a highway.

***−0503/1.6* SECTION 675.** 30.715 (4) (b) of the statutes is amended to read:

30.715 **(4)** (b) Remove or not place a boat, boat trailer, or boating equipment in a navigable water if the law enforcement officer has reason to believe that the boat, boat trailer, or boating equipment has <u>any</u> aquatic plants <u>or zebra mussels</u> attached.

***−0503/1.7* SECTION 676.** 30.715 (4) (c) of the statutes is repealed.

***−0503/1.8* SECTION 677.** 30.715 (4) (d) of the statutes is repealed.

***−1363/1.5* SECTION 678.** 30.92 (1) (b) of the statutes is amended to read:

30.92 **(1)** (b) "Governmental unit" means the department, a municipality, a lake sanitary district, a public inland lake protection and rehabilitation district organized under ch. 33, the Milwaukee River revitalization council, the Lower Wisconsin State Riverway board, ~~the Fox River management commission~~ or any other local governmental unit, as defined in s. 66.0131 (1) (a), that is established for the purpose of lake management.

***−1363/1.6* SECTION 679.** 30.92 (4) (a) of the statutes is amended to read:

30.92 **(4)** (a) The department shall develop and administer, with the approval of the commission, a financial assistance program for governmental units, including itself, and qualified lake associations for the construction and rehabilitation of capital improvements related to recreational boating facilities, for the improvement of locks and facilities which provide access between waterways and for the projects specified in par. (b) 8. ~~No financial assistance under this section may be provided to the Fox River management commission for feasibility studies of construction~~

~~projects or for construction projects.~~ No financial assistance under this section may be provided to the department other than for projects for access to inland lakes without a public access facility.

***−1363/1.7* SECTION 680.** 30.93 of the statutes is repealed.

***−0469/1.2* SECTION 681.** 31.39 (2m) (c) of the statutes is repealed.

***−0751/1.3* SECTION 682.** Chapter 35 (title) of the statutes is amended to read:

CHAPTER 35

~~PUBLIC PRINTING;~~ PUBLICATION AND DISTRIBUTION OF LAWS AND PUBLIC DOCUMENTS

***−0751/1.4* SECTION 683.** 35.001 (2m) of the statutes is created to read:

35.001 **(2m)** "Printing" includes all public printing by means of graphic reproduction by whatever process and the necessary materials and binding. The term also includes reproduction of a document in optical disk format whenever the publishing state agency is authorized to reproduce and determines to reproduce copies of a document in optical disk format in lieu of printed format.

***−0751/1.5* SECTION 684.** 35.01 (intro.) of the statutes is amended to read:

35.01 Public printing; definition and classification. (intro.) ~~Public printing includes all graphic reproduction by whatever process and the necessary material and binding.~~ Public printing is divided into 7 classes:

***−1734/1.25* SECTION 685.** 35.24 (3) of the statutes is amended to read:

35.24 **(3)** Reprints of the feature article shall be bound in paper covers and shall be in such quantity as is authorized for each specific reprint by the joint committee on legislative organization. The cost of reprints shall be paid from the appropriation under s. 20.765 (1) (d) ~~or (5)~~.

***−0751/1.6* SECTION 686.** 35.27 of the statutes is amended to read:

35.27 Limitation of editions of official reports. Within 60 calendar days after receiving ~~printer's~~ final proof copy therefor, the department shall have printed and deliver editions of the reports mentioned in s. 35.26 and of any report required by law to be made to the governor or to the legislature if not otherwise limited. The department shall determine for any report the maximum number of copies and pages ~~shall be established by the department for any report~~, or the length if authorized to be reproduced in optical disk format.

***−0751/1.7* SECTION 687.** 35.50 (1) of the statutes is amended to read:

35.50 **(1)** Specifications for state printing except class 1, including type style and size, page size, titles, paper, form, quality, quantity, binding, and method, or optical disk manufacturing specifications whenever reproduction in optical disk format is authorized, shall be as determined by the department unless specified by statute. Any state agency which objects to such determination may appeal the decision to the governor.

***−0751/1.8* SECTION 688.** 35.50 (4) of the statutes is amended to read:

35.50 **(4)** Whenever possible, state publications printed on paper, other than printing of classes 4 and 5, shall be restricted to finished outside dimensions which shall not exceed 9 by 14 inches and shall not be less than 3 1/2 by 7 inches.

***−0751/1.9* SECTION 689.** 35.51 of the statutes is amended to read:

35.51 Proofs; where received. Contract printers shall submit proof sheets of all public printing done by them and when requested, revised proof sheets thereof, to the department, regardless of the format to be used for reproduction. When requested by the chief clerk of either house proof sheets of printing of the first class shall be delivered to them.

***−0751/1.10* SECTION 690.** 35.54 of the statutes is amended to read:

35.54 Title pages; names of authors. Every requisitioning agency shall provide the necessary printer's copy for a suitable title page, containing the name of the author for every book and other document which requires a title page; but on no such publication shall ~~have written or printed thereon~~ there appear, nor shall there be attached thereto, the words "Compliments of" followed by the name of the author, nor any other words of similar purport.

***−0751/1.11* SECTION 691.** 35.55 of the statutes is amended to read:

35.55 Editing printer's copy. Printer's copy must accompany every requisition. The editors of all state agencies may edit for themselves the matter and form of the contents of the printer's copy presented by them respectively to the department. All printer's copy which does not conform to accepted trade practices, and, in the opinion of the department is unsatisfactory, shall be returned to its author for revision and correction. An optical disk copy may be substituted if the document being published is authorized to be reproduced in optical disk format.

***−0751/1.12* SECTION 692.** 35.57 of the statutes is amended to read:

35.57 Advertisement for bids. The department shall publish advertisements that sealed proposals for furnishing printing, during the next ensuing contract period, with all other material which the department requires, will be received any time prior to a specified day, when all proposals will be publicly opened and read. The advertisements shall be run as class 2 notices, under ch. 985, in the official state paper. Separate advertisements may be used for publications authorized to be published in optical disk format.

***−1734/1.26* SECTION 693.** 35.91 (1) of the statutes is amended to read:

35.91 **(1)** The latest edition of the Wisconsin statutes shall be sold at a price, calculated to the nearest dollar, to be fixed by the department, based on cost plus 75%

of the revisor's expenditures under s. 20.765 (3) (a) ~~or (5)~~ during the preceding biennium. The department may sell noncurrent editions of the Wisconsin statutes and Wisconsin annotations at reduced prices to be fixed by it.

***−1734/1.27* SECTION 694.** 35.93 (9) of the statutes is amended to read:

35.93 **(9)** The department shall charge the legislature under s. 20.765 (1) (d) ~~or (5)~~ for the cost of distribution of the code and the register, including the costs specified in s. 35.80, and shall deposit all revenues received from their sale into the general fund.

***−0984/4.10* SECTION 695.** 36.09 (1) (e) of the statutes is repealed and recreated to read:

36.09 **(1)** (e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer with the advice of the department of administration; and the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the system; faculty; academic staff; and other employees and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president, and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin, or sex shall ever be allowed or exercised in the appointment of the employees of the system.

***−0984/4.11* SECTION 696.** 36.25 (12m) (intro.) of the statutes is repealed and recreated to read:

36.25 **(12m)** STATE CARTOGRAPHER. (intro.) In coordination and consultation with the department of administration, the state cartographer shall:

***−1858/2.3* SECTION 697.** 36.25 (14) of the statutes is amended to read:

36.25 **(14)** GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant program for minority and disadvantaged graduate students enrolled in the system. The grants shall be awarded from the ~~appropriations~~ appropriation under s. 20.285 (4) (b) ~~and (gm)~~. The board shall give preference in awarding grants under this subsection to residents of this state. The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

***−0368/1.1* SECTION 698.** 36.27 (2) (b) 4. of the statutes is amended to read:

36.27 **(2)** (b) 4. A person who has served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated in the U.S. armed forces, except service on active duty for training purposes, who was a resident of this state at the time of entry or reentry into active duty, who is a resident of and living in this state at the time of registering at an institution, and who meets one of the conditions in s. 45.001 (4) (a) 1. a. to d.~~, and who is a resident for the purposes of receiving benefits under ch. 45~~ is entitled to the exemption under par. (a).

***−1521/3.1* SECTION 699.** 36.27 (2) (cr) of the statutes is created to read:

36.27 **(2)** (cr) A person who is a citizen of a country other than the United States is entitled to the exemption under par. (a) if that person meets all of the following requirements:

1. The person graduated from a high school in this state or received a high school graduation equivalency from this state.

2. The person was continuously present in this state for at least three years following the first day of attending a high school in this state.

3. The person enrolls in an institution and provides that institution with an affidavit stating that the person has filed or will file an application for a permanent resident visa with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

***−1840/1.1* SECTION 700.** 36.27 (3) (a) of the statutes is amended to read:

36.27 **(3)** (a) To a number of needy and worthy nonresident students upon the basis of merit, to be shown by suitable tests, examinations or scholastic records and continued high standards of scholastic attainment. ~~The aggregate amount of these nonresident remissions of tuition shall not exceed an amount equal to full remissions for 8% of the number of nonresident students registered at that institution in the preceding year, excluding those students participating in interstate agreements under s. 39.42.~~

***−1840/1.2* SECTION 701.** 36.27 (3) (b) of the statutes is amended to read:

36.27 **(3)** (b) To additional individual students who, in the judgment of the board, are deserving of relief from the assessment of nonresident tuition because of extraordinary circumstances. ~~The aggregate amount of these nonresident remissions of tuition shall not exceed an amount equal to full remissions for 2% of the number of nonresident students registered in the preceding year, excluding those students participating in interstate agreements under s. 39.42.~~

***−1840/1.3* SECTION 702.** 36.27 (3) (c) of the statutes is amended to read:

36.27 **(3)** (c) The board may remit nonresident tuition, in whole or in part, but no other fees, except in special circumstances as approved by the chancellor, to worthy and needy foreign students and to students who are United States citizens but whose residence is not in the United States. ~~The number of such remissions which may be awarded in any academic year at an institution shall not exceed 2% of the total full−time enrollment of students at that institution for the preceding academic year.~~

***−1541/1.1* SECTION 703.** 36.28 of the statutes is repealed.

***−1858/2.4* SECTION 704.** 36.34 (1) (b) of the statutes is amended to read:

36.34 **(1)** (b) The board shall establish a grant program for minority undergraduates enrolled in the system. The board shall designate all grants under this subsection as Lawton grants. Grants shall be awarded from the ~~appropriations~~ <u>appropriation</u> under s. 20.285 (4) (dd) ~~and (g)~~. The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

***−1532/3.7* SECTION 705.** 36.54 (2) (b) of the statutes is amended to read:

36.54 **(2)** (b) From the appropriations under s. 20.285 (1) ~~(ee),~~ (j), (r) and (rc), the environmental education board shall award grants to corporations and public agencies for the development, dissemination and presentation of environmental education programs. Programs shall be funded on an 18−month basis. The environmental education board may not award a grant unless the grant recipient matches at least 25% of the amount of the grant. Private funds and in−kind

contributions may be applied to meet the matching requirement. Grants under this paragraph may not be used to replace funding available from other sources.

***−1532/3.8* SECTION 706.** 36.54 (2) (c) of the statutes is amended to read:

36.54 **(2)** (c) The environmental education board shall promulgate rules establishing the criteria and procedures for the awarding of grants for programs and projects under par. (b). The environmental education board shall use the priorities established under sub. (1) for awarding grants if the amount in the appropriations under s. 20.285 (1) ~~(ee),~~ (j), (r) and (rc) in any fiscal year is insufficient to fund all applications under this subsection.

***−1636/2.3* SECTION 707.** 38.04 (23) (intro.) of the statutes is amended to read:

38.04 **(23)** WORKPLACE LITERACY RESOURCE CENTER. (intro.) ~~From the appropriation under s. 20.292 (1) (bm), the~~ The board shall operate a workplace literacy resource center. The workplace literacy resource center shall do all of the following:

***−1521/3.2* SECTION 708.** 38.22 (6) (e) of the statutes is created to read:

38.22 **(6)** (e) Any person who is a citizen of a country other than the United States if that person meets all of the following requirements:

1. The person graduated from a high school in this state or received a high school graduation equivalency from this state.

2. The person was continuously present in this state for at least three years following the first day of attending a high school in this state.

3. The person enrolls in a district school and provides the district board with an affidavit stating that the person has filed or will file an application for a permanent resident visa with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

***−1636/2.4* SECTION 709.** 38.24 (1s) (b) of the statutes is amended to read:

38.24 **(1s)** (b) A ~~short−term,~~ professional development, vocational−adult seminar or workshop, consisting of no more than 24 hours of instruction, offered to individuals who are employed in a related field. ~~The additional fee may not exceed an amount equal to the full cost of the seminar or workshop less the fee under sub. (1m).~~ Annually the district board shall report to the board the courses for which an additional fee was charged under this paragraph and the amount of the additional fee.

***−0113/2.2* SECTION 710.** 38.28 (1m) (a) 1. of the statutes is amended to read:

38.28 **(1m)** (a) 1. "District aidable cost" means the annual cost of operating a technical college district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under sub. (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), and 118.55 (7r), ~~and 146.55 (5),~~ all receipts from grants awarded under ss. 38.04 (8), (20), (28), and (31), 38.14 (11), 38.26, 38.27, 38.33, and 38.38, all fees collected under s. 38.24, and driver education and chauffeur training aids.

***−1560/3.18* SECTION 711.** 38.28 (3) of the statutes is amended to read:

38.28 **(3)** If the appropriation for state aid under s. 20.292 (1) ~~(fc)~~ (u) in any one year is insufficient to pay the full amount under subs. (2) (c) and (g), funds in the appropriation shall be used first for the purposes of sub. (2) (c) and any remaining funds shall be prorated among the districts entitled to support under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) ~~(fc)~~ (u) in any one year is

insufficient to pay the full amount under sub. (2) (c), funds in the appropriation shall be prorated among the districts entitled to the funds.

***−1560/3.19* SECTION 712.** 38.29 (2) (c) of the statutes is amended to read:

38.29 **(2)** (c) Amounts awarded shall be paid from the appropriation under s. 20.292 (1) ~~(fg)~~ (v).

***−1594/P2.2* SECTION 713.** 38.34 (3) of the statutes is created to read:

38.34 **(3)** The board may not award a grant to a corporation or foundation created for the benefit of a district.

***−1306/2.7* SECTION 714.** 38.40 (title) of the statutes is repealed.

***−1306/2.8* SECTION 715.** 38.40 (1) of the statutes is repealed.

***−1306/2.9* SECTION 716.** 38.40 (1m) (intro.) of the statutes is repealed.

***−1306/2.10* SECTION 717.** 38.40 (1m) (b) of the statutes is renumbered 106.13 (1) (b).

***−1306/2.11* SECTION 718.** 38.40 (1m) (c) of the statutes is renumbered 106.13 (1) (c).

***−1306/2.12* SECTION 719.** 38.40 (2) of the statutes is repealed.

***−1306/2.13* SECTION 720.** 38.40 (2m) of the statutes is repealed.

***−1306/2.14* SECTION 721.** 38.40 (4m) (title) of the statutes is repealed.

***−1306/2.15* SECTION 722.** 38.40 (4m) (a) of the statutes is renumbered 106.13 (4m) (a) and amended to read:

106.13 **(4m)** (a) The board may approve an innovative school−to−work program provided by a nonprofit organization for children at risk, as defined in s. 118.153 (1) (a), in a county having a population of 500,000 or more to assist those children at risk in acquiring employability skills and occupational−specific competencies before leaving high school. If the board approves a program under this paragraph, the

board may award a grant, from the appropriation under s. ~~20.292 (1)~~ 20.445 (7) (ef), to the nonprofit organization providing the program and the nonprofit organization shall use the funds received under the grant to provide the program.

***−1306/2.16* SECTION 723.** 38.40 (4m) (b) of the statutes is renumbered 106.13 (4m) (b).

***−1306/2.17* SECTION 724.** 38.40 (5) of the statutes is repealed.

***−1510/2.7* SECTION 725.** 38.50 (11) of the statutes is created to read:

38.50 **(11)** CLOSED SCHOOLS; PRESERVATION OF RECORDS. (a) In this subsection:

1. Notwithstanding sub. (1) (e), "school" has the meaning given in sub. (1) (e) (intro.) and also includes a school described in sub. (1) (e) 1., 6., 7., or 8.

2. "Student record" means, in the case of a school, as defined in sub. (1) (e) (intro.), a transcript for a student or former student of a school showing the name of the student, the title of the program in which the student was or is enrolled, the total number of credits or hours of instruction completed by the student, the dates of enrollment, the grade for each course, lesson, or unit of instruction completed by the student, the student's cumulative grade for the program, and an explanation of the school's credit and grading system. In the case of a school described in sub. (1) (e) 1., 6., 7., or 8., "student record" means a transcript for a student or former student of the school showing such information about the academic work completed by the student or former student as is customarily maintained by the school.

(b) If a school operating in this state discontinues its operations, proposes to discontinue its operations, or is in imminent danger of discontinuing its operations as determined by the board and if the board determines that the student records of the school are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those student records or the

authorized representatives of those persons, the board may take possession of those student records. If necessary to protect student records from being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those student records or the authorized representatives of those persons, the board may seek a court order authorizing the board to take possession of those student records.

(c) The board shall preserve a student record that comes into the possession of the board under par. (b) and shall keep the student record confidential as provided under 20 USC 1232g and 34 CFR Part 99. A student record in the possession of the board is not open to public inspection or copying under s. 19.35 (1). Upon request of the person who is the subject of a student record or an authorized representative of that person, the board shall provide a copy of the student record to the requester. The board may charge a fee for providing a copy of a student record. The fee shall be based on the administrative cost of taking possession of, preserving, and providing the copy of the student record. All fees collected under this paragraph shall be credited to the appropriation account under s. 20.292 (2) (i).

***−1789/1.1* SECTION 726.** 39.435 (3) of the statutes is amended to read:

39.435 **(3)** Grants under sub. (1) shall not be less than $250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant. Grants under sub. (1) shall not exceed ~~$2,500~~ $3,000 during any one academic year. The board shall, by rule, establish a reporting system to periodically provide student economic data and shall promulgate other rules the board deems necessary to assure uniform administration of the program.

***−1803/1.2* SECTION 727.** 39.435 (7) (a) 1. of the statutes is amended to read:

39.435 **(7)** (a) 1. For purposes of ~~determining the appropriation~~ calculating the amount to be appropriated under s. 20.235 (1) (fe) for fiscal year ~~2005−06~~ 2007−08, "base amount" means the amount shown in the schedule under s. 20.005 for that appropriation for fiscal year ~~2004−05~~ 2006−07.

***−1803/1.3* SECTION 728.** 39.435 (7) (a) 2. of the statutes is amended to read:

39.435 **(7)** (a) 2. For purposes of ~~determining the appropriation~~ calculating the amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year ~~2005−06~~ 2007−08, "base amount" means the maximum appropriation amount ~~determined~~ calculated under par. (b) for the previous fiscal year.

***−1803/1.4* SECTION 729.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

39.435 **(7)** (b) (intro.) Annually, beginning on February 1, ~~2005~~ 2007, the board shall ~~determine the appropriation~~ calculate the amount to be appropriated under s. 20.235 (1) (fe) for the next fiscal year as follows:

***−1861/2.3* SECTION 730.** 39.435 (8) of the statutes is amended to read:

39.435 **(8)** The board shall award grants under this section to University of Wisconsin System students from the ~~appropriations~~ appropriation under s. 20.235 (1) (fe) ~~and (ke)~~.

***−0752/2.10* SECTION 731.** 39.76 (1) of the statutes is amended to read:

39.76 **(1)** STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES. There is created a 7−member delegation to represent the state of Wisconsin on the education commission of the states. The delegation shall consist of the governor, the state superintendent of public instruction, one senator and one representative to the assembly selected as are the members of standing committees in their respective houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a)

who shall serve at the pleasure of the governor. The chairperson of the delegation shall be designated by the governor from among its members. ~~Members~~ Except as provided in sub. (1m), members of the delegation shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties from the appropriation in s. 20.505 (4) (ba). ~~Annual~~ Except as provided in sub. (1m), annual commission membership dues shall be paid from the appropriation in s. 20.505 (4) (ba).

***−0752/2.11* SECTION 732.** 39.76 (1m) of the statutes is created to read:

39.76 **(1m)** Payments under sub. (1) may be reduced or eliminated if funding for the payments is reduced or eliminated under s. 20.505 (4) (ba).

***−1966/2* SECTION 733.** 40.02 (20) of the statutes is renumbered 40.02 (20) (intro.) and amended to read:

40.02 **(20)** (intro.) "Dependent" means ~~the~~:

(a) Except as provided in par. (b), the spouse, minor child, including stepchildren of the current marriage dependent on the employee for support and maintenance, or child of any age, including stepchildren of the current marriage, if handicapped to an extent requiring continued dependence. For group insurance purposes only, the department may promulgate rules with a different definition of "dependent" than the one otherwise provided in this ~~subsection~~ paragraph for each group insurance plan.

***−1966/2* SECTION 734.** 40.02 (20) (b) of the statutes is created to read:

40.02 **(20)** (b) For a state employee or for an annuitant who was employed by a state agency on the day on which he or she terminated covered employment, the spouse, domestic partner, minor child, including stepchildren of the current marriage or children of a domestic partner dependent on the employee for support

and maintenance, or child of any age, including stepchildren of the current marriage or children of a domestic partner, if handicapped to an extent requiring continued dependence.

***−1966/2* SECTION 735.** 40.02 (21c) of the statutes is created to read:

40.02 **(21c)** "Domestic partner" means an individual in a domestic partnership.

***−1966/2* SECTION 736.** 40.02 (21d) of the statutes is created to read:

40.02 **(21d)** "Domestic partnership" means a relationship between 2 individuals that satisfies all of the following:

(a) Each individual is at least 18 years old and otherwise competent to enter into a contract.

(b) Neither individual is married to, or in a domestic partnership with, another individual.

(c) The 2 individuals are not related by blood in any way that would prohibit marriage under s. 765.03.

(d) The 2 individuals consider themselves to be members of each other's immediate family.

(e) The 2 individuals agree to be responsible for each other's basic living expenses.

***−0280/1.2* SECTION 737.** 40.03 (2) (b) of the statutes is amended to read:

40.03 **(2)** (b) Shall employ and select administrative, clerical or other employees as required for the administration of this chapter and establish the internal organization of the department~~, but the department shall always maintain an office in Milwaukee~~.

***−0279/2.2* SECTION 738.** 40.04 (2) (d) of the statutes is amended to read:

40.04 **(2)** (d) The costs of investing the assets of the benefit plans and retirement systems, including all costs due to s. 40.03 (1) (n), and the costs of legal counsel employed or selected under s. 40.03 (1) (c) shall be paid from the appropriation under s. 20.515 (1) (r) and charged directly against the appropriate investment income or reserve accounts of the benefit plan or retirement system receiving the services.

***−1260/2.2* SECTION 739.** 40.51 (1) of the statutes is amended to read:

40.51 **(1)** The procedures and provisions pertaining to enrollment, premium transmitted and coverage of eligible employees and employees eligible for health care coverage under s. 40.515 for health care benefits shall be established by contract or rule except as otherwise specifically provided by this chapter.

***−1260/2.3* SECTION 740.** 40.515 of the statutes is created to read:

40.515 Health care coverage for employees of the Wisconsin Historical Foundation, Inc. If the historical society has entered into a contract with the Wisconsin Historical Foundation, Inc., for any of the purposes specified in s. 44.015 (7), any employee of the Wisconsin Historical Foundation, Inc., who was previously employed by the historical society is eligible to receive health care coverage under a plan offered to state employees under s. 40.51 (6), subject to enrolling in the plan during any applicable enrollment period and to any conditions established by contract or by rule under s. 40.51 (1).

***−1227/1.3* SECTION 741.** 41.17 (5) of the statutes is amended to read:

41.17 **(5)** FUNDING SOURCE. Subject to the 50% limitation under s. 20.380 (1) (b) and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the department shall expend, from the appropriations under s. 20.380 (1) (b) ~~and~~, (kg),

and (v), at least $1,130,000 in the aggregate in each fiscal year in joint effort marketing funds under this section.

***−1260/2.4* SECTION 742.** 44.015 (7) of the statutes is amended to read:

44.015 **(7)** Contract with the Wisconsin Historical Foundation, Inc., or any other nonstock, nonprofit corporation under ch. 181 for the purposes of administering the historical society's membership program, soliciting and accepting contributions, gifts, grants, and bequests for the historical society, marketing the historical society's goods and services, providing support for the operation, management, and development of the historical society's programs, and performing other functions approved by the board of curators. If the Wisconsin Historical Foundation, Inc., enters into a contract with the historical society for any purpose under this subsection, the Wisconsin Historical Foundation, Inc. shall provide health care coverage under s. 40.515 to its employees who were previously employed by the historical society.

***−1648/2.14* SECTION 743.** 44.53 (1) (fm) of the statutes is created to read:

44.53 **(1)** (fm) Conduct a program identical to that described in par. (f), but only for American Indian individuals and groups. The program shall be funded from the appropriation under s. 20.215 (1) (km).

***−1648/2.15* SECTION 744.** 44.53 (2) (am) of the statutes is created to read:

44.53 **(2)** (am) Enter into contracts with American Indian individuals, organizations and institutions and American Indian tribal governments for services furthering the development of the arts and humanities.

***−0328/4.4* SECTION 745.** 45.16 of the statutes is amended to read:

45.16 Burial allowance. Each county veterans' service officer shall cause to be interred in a decent and respectable manner in any cemetery in this state, other

than those used exclusively for the burial of paupers, the body of any person who was living in the county at the time of death, meets the definition of a "veteran" under s. ~~45.35 (5)~~ 45.001 (4) and who dies not leaving sufficient means to defray the necessary expenses of a decent burial, or under financial circumstances that would distress the person's family to pay the expenses of the burial, and the body of a spouse or surviving spouse of the person who dies not leaving such means or under the same financial circumstances and who was living in the county at the time of death, at an expense to the county of not more than $300 in addition to the burial allowance payable under laws administered by the U.S. department of veterans affairs.

***−0325/1.2* SECTION 746.** 45.19 (1) of the statutes is amended to read:

45.19 **(1)** The department shall administer a program to coordinate the provision of military honors funerals to deceased veterans by local units of member organizations of the council on veterans programs and by members of the Wisconsin national guard activated under s. 21.11 (3). ~~From the appropriation under s. 20.485 (2) (q), the department shall reimburse a local unit of a member organization of the council on veterans programs for the costs of providing a military honors funeral to a deceased veteran. The reimbursement may not exceed $50 for each military honors funeral.~~

***−0328/4.5* SECTION 747.** 45.25 (1) of the statutes is created to read:

45.25 **(1)** DEFINITIONS. In this section:

(a) "Institution of higher education" has the meaning given in 20 USC 1001 (a).

(b) "Median household income" means the median family income for the state, as determined annually by the U.S. department of housing and urban development.

(c) "Part−time classroom study" means any of the following:

1. Enrollment in courses for which no more than 11 semester or the equivalent trimester or quarter credits will be given upon satisfactory completion.

2. Enrollment in courses during a summer semester or session.

(d) "Tuition," when referring to the University of Wisconsin System, means "academic fees," as described in s. 36.27 (1), and when referring to the technical colleges, means "program fees," as described in s. 38.24 (1m) (a) and (b).

***−0328/4.6* SECTION 748.** 45.25 (1g) of the statutes is repealed.

***−0328/4.7* SECTION 749.** 45.25 (1m) of the statutes is renumbered 45.25 (1m) (a) and amended to read:

45.25 **(1m)** (a) The department shall administer a tuition reimbursement program for eligible veterans enrolling as undergraduates in any institution of higher education~~, as defined in s. 45.396 (1) (a),~~ in this state, enrolling in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that is approved under s. ~~45.54,~~ 38.50, enrolling in a public or private high school, or receiving a waiver of nonresident tuition under s. 39.47.

***−0328/4.8* SECTION 750.** 45.25 (2) (intro.) (except 45.25 (2) (title)) of the statutes is renumbered 45.25 (2) (a) (intro.).

***−0328/4.9* SECTION 751.** 45.25 (2) (a) of the statutes is renumbered 45.25 (2) (a) 1. and amended to read:

45.25 **(2)** (a) 1. The annual income of the veteran and his or her spouse does not exceed the ~~amount under s. 45.396 (7) (a)~~ median household income for the state.

***−0328/4.10* SECTION 752.** 45.25 (2) (c) of the statutes is renumbered 45.25 (2) (a) 2. and amended to read:

45.25 **(2)** (a) 2. The veteran applies for the tuition reimbursement program for courses begun within 10 years after separation from the service. This subdivision

does not apply to a veteran who is applying for reimbursement for up to 60 credits of part−time classroom study courses.

***−0328/4.11* SECTION 753.** 45.25 (2) (cm) of the statutes is created to read:

45.25 **(2)** (cm) A veteran is not eligible under this program if the veteran has an undergraduate degree from any institution of higher education.

***−0328/4.12* SECTION 754.** 45.25 (2) (d) of the statutes is renumbered 45.25 (2) (a) 3.

***−0328/4.13* SECTION 755.** 45.25 (2) (e) of the statutes is repealed.

***−0328/4.14* SECTION 756.** 45.25 (3) (a) of the statutes is amended to read:

45.25 **(3)** (a) ~~Except as provided in par. (am), a~~ A veteran who meets the eligibility requirements under sub. (2), may be reimbursed upon satisfactory completion of ~~a full−time~~ an undergraduate semester in any institution of higher education, ~~as defined in s. 45.396 (1) (a),~~ in this state, or upon satisfactory completion of a course at any school that is approved under s. 45.35 (9m), any proprietary school that is approved under s. ~~45.54,~~ 38.50, any public or private high school, or any institution from which the veteran receives a waiver of nonresident tuition under s. 39.47~~, may be reimbursed an amount~~. Except as provided in sub. (5), the amount of reimbursement may not ~~to~~ exceed the total cost of the veteran's tuition minus any grants or scholarships that the veteran receives specifically for the payment of the tuition, or, if the tuition is for an undergraduate semester in any institution of higher education, the standard cost of tuition for a state resident for an equivalent undergraduate semester at the University of Wisconsin−Madison, whichever is less. ~~Reimbursement is available only for tuition that is part of a curriculum that is relevant to a degree in a particular course of study at the institution.~~

***−0328/4.15* SECTION 757.** 45.25 (3) (am) of the statutes is repealed.

***−0328/4.16* SECTION 758.** 45.25 (3) (b) 1. of the statutes is amended to read:

45.25 **(3)** (b) 1. Be completed and received by the department no later than 60 days after the completion of the semester or course. The department may accept an application received more than 60 days after the completion of the semester or course if the applicant shows good cause for the delayed receipt.

***−0328/4.17* SECTION 759.** 45.25 (3) (c) of the statutes is amended to read:

45.25 **(3)** (c) Reimbursement provided under this section shall be paid from the appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the amount available under s. 20.485 (2) (tf), the department may reduce the reimbursement percentage, except to disabled veterans who are eligible for 100 percent of tuition and fees under sub. (5), or deny applications for reimbursement that would otherwise qualify under this section. In those cases, the department shall determine the reimbursement percentage, except to disabled veterans who are eligible for 100 percent of tuition and fees under sub. (5), and eligibility on the basis of the dates on which applications for reimbursement were received.

***−0328/4.18* SECTION 760.** 45.25 (3) (d) (intro.) of the statutes is amended to read:

45.25 **(3)** (d) (intro.) Reimbursement of tuition ~~and fees~~ for a course may be provided at an institution or school under par. (a) other than the one from which the veteran is receiving his or her degree or certificate of graduation or course completion if all of the following apply:

***−0328/4.19* SECTION 761.** 45.25 (4) (a) of the statutes is renumbered 45.25 (4) (a) (intro.) and amended to read:

45.25 **(4)** (a) (intro.) A ~~veteran is not eligible~~ veteran's eligibility for reimbursement under sub. (2) ~~for more than 120 credits or 8 full semesters of~~

~~full−time study~~ at any institution of higher education, ~~as defined in s. 45.396 (1) (a),~~ in this state, ~~60 credits or 4 full semesters of full−time study at any institution of higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an equivalent amount of credits~~ at a school that is approved under s. 45.35 (9m), at a proprietary school that is approved under s. ~~45.54,~~ 38.50, at a public or private high school, or at an institution where he or she is receiving a waiver of nonresident tuition under s. 39.47~~.~~ is limited to the following:

***−0328/4.20* SECTION 762.** 45.25 (4) (a) 1. to 3. of the statutes are created to read:

45.25 **(4)** (a) 1. If the veteran served on active duty, except service on active duty for training purposes, for 90 to 180 days, the veteran may be reimbursed for a maximum of 30 credits or 2 semesters, or an equivalent amount of credits or semesters if at a school other than an institution of higher education.

2. If the veteran served on active duty, except service on active duty for training purposes, for 181 to 730 days, the veteran may be reimbursed for a maximum of 60 credits or 4 semesters, or an equivalent amount of credits or semesters if at a school other than an institution of higher education.

3. If the veteran served on active duty, except service on active duty for training purposes, for more than 730 days, the veteran may be reimbursed for a maximum of 120 credits or 8 semesters, or an equivalent amount of credits or semesters if at a school other than an institution of higher education.

***−0328/4.21* SECTION 763.** 45.25 (4) (c) of the statutes is amended to read:

45.25 **(4)** (c) A veteran may not receive reimbursement under sub. (2) for any semester in which he or she is eligible for or received a grant under s. 21.49 or ~~45.396~~ under 10 USC 2007.

***−0329/3.3* SECTION 764.** 45.348 (title) and (1) (intro.) of the statutes are amended to read:

45.348 (title) **Dependent and child care defined for ss. 45.35~~, 45.351,~~ and 45.356. (1)** (intro.) In this section and ss. 45.35~~, 45.351,~~ and 45.356 unless otherwise modified, "child" means any natural child, any legally adopted child, any stepchild or child if a member of the veteran's household, or any nonmarital child if the veteran acknowledges paternity or paternity has been otherwise established.

***−0329/3.4* SECTION 765.** 45.348 (2) (a) (intro.) of the statutes is amended to read:

45.348 **(2)** (a) (intro.) In ~~ss.~~ s. 45.35 ~~and 45.351~~, "dependent" includes any of the following:

***−0328/4.22* SECTION 766.** 45.35 (4) (a) of the statutes is amended to read:

45.35 **(4)** (a) The secretary shall appoint under the classified service such persons as are necessary to carry out the policy of the board and for the proper conduct of the Wisconsin Veterans Museum. All persons appointed by the department shall, if possible, be veterans as defined in ~~sub. (5)~~ 45.001 (4) and preference shall be given to disabled veterans.

***−0328/4.23* SECTION 767.** 45.35 (5) of the statutes is repealed.

***−0328/4.24* SECTION 768.** 45.35 (8) (b) 4. of the statutes is repealed.

***−0322/1.1* SECTION 769.** 45.35 (14) (h) of the statutes is amended to read:

45.35 **(14)** (h) To provide grants to the governing bodies of federally recognized American Indian tribes and bands from the appropriation under s. 20.485 (2) ~~(vz)~~ (km) if that governing body enters into an agreement with the department regarding the creation, goals and objectives of a tribal veterans' service officer, appoints a veteran to act as a tribal veterans' service officer and gives that veteran duties

similar to the duties described in s. 45.43 (5), except that the veteran shall report to the governing body of the tribe or band. The department may make annual grants of up to ~~$2,500~~ $10,000 under this paragraph and shall promulgate rules to implement this paragraph.

***−0329/3.5* SECTION 770.** 45.35 (17) (c) 1m. (intro.) of the statutes is amended to read:

45.35 **(17)** (c) 1m. (intro.) The department shall declare immediately due and payable any loan made after July 29, 1979 under a program administered by the department under ~~s. 45.351 or~~ subch. II, if it finds that the loan was granted to an ineligible person due to any of the following circumstances:

***−0329/3.6* SECTION 771.** 45.35 (17) (c) 2. (intro.) of the statutes is amended to read:

45.35 **(17)** (c) 2. (intro.) Loan application forms processed by the department for programs administered under ~~s. 45.351 or~~ subch. II shall:

***−0329/3.7* SECTION 772.** 45.35 (17) (c) 3. of the statutes is amended to read:

45.35 **(17)** (c) 3. The department shall incorporate the payment acceleration requirements of subd. 1m. in all loan documents for programs administered by the department under ~~s. 45.351 or~~ subch. II.

***−0329/3.8* SECTION 773.** 45.351 of the statutes is repealed and recreated to read:

45.351 Assistance to needy veterans. (1) SUBSISTENCE AID. (a) The department may provide subsistence payments to a veteran on a month−to−month basis or for a 3−month period. The department may pay subsistence aid for a 3−month period if the veteran will be incapacitated for more than 3 months and if earned or unearned income or aid from sources other than those listed in the

application will not be available in the 3−month period. The department may grant subsistence aid under this subsection to a veteran whose incapacitation is the result of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and other drug abuse treatment program that is approved by the department.

(b) The maximum amount that any veteran may receive under this subsection per occurrence during a consecutive 12−month period may not exceed $2,000.

(2) HEALTH CARE. (a) The department may provide health care aid to a veteran for dental care, including dentures; vision care, including eyeglass frames and lenses; and hearing care, including hearing aids.

(b) The maximum amount that may be paid under this subsection for any consecutive 12−month period may not exceed $2,500 for dental care, $500 for vision care, and $1,500 per ear for hearing care.

(c) The department may not provide health care aid under this subsection unless the aid recipient's health care provider agrees to accept, as full payment for the health care provided, the amount of the payment, the amount of the recipient's health insurance or other 3rd−party payments, if any, and the amount that the department determines the veteran is capable of paying. The department may not pay health care aid under this subsection if the liquid assets of the veteran are in excess of $1,000.

(3) LIMITATIONS. The total cumulative amount that any veteran may receive under this section may not exceed $5,000.

(4) APPROPRIATIONS. The department may make payments under this section from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the department to incur any state debt.

(5) JOINT FINANCE SUPPLEMENTAL FUNDING. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) to provide payments under this section. The joint committee on finance may, from the appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.485 (2) (vm) in an amount equal to the amount that the department expects to expend under this section. Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an emergency exists.

***−0324/3.1* SECTION 774.** 45.356 (2) of the statutes is amended to read:

45.356 **(2)** The department may lend a veteran, a veteran's unremarried surviving spouse, or a deceased veteran's child not more than $25,000 or a lesser amount established by the department under sub. (10). The department may prescribe loan conditions, but the term of the loan may not exceed 10 years<u>, or a shorter term established by the department under sub. (13)</u>. The department shall ensure that the proceeds of any loan made under this section shall first be applied to pay any delinquent child support or maintenance payments and then to pay any past support, medical expenses, or birth expenses.

***−0324/3.2* SECTION 775.** 45.356 (13) of the statutes is created to read:

45.356 **(13)** Subject to the limit established in sub. (2), the department may periodically adjust the maximum term limits for loans based upon financial market conditions, funds available, needs of the veterans trust fund, or other factors that the department considers relevant.

***−0326/1.1* SECTION 776.** 45.37 (4) (b) of the statutes is amended to read:

45.37 **(4)** (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses and parents derive their eligibility from the eligibility of the veteran upon whose

service it is based. Surviving spouses and parents of eligible veterans shall not be eligible for admission at a southeastern facility unless the facility's overall occupancy level is below an optimal level as determined by the board. Surviving spouses and parents of eligible veterans shall not be eligible for admission at the home except for those admitted to the home prior to May 5, 1976, or unless the home's overall occupancy level is below an optimal level as determined by the board.

***−0326/1.2* SECTION 777.** 45.37 (4) (c) 1m. c. of the statutes is amended to read:

45.37 **(4)** (c) 1m. c. Surviving spouses of eligible veterans shall be given 3rd priority ~~for admission to the home~~.

***−0326/1.3* SECTION 778.** 45.37 (4) (c) 1m. d. of the statutes is amended to read:

45.37 **(4)** (c) 1m. d. Parents of eligible veterans shall be given 4th priority ~~for admission to the home~~.

***−1513/4.6* SECTION 779.** 45.37 (10) (c) of the statutes is amended to read:

45.37 **(10)** (c) ~~The~~ Except where a sale occurs under s. 16.848, the department may manage, sell, lease or transfer property descending to the state pursuant to this section or conveyed to it by members, defend and prosecute all actions concerning it, pay all just claims against it, and do all other things necessary for the protection, preservation and management of such property. All expenditures necessary for the execution of functions under this paragraph or sub. (11) shall be made from the appropriation in s. 20.485 (1) (h).

***−1513/4.7* SECTION 780.** 45.38 (2) (a) 1. of the statutes is amended to read:

45.38 **(2)** (a) 1. Without limitation by reason of any other provisions of the statutes except s. 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation any land and any existing buildings thereon owned by, or owned by the state and held for, the department or of any of the institutions under

the jurisdiction of the department for such consideration and upon such terms and conditions as in the judgment of the board are in the public interest.

***−0328/4.25* SECTION 781.** 45.396 (title) of the statutes is repealed.

***−0328/4.26* SECTION 782.** 45.396 (1) of the statutes is repealed.

***−0328/4.27* SECTION 783.** 45.396 (2) of the statutes is repealed.

***−0328/4.28* SECTION 784.** 45.396 (3) of the statutes is renumbered 45.25 (1m) (b), and 45.25 (1m) (b) (intro.) and 1., as renumbered, are amended to read:

45.25 **(1m)** (b) (intro.) A veteran who is a resident of this state and otherwise qualified to receive benefits under this section may receive the benefits under this section upon the completion of any correspondence courses or part−time classroom study from an institution of higher education located outside this state, from a school that is approved under s. 45.35 (9m), or from a proprietary school that is approved under s. ~~45.54~~ 38.50, if any of the following applies:

1. The part−time classroom study is not offered within 50 miles of the veteran's residence by any school or institution under ~~sub. (2)~~ par. (a) and the educational institution from which the study is offered is located not more than 50 miles from the boundary line of this state.

***−0328/4.29* SECTION 785.** 45.396 (4) of the statutes is repealed.

***−0328/4.30* SECTION 786.** 45.396 (5) of the statutes is repealed.

***−0328/4.31* SECTION 787.** 45.396 (5m) of the statutes is repealed.

***−0328/4.32* SECTION 788.** 45.396 (6) of the statutes is repealed.

***−0328/4.33* SECTION 789.** 45.396 (7) (a) of the statutes is repealed.

***−0328/4.34* SECTION 790.** 45.396 (7) (b) of the statutes is renumbered 45.25 (2) (bm).

***−0328/4.35* SECTION 791.** 45.396 (8) of the statutes is repealed.

***−0328/4.36* SECTION 792.** 45.396 (9) of the statutes is renumbered 45.25 (5) and amended to read:

45.25 **(5)** DISABLED VETERAN ELIGIBILITY. A disabled veteran who meets the requirements under this section and whose disability is rated at 30% or more under 38 USC 1114 or 1134 may be reimbursed for up to 100% of the cost of tuition and fees, but that reimbursement is limited to 100% of the standard cost for a state resident for tuition and fees for an equivalent undergraduate course at the University of Wisconsin−Madison per course ~~and may not be provided to an individual more than 4 times during any consecutive 12−month period~~ if the tuition and fees are for an undergraduate semester in any institution of higher education.

***−1510/2.8* SECTION 793.** 45.397 (2) (a) of the statutes is amended to read:

45.397 **(2)** (a) The veteran is enrolled in a training course in a technical college under ch. 38 or in a proprietary school in the state approved by the educational approval board under s. ~~45.54~~ 38.50, other than a proprietary school offering a 4−year degree or 4−year program, or is engaged in a structured on−the−job training program that meets program requirements promulgated by the department by rule.

***−0328/4.37* SECTION 794.** 45.397 (2) (cm) of the statutes is amended to read:

45.397 **(2)** (cm) The veteran requesting a grant has not received reimbursement under s. 45.25 ~~or 45.396~~ for courses completed during the same semester for which a grant would be received under this section.

***−0328/4.38* SECTION 795.** 45.43 (1) (am) of the statutes is amended to read:

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

who meet at least one of the conditions listed in s. ~~45.35 (5) (a) 1. a. to d.~~ 45.001 (4) (a) 1. a. to d. and at least one of the conditions listed in s. ~~45.35 (5) (a) 2. a. to c.~~ 45.001 (4) (a) 1. a. to d.

***−1510/2.9* SECTION 796.** 45.54 (title) of the statutes is renumbered 38.50 (title).

***−1510/2.10* SECTION 797.** 45.54 (1) (intro.) of the statutes is renumbered 38.50 (1) (intro.).

***−1510/2.11* SECTION 798.** 45.54 (1) (a) of the statutes is renumbered 38.50 (1) (a) and amended to read:

38.50 **(1)** (a) ~~"Board"~~ Notwithstanding s. 38.01 (2), "board" means the educational approval board.

***−1510/2.12* SECTION 799.** 45.54 (1) (b) of the statutes is renumbered 38.50 (1) (b).

***−1510/2.13* SECTION 800.** 45.54 (1) (c) of the statutes is renumbered 38.50 (1) (c).

***−1510/2.14* SECTION 801.** 45.54 (1) (d) of the statutes is renumbered 38.50 (1) (d).

***−1510/2.15* SECTION 802.** 45.54 (1) (e) of the statutes is renumbered 38.50 (1) (e).

***−1510/2.16* SECTION 803.** 45.54 (1) (f) of the statutes is renumbered 38.50 (1) (f).

***−1510/2.17* SECTION 804.** 45.54 (1) (g) of the statutes is renumbered 38.50 (1) (g).

***−1510/2.18* SECTION 805.** 45.54 (2) of the statutes is renumbered 38.50 (2).

***−1510/2.19* SECTION 806.** 45.54 (3) of the statutes is renumbered 38.50 (3).

***−1510/2.20* SECTION 807.** 45.54 (5) of the statutes is renumbered 38.50 (5) and amended to read:

38.50 **(5)** EMPLOYEES, QUARTERS. The board shall employ a person to perform the duties of an executive secretary and any other persons under the classified service that may be necessary to carry out the board's purpose. The person performing the duties of the executive secretary shall be in charge of the administrative functions of the board. The board shall, to the maximum extent practicable, keep its office with the ~~department~~ technical college system board.

***−1510/2.21* SECTION 808.** 45.54 (7) of the statutes is renumbered 38.50 (7).

***−1510/2.22* SECTION 809.** 45.54 (8) of the statutes is renumbered 38.50 (8).

***−1510/2.23* SECTION 810.** 45.54 (10) (title) of the statutes is renumbered 38.50 (10) (title).

***−1510/2.24* SECTION 811.** 45.54 (10) (a) of the statutes is renumbered 38.50 (10) (a) and amended to read:

38.50 **(10)** (a) *Authority.* All proprietary schools shall be examined and approved by the board before operating in this state. Approval shall be granted to schools meeting the criteria established by the board for a period not to exceed one year. No school may advertise in this state unless approved by the board. All approved schools shall submit quarterly reports, including information on enrollment, number of teachers and their qualifications, course offerings, number of graduates, number of graduates successfully employed, and such other information as the board deems necessary. If a school closure results in losses to students, parents, or sponsors, the board may authorize the full or partial payment of those losses from the appropriation under s. ~~20.485 (5)~~ 20.292 (2) (gm).

***−1510/2.25* SECTION 812.** 45.54 (10) (b) of the statutes is renumbered 38.50 (10) (b).

***−1510/2.26* SECTION 813.** 45.54 (10) (c) of the statutes is renumbered 38.50 (10) (c).

***−1510/2.27* SECTION 814.** 45.54 (10) (cm) of the statutes is renumbered 38.50 (10) (cm).

***−1510/2.28* SECTION 815.** 45.54 (10) (d) of the statutes is renumbered 38.50 (10) (d).

***−1510/2.29* SECTION 816.** 45.54 (10) (e) of the statutes is renumbered 38.50 (10) (e).

***−0321/2.1* SECTION 817.** 45.71 (8) of the statutes is amended to read:

45.71 **(8)** "Home" means a building or portion thereof used ~~as the veteran's principal place of~~ <u>by the veteran as a</u> residence, and includes condominiums and income−producing property, a portion of which is so occupied by the veteran, and the land, including existing improvements, appertaining to such a building.

***−0321/2.2* SECTION 818.** 45.71 (12) (a) of the statutes is amended to read:

45.71 **(12)** (a) Is used ~~as the veteran's principal place of~~ <u>by the veteran as a</u> residence; and

***−0321/2.3* SECTION 819.** 45.71 (15) of the statutes is created to read:

45.71 **(15)** "Qualified veterans' mortgage bonds" means federally tax−exempt bonds issued under the authority of 26 USC 143.

***−0321/2.4* SECTION 820.** 45.71 (16) (d) of the statutes is created to read:

45.71 **(16)** (d) Any person who has completed 6 continuous years of service under honorable conditions in the army or air national guard or in any reserve

component of the U.S. armed forces, and who is living in this state at the time of his or her application for benefits, shall be considered a veteran under this subchapter.

***−0321/2.5* SECTION 821.** 45.76 (1) (c) of the statutes is amended to read:

45.76 **(1)** (c) *Home improvements.* A loan ~~of not more than $25,000~~ to improve a home, including the construction of a garage or the removal or other alteration of existing improvements that were made to improve the accessibility of a home for a disabled individual.

***−0321/2.6* SECTION 822.** 45.76 (1) (d) of the statutes is repealed and recreated to read:

45.76 **(1)** (d) *Refinancing.* Refinancing the balance due on an indebtedness that was incurred for a use designated in pars. (a) to (c).

***−0321/2.7* SECTION 823.** 45.76 (3) (b) 1. of the statutes is amended to read:

45.76 **(3)** (b) 1. The ~~residence~~ property to be purchased, constructed, improved or refinanced with financial assistance under this subchapter will be used ~~as the person's principal~~ by the person as a residence.

***−0321/2.8* SECTION 824.** 45.76 (4) of the statutes is created to read:

45.76 **(4)** QUALIFIED VETERANS' MORTGAGE BONDS. If the source of the funding for a loan under this subchapter is the proceeds of a qualified veterans' mortgage bond, the department shall apply any applicable requirements of the Internal Revenue Code in determining a person's eligibility for a loan to assure that the bonds are exempt from federal tax.

***−0404/4.7* SECTION 825.** 46.03 (7) (c) of the statutes is repealed.

***−0404/4.8* SECTION 826.** 46.03 (7) (cm) of the statutes is repealed.

***−1513/4.8* SECTION 827.** 46.03 (30) (a) of the statutes is amended to read:

46.03 **(30)** (a) To provide for an orderly reduction of state institutional primary psychiatric services the department may approve the institutes entering into contracts with county departments under s. 51.42 for providing primary psychiatric care. If excess capacity exists at state operated mental health institutes, the department shall, subject to s. 16.848, explore ~~whether~~ the possible sale or lease of such excess facilities ~~may be sold or leased~~ to a county department under s. 51.42.

***−1648/2.16* SECTION 828.** 46.03 (43) of the statutes is amended to read:

46.03 **(43)** COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. From the appropriation ~~account~~ accounts under s. 20.435 (7) (kg) and (kh), provide grants to one or more individuals or organizations in the private sector to conduct compulsive gambling awareness campaigns.

***−1707/3.1* SECTION 829.** 46.033 of the statutes is created to read:

46.033 Personal care services quality improvement. (1) In this section, "personal care services" means medically oriented activities related to assisting a person with activities of daily living necessary to maintain the person in his or her place of residence in the community.

(2) Upon the request of a county board, the department may provide assistance in recruiting and training individuals to provide personal care services.

***−0295/2.2* SECTION 830.** 46.034 (3) of the statutes is amended to read:

46.034 **(3)** With the agreement of the affected county board of supervisors in a county with a single−county department or boards of supervisors in counties with a multicounty department, effective for the contract period beginning January 1, 1980, the department may approve a county with a single−county department or counties participating in a multicounty department to administer a single consolidated aid consisting of the state and federal financial aid available to that

county or those counties from appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o) for services provided and purchased by county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of improved service coordination and effectiveness, the county board of supervisors in a county with a single−county department or county boards of supervisors in counties with a multicounty department may reallocate among county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be specified for use by a single county department. The budget under s. 46.031 (1) shall be the vehicle for expressing the proposed use of the single consolidated fund by the county board of supervisors in a county with a single−county department or county boards of supervisors in counties with a multicounty department. Approval by the department of this use of the fund shall be in the contract under s. 46.031 (2g). Counties that were selected by the department to pilot test consolidated aids for contract periods beginning January 1, 1978, may continue or terminate consolidation with the agreement of the affected county board of supervisors in a county with a single−county department or county boards of supervisors in counties with a multicounty department.

***−1513/4.9* SECTION 831.** 46.035 (1) (a) of the statutes is amended to read:

46.035 **(1)** (a) The term "existing building" in relation to any conveyance, lease or sublease made under sub. (2) (a) ~~1., 2. and 3.~~, (b), and (c) means all detention, treatment, administrative, recreational, infirmary, hospital, vocational and academic buildings; all dormitories and cottages; all storage facilities, heating plants, sewage disposal plants, and such other buildings, structures, facilities and permanent improvements as in the judgment of the secretary are needed or useful for the purposes of the department, and all equipment therefor and all improvements

and additions thereto which were erected, constructed or installed prior to the making of such conveyance, lease or sublease.

***−1513/4.10* SECTION 832.** 46.035 (1) (b) of the statutes is amended to read:

46.035 **(1)** (b) The term "new building" in relation to any conveyance, lease or sublease made under sub. (2) (a) ~~1., 2. and 3.~~, (b), and (c) means all detention, treatment, administrative, recreational, infirmary, hospital, vocational and academic buildings; all dormitories and cottages; all storage facilities, heating plants, sewage disposal plants, and such other buildings, structures, facilities and permanent improvements as in the judgment of the secretary are needed or useful for the purposes of the department, and all equipment therefor and all improvements and additions thereto which are erected, constructed or installed after the making of such conveyance, lease or sublease.

***−1513/4.11* SECTION 833.** 46.035 (2) (intro.) of the statutes is repealed.

***−1513/4.12* SECTION 834.** 46.035 (2) (a) of the statutes is renumbered 46.035 (2), and 46.035 (2) (intro.), (a) and (c) to (j), as renumbered, are amended to read:

46.035 **(2)** (intro.) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness hereafter created by a nonprofit corporation for the purpose of providing a new building or buildings or additions or improvements thereto which are located on land owned by, or owned by the state and held for, the department or on lands of the institutions under the jurisdiction of the department or by the nonprofit corporation, or for any one or more of said purposes, but for no other purpose unless authorized by law, the department has, subject to s. 16.848, the following powers and duties:

(a) Without limitation by reason of any other provisions of the statutes except s. 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation

any land and any existing buildings thereon owned by, or owned by the state and held for, the department or of any of the institutions under the jurisdiction of the department for such consideration and upon such terms and conditions as in the judgment of the secretary are in the public interest.

(c) The power to lease or sublease from such nonprofit corporation, and to make available for public use, any such land and existing buildings conveyed or leased to such nonprofit corporation under ~~subds. 1. and 2.~~ pars. (a) and (b), and any new buildings erected upon such land or upon any other land owned by such nonprofit corporation, upon such terms, conditions and rentals, subject to available appropriations, as in the judgment of the secretary are in the public interest. With respect to any property conveyed to such nonprofit corporation under ~~subd. 1.~~ par. (a), such lease from such nonprofit corporation may be subject or subordinated to one or more mortgages of such property granted by such nonprofit corporation.

(d) The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this ~~section~~ subsection to the department of administration and the governor for written approval before they are finally adopted, executed and delivered.

(e) The power to pledge and assign all or any part of the revenues derived from the operation of such new buildings as security for the payment of rentals due and to become due under any lease or sublease of such new buildings under ~~subd. 3~~ par. (c).

(f) The power to covenant and agree in any lease or sublease of such new buildings made under ~~subd. 3.~~ par. (c) to impose fees, rentals or other charges for the use and occupancy or other operation of such new buildings in an amount calculated

to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

(g) The power to apply all or any part of the revenues derived from the operation of existing buildings to the payment of rentals due and to become due under any lease or sublease made under ~~subd. 3~~ par. (c).

(h) The power to pledge and assign all or any part of the revenues derived from the operation of existing buildings to the payment of rentals due and to become due under any lease or sublease made under ~~subd. 3~~ par. (c).

(i) The power to covenant and agree in any lease or sublease made under ~~subd. 3.~~ par. (c) to impose fees, rentals or other charges for the use and occupancy or other operation of existing buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under such lease or sublease.

(j) The power and duty, upon receipt of notice of any assignment by any such nonprofit corporation of any lease or sublease made under ~~subd. 3.~~ par. (c), or of any of its rights under any such sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by such nonprofit corporation.

***−1513/4.13* SECTION 835.** 46.035 (2) (b) of the statutes is renumbered 46.035 (3) and amended to read:

46.035 **(3)** The state ~~shall be~~ is liable for accrued rentals and for any other default under any lease or sublease made under ~~par. (a) 3.~~ sub. (2) (c), and may be sued therefor on contract as in other contract actions pursuant to ch. 775, except that it ~~shall not be~~ is not necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such

lessor to file any claim with the legislature prior to the commencement of any such action.

***−1513/4.14* SECTION 836.** 46.035 (2) (c) of the statutes is renumbered 46.035 (4).

***−1513/4.15* SECTION 837.** 46.035 (2) (d) of the statutes is repealed.

***−1513/4.16* SECTION 838.** 46.035 (2) (e) of the statutes is renumbered 46.035 (5) and amended to read:

46.035 **(5)** All laws, except s. 16.848 and ch. 150, ~~conflicting~~ that conflict with any provisions of this section, are, insofar as they conflict with this section and no further, superseded by this section.

***−0248/1.1* SECTION 839.** 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,379,300 in fiscal year ~~2003−04~~ 2005−06 and $1,379,300 in fiscal year ~~2004−05~~ 2006−07 and, from the appropriation account under s. 20.410 (3) (hm), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) ~~$2,086,700~~ $2,271,200 in fiscal year ~~2003−04~~ 2005−06 and ~~$2,155,600~~ $2,390,600 in fiscal year ~~2004−05~~ 2006−07 for services for juveniles placed at the Mendota juvenile treatment center. The department of health and family services may charge the department of corrections not more than the actual cost of providing those services.

***−1513/4.17* SECTION 840.** 46.06 (intro.) of the statutes is created to read:

46.06 Lands; condemnation, easements, leases, sales, purchases. (intro.) Subject to s. 16.848:

***−1417/P4.3* SECTION 841.** 46.07 of the statutes is amended to read:

46.07 Property of patients or residents. All money including wages and other property delivered to an officer or employee of any institution for the benefit of a patient or resident shall ~~forthwith~~ be delivered to the steward, who shall enter the ~~same~~ money upon the steward's books to the credit of the patient or resident. The property shall be used only under the direction and with the approval of the superintendent and for the crime victim and witness assistance surcharge under s. 973.045 (4), the delinquency victim and witness assistance surcharge under s. 938.34 (8d) (c), the child abuse prevention and child mental health surcharge under s. 973.044 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 or the benefit of the patient or resident. If the money remains uncalled for for one year after the patient's or resident's death or departure from the institution, the superintendent shall deposit the ~~same~~ money in the general fund. If any patient or resident leaves property, other than money, uncalled for at an institution for one year, the superintendent shall sell the property, and the proceeds shall be deposited in the general fund. If any person satisfies the department, within 5 years after the deposit, of his or her right to the deposit, the department shall direct the department of administration to draw its warrant in favor of the claimant and it shall charge the same to the appropriation made by s. 20.913 (3) (c).

***−1513/4.18* SECTION 842.** 46.09 (intro.) of the statutes is created to read:

46.09 Purchases, bills, audits, payments. (intro.) Subject to s. 16.848:

***−0084/3.2* SECTION 843.** 46.10 (14) (a) of the statutes is amended to read:

46.10 **(14)** (a) Except as provided in pars. (b) and (c), liability of a person specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons under 18 years of age at community mental health centers, a county mental health complex under s. 51.08, the centers for the developmentally disabled, the Mendota

Mental Health Institute, and the Winnebago Mental Health Institute or care and maintenance of persons under 18 years of age in residential, nonmedical facilities such as group homes, foster homes, treatment foster homes, ~~child caring institutions,~~ subsidized guardianship homes, residential care centers for children and youth, and juvenile correctional institutions is determined in accordance with the cost−based fee established under s. 46.03 (18). The department shall bill the liable person up to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd−party benefits, subject to rules that include formulas governing ability to pay promulgated by the department under s. 46.03 (18). Any liability of the patient not payable by any other person terminates when the patient reaches age 18, unless the liable person has prevented payment by any act or omission.

***−0084/3.3* SECTION 844.** 46.10 (14) (b) of the statutes is amended to read:

46.10 **(14)** (b) Except as provided in par. (c) and subject to par. (cm), liability of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the parent's minor child who has been placed by a court order under s. 48.355 or 48.357 in a residential, nonmedical facility such as a group home, foster home, treatment foster home, subsidized guardianship home, or residential care center for children and youth shall be determined by the court by using the percentage standard established by the department of workforce development under s. 49.22 (9) and by applying the percentage standard in the manner established by the department under s. 46.247.

***−0311/3.1* SECTION 845.** 46.10 (16) of the statutes is amended to read:

46.10 **(16)** The department shall delegate to county departments under ss. 51.42 and 51.437 or the local providers of care and services meeting the standards established by the department under s. 46.036, the responsibilities vested in the

department under this section for collection of patient fees for services other than those provided at state facilities or those provided to children that are reimbursed under a waiver under s. 46.27 (11), 46.275, ~~or~~, 46.278, or 46.2785 or a waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c), if the county departments or providers meet the conditions that the department determines are appropriate. The department may delegate to county departments under ss. 51.42 and 51.437 the responsibilities vested in the department under this section for collection of patient fees for services provided at the state facilities if the necessary conditions are met.

***−0404/4.9* SECTION 846.** 46.16 (2) of the statutes is amended to read:

46.16 **(2)** CHILD WELFARE AGENCIES; FOSTER HOMES; TREATMENT FOSTER HOMES~~;~~ ~~CHILD CARE CENTERS; DAY NURSERIES; NURSERY SCHOOLS.~~ ~~It~~. The department may license and revoke licenses of and exercise supervision over all child welfare agencies and the placement of children in foster homes and treatment foster homes, and grant ~~permits~~ licenses to foster homes~~,~~ and treatment foster homes~~, child care centers, day nurseries and nursery schools~~. In the discharge of this duty ~~it~~ the department may inspect the records of child welfare agencies~~, child care centers, day nurseries, nursery schools~~ and visit all institutions ~~conducted by them~~ operated by child welfare agencies and all foster homes and treatment foster homes in which children are placed.

***−0404/4.10* SECTION 847.** 46.16 (2m) of the statutes is repealed.

***−0404/4.11* SECTION 848.** 46.16 (2s) of the statutes is repealed.

***−0295/2.3* SECTION 849.** 46.215 (2) (c) 1. of the statutes is amended to read:

46.215 **(2)** (c) 1. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services to be purchased,

except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o), as appropriate, under s. 46.495.

***−0295/2.4* SECTION 850.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

46.22 **(1)** (e) 3. a. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services, except under subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o) according to s. 46.495.

***−0084/3.4* SECTION 851.** 46.261 (1) (a) of the statutes is amended to read:

46.261 **(1)** (a) The child is living in a foster home or treatment foster home licensed under s. 48.62 if a license is required under that section, in a foster home or treatment foster home located within the boundaries of a federally recognized American Indian reservation in this state and licensed by the tribal governing body of the reservation, in a group home licensed under s. 48.625, in a subsidized guardianship home under s. 48.62 (5), or in a residential care center for children and youth licensed under s. 48.60, and has been placed in the foster home, treatment foster home, group home, subsidized guardianship home, or center by a county department under s. 46.215, 46.22, or 46.23, by the department, or by a federally recognized American Indian tribal governing body in this state under an agreement with a county department under s. 46.215, 46.22, or 46.23.

***−0084/3.5* SECTION 852.** 46.261 (2) (a) 1. of the statutes is amended to read:

46.261 **(2)** (a) 1. A nonrelative who cares for the dependent child in a foster home or treatment foster home having a license under s. 48.62, in a foster home or treatment foster home located within the boundaries of a federally recognized American Indian reservation in this state and licensed by the tribal governing body of the reservation or in a group home licensed under s. 48.625, a subsidized guardian or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor custodial parent who cares for the dependent child, regardless of the cause or prospective period of dependency. The state shall reimburse counties pursuant to the procedure under s. 46.495 (2) and the percentage rate of participation set forth in s. 46.495 (1) (d) for aid granted under this section except that if the child does not have legal settlement in the granting county, state reimbursement shall be at 100%. The county department under s. 46.215 or 46.22 or the department under s. 48.48 (17) shall determine the legal settlement of the child. A child under one year of age shall

be eligible for aid under this subsection irrespective of any other residence requirement for eligibility within this section.

***−0084/3.6* SECTION 853.** 46.261 (2) (a) 3. of the statutes is amended to read:

46.261 **(2)** (a) 3. A county or, in a county having a population of 500,000 or more, the department, when the child is placed in a licensed foster home, treatment foster home, group home, or residential care center for children and youth <u>or in a subsidized guardianship home</u> by a licensed child welfare agency or by a federally recognized American Indian tribal governing body in this state or by its designee, if the child is in the legal custody of the county department under s. 46.215, 46.22<u>,</u> or 46.23 or the department under s. 48.48 (17) or if the child was removed from the home of a relative, as defined under s. 48.02 (15), as a result of a judicial determination that continuance in the home of the relative would be contrary to the child's welfare for any reason and the placement is made pursuant to an agreement with the county department or the department.

***−0084/3.7* SECTION 854.** 46.261 (2) (a) 4. of the statutes is amended to read:

46.261 **(2)** (a) 4. A licensed foster home, treatment foster home, group home, or residential care center for children and youth <u>or a subsidized guardianship home</u> when the child is in the custody or guardianship of the state, when the child is a ward of an American Indian tribal court in this state and the placement is made under an agreement between the department and the tribal governing body, or when the child was part of the state's direct service case load and was removed from the home of a relative, as defined under s. 48.02 (15), as a result of a judicial determination that continuance in the home of a relative would be contrary to the child's welfare for any reason and the child is placed by the department.

***−0084/3.8* SECTION 855.** 46.261 (2) (b) of the statutes is amended to read:

46.261 **(2)** (b) Notwithstanding par. (a), aid under this section may not be granted for placement of a child in a foster home or treatment foster home licensed by a federally recognized American Indian tribal governing body, for placement of a child in a foster home, treatment foster home, group home, subsidized guardianship home, or residential care center for children and youth by a tribal governing body or its designee, or for the placement of a child who is a ward of a tribal court if the tribal governing body is receiving or is eligible to receive funds from the federal government for that type of placement ~~or for placement of a child in a group home licensed under s. 48.625~~.

***−0311/3.2* SECTION 856.** 46.27 (5) (i) of the statutes is amended to read:

46.27 **(5)** (i) In the instances in which an individual who is provided long−term community support services under par. (b) for which the individual receives direct funding, serve directly as a fiscal agent or contract with a fiscal intermediary to serve as a fiscal agent for that individual for the purposes of performing the responsibilities and protecting the interests of the individual under the unemployment insurance law. The county department or aging unit may elect to act as a fiscal agent or contract with a fiscal intermediary to serve as a fiscal agent for an individual who is provided long−term support services under s. 46.275, 46.277, 46.278, 46.2785, 46.495, 51.42, or 51.437. The fiscal agent under this paragraph is responsible for remitting any federal unemployment compensation taxes or state unemployment insurance contributions owed by the individual, including any interest and penalties which are owed by the individual; for serving as the representative of the individual in any investigation, meeting, hearing or appeal involving ch. 108 or the federal unemployment tax act (26 USC 3301 to 3311) in which the individual is a party; and for receiving, reviewing, completing and returning all forms, reports and other

documents required under ch. 108 or the federal unemployment tax act on behalf of the individual. An individual may make an informed, knowing and voluntary election to waive the right to a fiscal agent. The waiver may be as to all or any portion of the fiscal agent's responsibilities. The waiver may be rescinded in whole or in part at any time.

***−0311/3.3* SECTION 857.** 46.27 (6r) (a) of the statutes is amended to read:

46.27 **(6r)** (a) A person who is initially eligible for services under sub. (7) (b), for whom home and community−based services are available under sub. (11) or s. 46.275, 46.277 ~~or,~~ 46.278, or 46.2785 that require less total expenditure of state funds than do comparable services under sub. (7) (b) and who is eligible for and offered the home and community−based services under sub. (11) or s. 46.275, 46.277 ~~or,~~ 46.278, or 46.2785, but who declines the offer, except that a county may use funds received under sub. (7) (b) to pay for long−term community support services for the person for a period of up to 90 days during which an application for services under sub. (11) or s. 46.275, 46.277 ~~or,~~ 46.278, or 46.2785 for the person is processed.

***−1649/6.27* SECTION 858.** 46.27 (9) (a) of the statutes is amended to read:

46.27 **(9)** (a) The department may select up to 5 counties that volunteer to participate in a pilot project under which they will receive certain funds allocated for long−term care. The department shall allocate a level of funds to these counties equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), (r), (rg), or (w) to nursing homes for providing care because of increased utilization of nursing home services, as estimated by the department. In estimating these levels, the department shall exclude any increased utilization of services provided by state centers for the developmentally disabled. The department shall calculate these amounts on a calendar year basis under sub. (10).

***−1649/7.28* SECTION 859.** 46.27 (9) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.27 **(9)** (a) The department may select up to 5 counties that volunteer to participate in a pilot project under which they will receive certain funds allocated for long−term care. The department shall allocate a level of funds to these counties equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), (r), ~~(rg),~~ or (w) to nursing homes for providing care because of increased utilization of nursing home services, as estimated by the department. In estimating these levels, the department shall exclude any increased utilization of services provided by state centers for the developmentally disabled. The department shall calculate these amounts on a calendar year basis under sub. (10).

***−1649/6.28* SECTION 860.** 46.27 (10) (a) 1. of the statutes is amended to read:

46.27 **(10)** (a) 1. The department shall determine for each county participating in the pilot project under sub. (9) a funding level of state medical assistance expenditures to be received by the county. This level shall equal the amount that the department determines would otherwise be paid under s. 20.435 (4) (b), (gp), (r), (rg), or (w) because of increased utilization of nursing home services, as estimated by the department.

***−1649/6.28* SECTION 861.** 46.27 (10) (a) 1. of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.27 **(10)** (a) 1. The department shall determine for each county participating in the pilot project under sub. (9) a funding level of state medical assistance expenditures to be received by the county. This level shall equal the amount that the department determines would otherwise be paid under s. 20.435 (4) (b), (gp), (r), ~~(rg),~~

or (w) because of increased utilization of nursing home services, as estimated by the department.

***−0311/3.4* SECTION 862.** 46.27 (11) (a) of the statutes is repealed.

***−1649/6.29* SECTION 863.** 46.275 (5) (a) of the statutes is amended to read:

46.275 **(5)** (a) Medical Assistance reimbursement for services a county, or the department under sub. (3r), provides under this program is available from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w). If 2 or more counties jointly contract to provide services under this program and the department approves the contract, Medical Assistance reimbursement is also available for services provided jointly by these counties.

***−1649/6.29* SECTION 864.** 46.275 (5) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.275 **(5)** (a) Medical Assistance reimbursement for services a county, or the department under sub. (3r), provides under this program is available from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg),~~ and (w). If 2 or more counties jointly contract to provide services under this program and the department approves the contract, Medical Assistance reimbursement is also available for services provided jointly by these counties.

***−0350/1* SECTION 865.** 46.275 (5) (b) 1. of the statutes is amended to read:

46.275 **(5)** (b) 1. Purchase land or construct buildings, unless the purchase or construction is determined necessary by the department.

***−1649/6.30* SECTION 866.** 46.275 (5) (c) of the statutes is amended to read:

46.275 **(5)** (c) The total allocation under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w) to counties and to the department under sub. (3r) for services provided under this section may not exceed the amount approved by the federal department of health and

human services. A county may use funds received under this section only to provide services to persons who meet the requirements under sub. (4) and may not use unexpended funds received under this section to serve other developmentally disabled persons residing in the county.

***−1649/6.31* SECTION 867.** 46.275 (5) (c) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.275 **(5)** (c) The total allocation under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg),~~ and (w) to counties and to the department under sub. (3r) for services provided under this section may not exceed the amount approved by the federal department of health and human services. A county may use funds received under this section only to provide services to persons who meet the requirements under sub. (4) and may not use unexpended funds received under this section to serve other developmentally disabled persons residing in the county.

***−0344/3.31* SECTION 868.** 46.277 (1m) (ag) of the statutes is created to read:

46.277 **(1m)** (ag) "Delicensed" means deducted from the number of beds stated on a facility's license, as specified under s. 50.03 (4) (e).

***−0344/3.31* SECTION 869.** 46.277 (5) (g) of the statutes is amended to read:

46.277 **(5)** (g) The department may provide enhanced reimbursement for services provided under this section to an individual who is relocated to the community from a nursing home by a county department on or after ~~July 26, 2003~~ the effective date of this paragraph .... [revisor inserts date], if the ~~nursing home bed that was used by the individual is delicensed upon relocation of the individual~~ number of individuals served under this paragraph does not exceed the number of nursing home beds that are delicensed as part of plans submitted by nursing homes

and approved by the department. The department shall develop and utilize a formula to determine the enhanced reimbursement rate.

***−1649/6.31* SECTION 870.** 46.278 (6) (d) of the statutes is amended to read:

46.278 **(6)** (d) If a county makes available nonfederal funds equal to the state share of service costs under a waiver received under sub. (3), the department may, from the appropriation under s. 20.435 (4) (o), provide reimbursement for services that the county provides under this section to persons who are in addition to those who may be served under this section with funds from the appropriation under s. 20.435 (4) (b), (r), (rg), or (w).

***−1649/7.5* SECTION 871.** 46.278 (6) (d) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.278 **(6)** (d) If a county makes available nonfederal funds equal to the state share of service costs under a waiver received under sub. (3), the department may, from the appropriation under s. 20.435 (4) (o), provide reimbursement for services that the county provides under this section to persons who are in addition to those who may be served under this section with funds from the appropriation under s. 20.435 (4) (b), (r), ~~(rg),~~ or (w).

***−0311/3.5* SECTION 872.** 46.2785 of the statutes is created to read:

46.2785 Community Opportunities and Recovery Program. (1) DEFINITIONS. In this section:

(a) "Nursing facility" has the meaning given in 42 USC 1396r (a).

(b) "Serious mental illness" has the meaning given in 42 CFR 483.102 (b) (1).

(c) "Waiver program" means the Community Opportunities and Recovery Program for which a waiver has been requested under sub. (2) and granted under 42 USC 1396n (c).

(2) WAIVER REQUEST. The department may request a waiver from the secretary of the U.S. department of health and human services, under 42 USC 1396n (c), authorizing the department to serve in their communities medical assistance recipients who meet eligibility requirements specified in sub. (4) by providing them home or community−based services as part of the Medical Assistance program. If the department requests the waiver, it shall include all the assurances required under 42 USC 1396n (c) (2) in the request. If the department receives the waiver, it may request an extension of the waiver under 42 USC 1396n (c).

(3) CONTRACT FOR ADMINISTRATION. If doing so is consistent with the waiver received by the department as specified in sub. (2), the department may contract with a county or a private agency to administer the waiver program. A private agency with which the department contracts shall have the powers and duties of a county under this section.

(4) ELIGIBILITY. Any medical assistance recipient who has a serious mental illness and meets the level of care requirements under s. 49.45 (6m) (i) for reimbursement of nursing home care under the Medical Assistance program is eligible to participate in the waiver program.

(5) FUNDING. (a) Medical assistance reimbursement for services a county or private agency contracts for or provides under the waiver program shall be made from the appropriation accounts under s. 20.435 (4) (b) and (o).

(b) The department may, from the appropriation account under s. 20.435 (4) (o), reimburse a county for providing, or contracting to provide, services that cost more than the average annual per person rate established by the department, but less than the average amount approved by the federal government for the waiver program.

***−1649/6.32* SECTION 873.** 46.283 (5) of the statutes is amended to read:

46.283 **(5)** FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm), (gp), (pa), (r), (rg), and (w) and (7) (b), (bd), and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

***−1649/7.32* SECTION 874.** 46.283 (5) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.283 **(5)** FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm), (gp), (pa), (r), ~~(rg),~~ and (w) and (7) (b), (bd), and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

***−1649/6.33* SECTION 875.** 46.284 (5) (a) of the statutes is amended to read:

46.284 **(5)** (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp), (im), (o), (r), (rg), and (w) and (7) (b) and (bd), the department shall provide funding on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

***−1649/7.33* SECTION 876.** 46.284 (5) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.284 **(5)** (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp), (im), (o), (r), ~~(rg),~~ and (w) and (7) (b) and (bd), the department shall provide funding

on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

***−0311/3.6* SECTION 877.** 46.286 (1) (a) 2. b. of the statutes is amended to read:

46.286 **(1)** (a) 2. b. Home and community−based waiver programs under 42 USC 1396n (c), including ~~community integration program~~ Community Integration Program under s. 46.275, 46.277, or 46.278 and the Community Opportunities and Recovery Program under s. 46.2785.

***−0312/2.1* SECTION 878.** 46.286 (3) (d) of the statutes is amended to read:

46.286 **(3)** (d) The department shall determine the date, which shall not be later than January 1, ~~2006~~ 2008, on which par. (a) shall first apply to persons who are not eligible for medical assistance under ch. 49. Before the date determined by the department, persons who are not eligible for medical assistance may receive the family care benefit within the limits of state funds appropriated for this purpose and available federal funds.

***−0295/2.5* SECTION 879.** 46.40 (1) (a) of the statutes is amended to read:

46.40 **(1)** (a) Within the limits of available federal funds and of the appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o), the department shall distribute funds for community social, mental health, developmental disabilities, and alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

***−0349/5.1* SECTION 880.** 46.48 (11m) of the statutes is created to read:

46.48 **(11m)** FEMALE OFFENDER REINTEGRATION PROGRAM. (a) In this subsection:

1. "Offender" has the meaning given in s. 304.16 (2) (i).

2. "Prisoner" has the meaning given in s. 301.01 (2).

(b) The department shall award not more than $139,100 in fiscal year 2005−06 and not more than $140,000 in fiscal year 2006−07 as a grant to an organization or a group of organizations to provide services for female prisoners and offenders from Milwaukee County and their children, if the prisoners or offenders have been convicted of nonviolent crimes.

(c) The grant awardee under par. (b) shall provide at least all of the following for up to 6 months before a prisoner's release from prison and up to 2 years after release:

1. Screening, assessment, and treatment, including mental health and permanency services, for the prisoners or offenders to assist in their reintegration into the community.

2. At−risk assessments for all dependent children of female prisoners or offenders who receive services under subd. 1., and comprehensive support services.

***−0349/5.2* SECTION 881.** 46.481 of the statutes is renumbered 46.481 (1m).

***−0349/5.3* SECTION 882.** 46.481 (2m) of the statutes is created to read:

46.481 **(2m)** From the appropriation under s. 20.435 (6) (gb), the department shall award not more than $57,500 in fiscal year 2005−06 and not more than $229,800 in fiscal year 2006−07 as grants for up to 3 years to counties with populations of less than 500,000 and to tribal governing bodies to demonstrate collaboration between a county department under s. 46.23 and a tribal agency in a county or among county departments under ss. 46.22 and 51.42 and tribal agencies in a county for intervention for the mental health and substance abuse screening,

assessment, and treatment of children who have been abused or neglected and their parents for whom the county departments and tribal agencies determine there is a need to provide services.

***−0295/2.6* SECTION 883.** 46.495 (1) (am) of the statutes is amended to read:

46.495 **(1)** (am) The department shall reimburse each county from the appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o) for social services as approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the administration of or aid granted under s. 49.02.

***−0084/3.9* SECTION 884.** 46.495 (1) (d) of the statutes is amended to read:

46.495 **(1)** (d) From the appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o), the department shall distribute the funding for social services, including funding for foster care ~~or~~, treatment foster care, or subsidized guardianship care of a child on whose behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the distribution under s. 46.40 (2) shall be specified in a schedule established annually by the department of health and family services. Each county's required match for the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's distributions under s. 46.40 (8) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency−related services from its distribution for 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue

sharing funds, or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

***−0084/3.10* SECTION 885.** 46.51 (4) of the statutes is amended to read:

46.51 **(4)** A county may use the funds distributed under this section to fund additional foster parents ~~and~~, treatment foster parents, and subsidized guardians or interim caretakers to care for abused and neglected children and to fund additional staff positions to provide services related to child abuse and neglect and to unborn child abuse.

***−0303/4.2* SECTION 886.** 46.513 of the statutes is repealed.

***−0292/5.4* SECTION 887.** 46.515 (1) (i) of the statutes is repealed.

***−0292/5.5* SECTION 888.** 46.515 (1) (j) of the statutes is repealed.

***−0292/5.6* SECTION 889.** 46.515 (2) of the statutes is amended to read:

46.515 **(2)** FUNDS PROVIDED. If a county or Indian tribe applies and is selected by the department under sub. (5) to participate in the program under this section, the department shall award, from the appropriation under s. 20.435 ~~(3) (de)~~ (5) (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and (am). The minimum amount of a grant is $10,000. The department shall determine the amount of a grant awarded to a county, other than a county with a population of 500,000 or more, or Indian tribe in excess of the minimum amount based on the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county or the reservation of that Indian tribe in proportion to the number of

births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section. The department shall determine the amount of a grant awarded to a county with a population of 500,000 or more in excess of the minimum amount based on 60% of the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section.

***−0292/5.7* SECTION 890.** 46.515 (2) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

46.515 **(2)** FUNDS PROVIDED. If a county or Indian tribe applies and is selected by the department under sub. (5) to participate in the program under this section, the department shall award, from the appropriation under s. 20.435 (5) (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and (am). The minimum amount of a grant is $10,000. The department shall determine the amount of a grant awarded to a county~~, other than a county with a population of 500,000 or more,~~ or Indian tribe in excess of the minimum amount based on the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county or the reservation of that Indian tribe ~~in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section. The department shall determine the amount of a grant awarded to a county with a population of 500,000 or more in excess of the minimum amount based on 60% of the number of births that are funded by medical assistance under subch. IV of ch.~~

~~49 in that county in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section~~.

***−0292/5.8* SECTION 891.** 46.515 (3) (title) of the statutes is repealed.

***−0292/5.9* SECTION 892.** 46.515 (3) (a) of the statutes is repealed.

***−0292/5.10* SECTION 893.** 46.515 (3) (b) of the statutes is renumbered 46.515 (3) and amended to read:

46.515 **(3)** JOINT APPLICATION PERMITTED. Two or more counties and Indian tribes may submit a joint application to the department. ~~Each county or Indian tribe in a joint application shall be counted as a separate county or Indian tribe for the purpose of limiting the number of counties and Indian tribes selected in each state fiscal biennium.~~

***−0292/5.11* SECTION 894.** 46.516 of the statutes is created to read:

46.516 Universal home visitation services. (1) DEFINITIONS. In this section:

(a) "County department" means a county department of human services or social services under s. 46.215, 46.22, or 46.23.

(b) "Indian tribe" means a federally recognized American Indian tribe or band in this state.

(c) "Local health department" has the meaning given in s. 250.01 (4).

(d) "Local partnership" means any combination of 2 or more county departments, local health departments, Indian tribes, and private nonprofit agencies that have agreed to implement jointly a program of universal home visitation services under this section.

(e) "Organization" means a county department, local health department, Indian tribe, private nonprofit agency, or local partnership.

(f) "Private nonprofit agency" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

(2) AWARDING OF GRANTS. From the appropriation account under s. 20.435 (5) (ab), the department shall award grants to applying organizations for the provision of the home visitation services specified in sub. (3) (a). The department shall determine the amount of a grant awarded to an organization based on the number of first−time births in the community served by the organization. The department shall provide competitive application procedures for selecting organizations to receive grants under this subsection and shall establish a method for ranking applicants based on the quality of their applications. The department shall require a grant recipient to provide matching funds or in−kind contributions as determined by the department and shall ensure that a grant recipient does not use any grant moneys awarded to supplant any other moneys used by the grant recipient at the time of the awarding of the grant to provide home visitation services.

(3) PURPOSES OF GRANTS. (a) *Universal home visitation services.* An organization that receives a grant under sub. (2) shall use the grant moneys awarded to provide a one−time visit to all first−time parents in the community served by the organization for the purposes of providing those parents with basic information regarding infant health and nutrition, the care, safety, and development of infants, and emergency services for infants; identifying the needs of those parents; and providing those parents with referrals to programs, services, and other resources that may meet those needs. An organization may visit a first−time parent only if the parent or, if the parent is a child, his or her parent, guardian, or legal custodian

consents to the visit. No person who is required or permitted to report suspected or threatened abuse or neglect under s. 48.981 (2) may make or threaten to make such a report based on a refusal of a person to receive a home visit under this paragraph.

(b) *Start−up costs and capacity building.* In the first year in which a grant under sub. (2) is awarded to an organization, the organization may use a portion of the grant to pay for start−up costs and capacity building related to the provision of home visitation services by the organization. The department shall determine the maximum amount of a grant that an organization may use to pay for those start−up costs and that capacity building.

(4) CONFIDENTIALITY. (a) *Nondisclosure of information; exceptions.* No person may use or disclose any information concerning an individual who is offered home visitation services under sub. (3) (a), including an individual who declines to receive those services, or concerning an individual who is provided with a referral under sub. (3) (a), including an individual who declines the referral, unless disclosure of the information is required or permitted under s. 48.981 (2), the use or disclosure of the information is connected to the administration of the program under this section, or the individual has given his or her written informed consent to the use or disclosure of the information.

(b) *Explanation of confidentiality requirements.* An organization that receives a grant under sub. (2) shall provide or shall designate an individual or entity to provide an explanation of the confidentiality requirements under par. (a) to each individual who is offered home visitation services under sub. (3) (a) by the organization.

(5) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT. If a person who is providing home visitation services under sub. (3) (a) determines that

he or she is required or permitted to make a report under s. 48.981 (2) about a child in a family to which the person is providing those services, the person shall, prior to making the report under s. 48.981 (2), make a reasonable effort to notify the child's parent that a report under s. 48.981 (2) will be made and to encourage the parent to contact a county department under s. 46.22 or 46.23 or, in a county having a population of 500,000 or more, the department to request assistance. The notification requirements under this subsection do not affect the reporting requirements under s. 48.981 (2).

(6) INFORMATIONAL MATERIALS. Any informational materials about the home visitation services provided under sub. (3) (a) that are distributed to a person who is offered or who is receiving those services shall state the sources of funding for the services.

***−0041/2.1* SECTION 895.** 46.52 of the statutes is amended to read:

46.52 Systems change grants. From the appropriation under s. 20.435 (7) (md), the department shall distribute funds to each grant recipient under this section so as to permit initial phasing in of recovery−oriented system changes, prevention and early intervention strategies, and consumer and family involvement for individuals with mental illness. At least 10% of the funds distributed shall be for children with mental illness. ~~The department shall eliminate the funding for a recipient at the end of a period of not more than 3 years in order to provide funding to benefit another recipient. The department shall require that community services that are developed under this section are continued, following termination of funding under this section, by use of savings made available from incorporating recovery, prevention and early intervention strategies, and consumer and family involvement in the services.~~

***−0313/1.2* SECTION 896.** 46.75 (2) (a) of the statutes is amended to read:

46.75 **(2)** (a) From the appropriation under s. 20.435 ~~(3)~~ (5) (dn), the department shall award grants to agencies to operate food distribution programs that qualify for participation in the emergency food assistance program under P.L. 98−8, as amended.

***−0313/1.3* SECTION 897.** 46.77 of the statutes is amended to read:

46.77 Food distribution administration. From the appropriation under s. 20.435 ~~(3)~~ (5) (dn), the department shall allocate funds to eligible recipient agencies, as defined in the emergency food assistance act, P.L. 98−8, section 201A, as amended, for the storage, transportation and distribution of commodities provided under the hunger prevention act of 1988, P.L. 100−435, as amended.

***−1635/3.2* SECTION 898.** 46.95 (2) (a) of the statutes is amended to read:

46.95 **(2)** (a) The secretary shall make grants from the appropriations under s. 20.435 (3) (cd)~~,~~ and (hh) ~~and (km)~~ to organizations for the provision of any of the services specified in sub. (1) (d). Grants may be made to organizations which have provided those domestic abuse services in the past or to organizations which propose to provide those services in the future. No grant may be made to fund services for child or unborn child abuse or abuse of elderly persons.

***−1635/3.3* SECTION 899.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

46.95 **(2)** (f) (intro.) From the appropriations under s. 20.435 (3) (cd)~~,~~ and (hh) ~~and (km)~~, the department shall do all of the following:

***−0284/2.1* SECTION 900.** 46.95 (2) (f) 7. of the statutes is amended to read:

46.95 **(2)** (f) 7. Award ~~a grant of $25,000~~ grants in each fiscal year to ~~each of 30~~ organizations to enhance support services. Funding may be used for such

purposes as case management; children's programming; assisting victims of domestic abuse to find employment; and training in and activities promoting self−sufficiency.

***−0284/2.2* SECTION 901.** 46.95 (2) (f) 8. of the statutes is amended to read:

46.95 **(2)** (f) 8. Award ~~$200,000 in~~ grants in each fiscal year to organizations for domestic abuse services for individuals who are members of underserved populations, including racial minority group members and individuals with mental illness or developmental disabilities. ~~A grant to an organization may not exceed $60,000.~~

***−0284/2.3* SECTION 902.** 46.95 (2) (f) 9. of the statutes is amended to read:

46.95 **(2)** (f) 9. Award a grant ~~of $25,000 in fiscal year 1999−2000 and a grant of $50,000~~ in each fiscal year ~~thereafter~~ to the Wisconsin Coalition Against Domestic Violence ~~for~~ toward the cost of a staff person to provide assistance in obtaining legal services to domestic abuse victims.

***−1635/3.4* SECTION 903.** 46.95 (2) (f) 10. of the statutes is created to read:

46.95 **(2)** (f) 10. Award a grant of $563,500 in each fiscal year to the Refugee Family Strengthening Project for providing domestic abuse services to the refugee population. Funding may be used to hire bilingual staff persons, especially those who speak Hmong.

***−1635/3.5* SECTION 904.** 46.95 (2) (g) of the statutes is repealed.

***−0976/2.3* SECTION 905.** 46.972 (title) of the statutes is amended to read:

46.972 (title) **~~Services~~ Primary health for homeless individuals.**

***−0976/2.4* SECTION 906.** 46.972 (2) (title) of the statutes is repealed.

***−0976/2.5* SECTION 907.** 46.972 (2) of the statutes is renumbered 46.972.

***−0976/2.6* SECTION 908.** 46.972 (3) of the statutes is renumbered 560.9811 and amended to read:

560.9811 Mental health services. (1) In this ~~subsection~~ section, "chronic mental illness" has the meaning given in s. 51.01 (3g).

(2) From the appropriation under s. ~~20.435 (7) (ce)~~ 20.143 (2) (fr), the department may not ~~allocate~~ award more than $45,000 in each fiscal year to applying public or nonprofit private entities for the costs of providing certain mental health services to homeless individuals with chronic mental illness. Entities that receive funds ~~allocated~~ awarded by the department under this subsection shall provide the mental health services required under 42 USC 290cc−24. The amount that the department ~~allocates~~ awards to an applying entity may not exceed 50% of the amount of matching funds required under 42 USC 290cc−23.

***−0356/3.1* SECTION 909.** 46.977 (2) (a) of the statutes is amended to read:

46.977 **(2)** (a) ~~Annually, prior to April 30, an organization may apply to~~ From the appropriation under s. 20.435 (7) (cg), the department ~~for a grant~~ may under this section, based on the criteria under par. (c), award grants to applying organizations for the purpose of ~~recruiting,~~ training~~, monitoring~~ and assisting guardians for persons determined to be incompetent under ch. 880. ~~By June 30, the department shall determine which organizations will receive a grant during the following fiscal year based on the criteria under par. (c).~~ No grant may be ~~awarded~~ paid unless the ~~applicant~~ awardee provides matching funds equal to 10% of the amount of the award. ~~The department shall make grants under this section from the appropriation under s. 20.435 (7) (cg).~~

***−0356/3.2* SECTION 910.** 46.977 (2) (b) (intro.) of the statutes is amended to read:

46.977 **(2)** (b) (intro.) Organizations awarded grants under ~~this section~~ par. (a) shall do all of the following:

***−0356/3.3* SECTION 911.** 46.977 (2) (b) 1. of the statutes is repealed.

***−0356/3.4* SECTION 912.** 46.977 (2) (b) 2. of the statutes is amended to read:

46.977 **(2)** (b) 2. Provide training ~~for recruited guardians~~ and technical assistance on ~~their duties~~ guardianship issues.

***−0356/3.5* SECTION 913.** 46.977 (2) (b) 3. of the statutes is repealed.

***−0356/3.6* SECTION 914.** 46.977 (2) (b) 4. of the statutes is amended to read:

46.977 **(2)** (b) 4. Provide technical assistance to recruited guardians in performing their duties.

***−0356/3.7* SECTION 915.** 46.977 (2) (c) (intro.) and 2. of the statutes are consolidated, renumbered 46.977 (2) (c) and amended to read:

46.977 **(2)** (c) In reviewing applications for grants, the department shall consider ~~all of the following: The~~ the extent to which the proposed program will effectively ~~recruit,~~ train~~, monitor~~ and assist guardians for persons determined to be incompetent under ch. 880.

***−0356/3.8* SECTION 916.** 46.977 (2) (c) 1. of the statutes is repealed.

***−0311/3.7* SECTION 917.** 46.985 (2) (a) 4. of the statutes is amended to read:

46.985 **(2)** (a) 4. Procedures for coordinating the family support program and the use of its funds, throughout this state and in each service area, with other publicly funded programs including the community options program under s. 46.27; the ~~community integration program~~ Community Integration Program under ss. 46.275, 46.277, and 46.278; the Community Opportunity and Recovery Program under s. 46.2785; the social services, mental health, and developmental disabilities programs under ss. 46.495, 51.42, and 51.437; the independent living center program

under s. 46.96; and the ~~medical assistance~~ Medical Assistance program under subch. IV of ch. 49.

***−1635/3.6* SECTION 918.** 46.99 (2) (a) (intro.) of the statutes is amended to read:

46.99 **(2)** (a) (intro.) From the appropriations under s. 20.435 (3) (eg)~~, (km)~~ and (nL), the department shall distribute $2,125,200 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more and $1,199,300 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county having a population of 500,000 or more to provide programs to accomplish all of the following:

***−1635/3.7* SECTION 919.** 46.995 (1m) of the statutes is amended to read:

46.995 **(1m)** TRIBAL ADOLESCENT SERVICES ~~ALLOCATIONS~~ ALLOCATION. From the appropriation account under ~~s. 20.435 (3) (km), the department may allocate $195,000 in each fiscal year and, from the appropriation account under~~ s. 20.435 (3) (eg), the department may allocate ~~$15,000~~ $210,000 in each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

***−1635/3.8* SECTION 920.** 46.995 (2) of the statutes is amended to read:

46.995 **(2)** ADOLESCENT SELF−SUFFICIENCY SERVICES. From the ~~allocations~~ allocation under sub. (1m), the department may provide a grant annually in the amount of $85,000 to the elected governing body of a federally recognized American Indian tribe or band to provide services for adolescent parents which shall emphasize high school graduation and vocational preparation, training, and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills.

The tribe or band seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department.

***−1635/3.9* SECTION 921.** 46.995 (3) (b) of the statutes is amended to read:

46.995 **(3)** (b) From the ~~allocations~~ allocation under sub. (1m), the department may provide a grant annually in the amount of $65,000 to the elected governing body of a federally recognized American Indian tribe or band to provide to high−risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision−making and communications skills, promote graduation from high school, and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention.

***−1635/3.10* SECTION 922.** 46.995 (4m) (b) (intro.) of the statutes is amended to read:

46.995 **(4m)** (b) (intro.) From the ~~allocations~~ allocation under sub. (1m), the department may provide a grant annually in the amount of $60,000 to the elected governing body of a federally recognized American Indian tribe or band for the provision of information to members of the tribe or band in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

***−1737/2.8* SECTION 923.** 48.09 (5) of the statutes is amended to read:

48.09 **(5)** By the district attorney or, if designated by the county board of supervisors, by the corporation counsel, in any matter arising under s. 48.13, 48.133 or 48.977. If the county board transfers this authority to or from the district attorney on or after May 11, 1990, the board may do so only if the action is effective on

September 1 of an odd−numbered year and the board notifies the department of ~~administration~~ justice of that change by January 1 of that odd−numbered year.

***−0084/3.11* SECTION 924.** 48.33 (4) (intro.) of the statutes is amended to read:

48.33 **(4)** OTHER OUT−OF−HOME PLACEMENTS. (intro.) A report recommending placement of an adult expectant mother outside of her home shall be in writing. A report recommending placement of a child in a foster home, treatment foster home, group home, or residential care center for children and youth ~~or~~, in the home of a relative other than a parent, or in the home of a guardian under s. 48.977 (2) shall be in writing and shall include all of the following:

***−0084/3.12* SECTION 925.** 48.345 (3) (c) of the statutes is amended to read:

48.345 **(3)** (c) A foster home or treatment foster home licensed under s. 48.62 ~~or~~, a group home licensed under s. 48.625, or in the home of a guardian under s. 48.977 (2).

***−0084/3.13* SECTION 926.** 48.356 (1) of the statutes is amended to read:

48.356 **(1)** Whenever the court orders a child to be placed outside his or her home, orders an expectant mother of an unborn child to be placed outside of her home, or denies a parent visitation because the child or unborn child has been adjudged to be in need of protection or services under s. 48.345, 48.347, 48.357, 48.363, or 48.365 or whenever the court appoints a guardian for a child under s. 48.977 (2), the court shall orally inform the parent or parents who appear in court or the expectant mother who appears in court of any grounds for termination of parental rights under s. 48.415 ~~which~~ that may be applicable and of the conditions necessary for the child or expectant mother to be returned to the home or for the parent to be granted visitation.

***−0084/3.14* SECTION 927.** 48.425 (1) (g) of the statutes is amended to read:

48.425 **(1)** (g) If an agency designated under s. 48.427 (3m) (a) 1. to 4. determines that it is unlikely that the child will be adopted, or if adoption would not be in the best interests of the child, the report shall include a plan for placing the child in a permanent family setting. The plan shall include a recommendation as to the agency to be named guardian of the child ~~or~~, a recommendation that the person appointed as the guardian of the child under s. 48.977 (2) continue to be the guardian of the child, or a recommendation that a guardian be appointed for the child under s. 48.977 (2).

***−0084/3.15* SECTION 928.** 48.427 (3m) (intro.) of the statutes is amended to read:

48.427 **(3m)** (intro.) If the rights of both parents or of the only living parent are terminated under sub. (3) and if a guardian has not been appointed under s. 48.977, the court shall ~~either~~ do one of the following:

***−0084/3.16* SECTION 929.** 48.427 (3m) (c) of the statutes is created to read:

48.427 **(3m)** (c) Appoint a guardian under s. 48.977 and transfer guardianship and custody of the child to the guardian.

***−0084/3.17* SECTION 930.** 48.427 (3p) of the statutes is amended to read:

48.427 **(3p)** If the rights of both parents or of the only living parent are terminated under sub. (3) and if a guardian has been appointed under s. 48.977, the court may enter one of the orders specified in sub. (3m) (a) or (b). If the court enters an order under this subsection, the court shall terminate the guardianship under s. 48.977.

***−0404/4.12* SECTION 931.** 48.48 (10) of the statutes is amended to read:

48.48 **(10)** To license child welfare agencies ~~and day care centers~~ as provided in s. 48.66 (1) (a).

***−0084/3.18* SECTION 932.** 48.48 (17) (a) 3. of the statutes is amended to read:

48.48 **(17)** (a) 3. Provide appropriate protection and services for children and the expectant mothers of unborn children in its care, including providing services for those children and their families and for those expectant mothers in their own homes, placing the children in licensed foster homes, treatment foster homes, or group homes in this state or another state within a reasonable proximity to the agency with legal custody, placing the children in the homes of guardians under s. 48.977 (2), or contracting for services for those children by licensed child welfare agencies, except that the department may not purchase the educational component of private day treatment programs unless the department, the school board, as defined in s. 115.001 (7), and the state superintendent of public instruction all determine that an appropriate public education program is not available. Disputes between the department and the school district shall be resolved by the state superintendent of public instruction.

***−0084/3.19* SECTION 933.** 48.48 (17) (c) 4. of the statutes is amended to read:

48.48 **(17)** (c) 4. Is living in a foster home, treatment foster home, group home, ~~or~~, residential care center for children and youth, or subsidized guardianship home under s. 48.62 (5).

***−0084/3.20* SECTION 934.** 48.57 (1) (c) of the statutes is amended to read:

48.57 **(1)** (c) To provide appropriate protection and services for children and the expectant mothers of unborn children in its care, including providing services for those children and their families and for those expectant mothers in their own homes, placing those children in licensed foster homes, treatment foster homes, or group homes in this state or another state within a reasonable proximity to the agency with legal custody, placing those children in the homes of guardians under

s. 48.977 (2), or contracting for services for those children by licensed child welfare agencies, except that the county department may not purchase the educational component of private day treatment programs unless the county department, the school board, as defined in s. 115.001 (7), and the state superintendent of public instruction all determine that an appropriate public education program is not available. Disputes between the county department and the school district shall be resolved by the state superintendent of public instruction.

***−0084/3.21* SECTION 935.** 48.57 (3) (a) 4. of the statutes is amended to read:

48.57 **(3)** (a) 4. Is living in a foster home, treatment foster home, group home, ~~or~~, residential care center for children and youth, or subsidized guardianship home under s. 48.62 (5).

***−0084/3.22* SECTION 936.** 48.57 (3m) (cm) of the statutes is amended to read:

48.57 **(3m)** (cm) A kinship care relative who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3n) or s. 48.62 (4) or (5) for that child.

***−0265/3.4* SECTION 937.** 48.57 (3m) (h) of the statutes is created to read:

48.57 **(3m)** (h) A county department or, in a county having a population of 500,000 or more, the department may recover an overpayment made under par. (am) from a kinship care relative who continues to receive payments under par. (am) by reducing the amount of the kinship care relative's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

***−0084/3.23* SECTION 938.** 48.57 (3n) (cm) of the statutes is amended to read:

48.57 **(3n)** (cm) A long−term kinship care relative who receives a payment under par. (am) for providing care and maintenance for a child is not eligible to receive a payment under sub. (3m) or s. 48.62 (4) or (5) for that child.

***−0265/3.5* SECTION 939.** 48.57 (3n) (h) of the statutes is created to read:

48.57 **(3n)** (h) A county department or, in a county having a population of 500,000 or more, the department may recover an overpayment made under par. (am) from a long−term kinship care relative who continues to receive payments under par. (am) by reducing the amount of the long−term kinship care relative's monthly payment. The department may by rule specify other methods for recovering overpayments made under par. (am). A county department that recovers an overpayment under this paragraph due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

***−0084/3.24* SECTION 940.** 48.57 (3p) (a) of the statutes is amended to read:

48.57 **(3p)** (a) In this subsection, "adult resident" means a person 18 years of age or over who lives at the home of a person who has applied for or is receiving payments under sub. (3m) or (3n) or s. 48.62 (5) (a) or (b) with the intent of making that home his or her home or who lives for more than 30 days cumulative in any 6−month period at the home of a person who has applied for or is receiving payments under sub. (3m) or (3n) or s. 48.62 (5) (a) or (b).

***−0084/3.25* SECTION 941.** 48.57 (3p) (b) 1. of the statutes is amended to read:

48.57 **(3p)** (b) 1. After receipt of an application for payments under sub. (3m) or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a population of 500,000 or more, the department of health and family services, with the assistance of the department of justice, shall conduct a background investigation of the applicant.

***−0084/3.26* SECTION 942.** 48.57 (3p) (b) 3. of the statutes is amended to read:

48.57 **(3p)** (b) 3. The county department or, in a county having a population of 500,000 or more, the department of health and family services, with the assistance of the department of justice, may conduct a background investigation of any person who is receiving payments under sub. (3n) <u>or s. 48.62 (5) (a) or (b)</u> at any time that the county department or department of health and family services considers to be appropriate.

***−0084/3.27* SECTION 943.** 48.57 (3p) (c) 1. of the statutes is amended to read:

48.57 **(3p)** (c) 1. After receipt of an application for payments under sub. (3m) or (3n) <u>or s. 48.62 (5) (a) or (b)</u>, the county department or, in a county having a population of 500,000 or more, the department of health and family services, with the assistance of the department of justice, shall, in addition to the investigation under par. (b) 1., conduct a background investigation of all employees and prospective employees of the applicant who have or would have regular contact with the child for whom those payments are being made and of each adult resident.

***−0084/3.28* SECTION 944.** 48.57 (3p) (c) 2m. of the statutes is amended to read:

48.57 **(3p)** (c) 2m. The county department or, in a county having a population of 500,000 or more, the department of health and family services, with the assistance of the department of justice, may conduct a background investigation of any of the employees or prospective employees of any person who is receiving payments under sub. (3n) <u>or s. 48.62 (5) (a) or (b)</u> who have or would have regular contact with the child for whom payments are being made and of each adult resident at any time that the county department or department of health and family services considers to be appropriate.

***−0084/3.29* SECTION 945.** 48.57 (3p) (c) 3. of the statutes is amended to read:

48.57 **(3p)** (c) 3. Before a person who is receiving payments under sub. (3m) or (3n) or s. 48.62 (5) (a) or (b) may employ any person in a position in which that person would have regular contact with the child for whom those payments are being made or permit any person to be an adult resident, the county department or, in a county having a population of 500,000 or more, the department of health and family services, with the assistance of the department of justice, shall conduct a background investigation of the prospective employee or prospective adult resident unless that person has already been investigated under subd. 1., 2. or 2m.

***−0084/3.30* SECTION 946.** 48.57 (3p) (fm) 1m. of the statutes is amended to read:

48.57 **(3p)** (fm) 1m. The county department or, in a county having a population of 500,000 or more, the department of health and family services may not enter into the agreement under sub. (3n) (am) 6. or make payments under s. 48.62 (5) (a) or (b) unless the county department or department of health and family services receives information from the department of justice relating to the conviction record of the applicant under the law of this state and that record indicates either that the applicant has not been arrested or convicted or that the applicant has been arrested or convicted but the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines that the conviction record is satisfactory because it does not include any arrest or conviction that the director or person designated by the secretary determines is likely to adversely affect the child or the ~~long−term kinship care relative's~~ applicant's ability to care for the child. The county department or, in a county having a

population of 500,000 or more, the department of health and family services may make payments under sub. (3n) or s. 48.62 (5) (a) or (b) conditioned on the receipt of information from the federal bureau of investigation indicating that the person's conviction record under the law of any other state or under federal law is satisfactory because the conviction record does not include any arrest or conviction that the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines is likely to adversely affect the child or the ~~long−term kinship care relative's~~ applicant's ability to care for the child.

***−0084/3.31* SECTION 947.** 48.57 (3p) (fm) 2m. of the statutes is amended to read:

48.57 **(3p)** (fm) 2m. A person receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) may provisionally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or provisionally permit a person to be an adult resident if the person receiving those payments states to the county department or, in a county having a population of 500,000 or more, the department of health and family services that, to the best of his or her knowledge, the employee or adult resident does not have any arrests or convictions that could adversely affect the child or the ability of the person receiving payments to care for the child. A person receiving payment under sub. (3n) or s. 48.62 (5) (a) or (b) may not finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident until the county department or, in a county having a population of 500,000 or more, the department of health and family services receives information from the department of justice relating to the person's

conviction record under the law of this state and that record indicates either that the person has not been arrested or convicted or that the person has been arrested or convicted but the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines that the conviction record is satisfactory because it does not include any arrest or conviction that is likely to adversely affect the child or the ~~long−term kinship care relative's~~ ability of the person receiving payments to care for the child and the county department or department of health and family services so advises the person receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b). A person receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) may finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident conditioned on the receipt of information from the county department or, in a county having a population of 500,000 or more, the department of health and family services that the federal bureau of investigation indicates that the person's conviction record under the law of any other state or under federal law is satisfactory because the conviction record does not include any arrest or conviction that the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines is likely to adversely affect the child or the ~~long−term kinship care relative's~~ ability of the person receiving payments to care for the child.

***−0084/3.32* SECTION 948.** 48.57 (3p) (hm) of the statutes is amended to read:

48.57 **(3p)** (hm) A county department or, in a county having a population of 500,000 or more, the department may not make payments to a person under sub. (3n) or s. 48.62 (5) (a) or (b) and a person receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) may not employ a person in a position in which that person would have regular contact with the child for whom payments are being made or permit a person to be an adult resident if the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary to review conviction records under this paragraph determines that the person has any arrest or conviction that is likely to adversely affect the child or the ~~long−term kinship care relative's~~ person's ability to care for the child.

***−0084/3.33* SECTION 949.** 48.61 (3) of the statutes is amended to read:

48.61 **(3)** To provide appropriate care and training for children in its legal or physical custody and, if licensed to do so, to place children in licensed foster homes, licensed treatment foster homes, and licensed group homes and in the homes of guardians under s. 48.977 (2).

***−0084/3.34* SECTION 950.** 48.615 (1) (b) of the statutes is amended to read:

48.615 **(1)** (b) Before the department may issue a license under s. 48.60 (1) to a child welfare agency that places children in licensed foster homes, licensed treatment foster homes, and licensed group homes and in the homes of guardians under s. 48.977 (2), the child welfare agency must pay to the department a biennial fee of $254.10.

***−1115/2.34* SECTION 951.** 48.62 (4) of the statutes is amended to read:

48.62 **(4)** Monthly payments in foster care shall be provided according to the age−related rates specified in this subsection. ~~Beginning on January 1, 2000, the age−related rates are: $299 for children aged 4 and under; $326 for children aged 5~~

~~to 11; $371 for children aged 12 to 14 and $387 for children aged 15 to 17.~~ Beginning on January 1, ~~2001, the age−related rates are: $302 for children aged 4 and under; $329 for children aged 5 to 11; $375 for children aged 12 to 14; and $391 for children aged 15 to 17~~ 2006, the age−related rates are $317 for a child under 5 years of age; $345 for a child 5 to 11 years of age; $394 for a child 12 to 14 years of age; and $411 for a child 15 years of age or over. Beginning on January 1, 2007, the age− related rates are to $332 for a child under five years of age; $362 for a child 5 to 11 years of age; $423 for a child 12 to 14 years of age; and $430 for a child 15 years of age or over. In addition to these grants for basic maintenance, the department shall make supplemental payments for special needs, exceptional circumstances, care in a treatment foster home, and initial clothing allowances according to rules promulgated by the department.

***−0084/3.35* SECTION 952.** 48.62 (5) of the statutes is created to read:

48.62 **(5)** (a) Subject to par. (d), a county department or, in a county having a population of 500,000 or more, the department shall provide monthly subsidized guardianship payments in the amount specified in par. (e) to a guardian of a child under s. 48.977 (2) or under a substantially similar tribal law or law of another state who was licensed as the child's foster parent or treatment foster parent before the guardianship appointment and who has entered into a subsidized guardianship agreement with the county department or department if the guardian meets the conditions specified in par. (c) 1. and 2. and if the child meets any of the following conditions:

1. The child has been placed outside of his or her home, as described in s. 48.365 (1), for a cumulative total period of one year or longer, the court has found that the agency primarily responsible for providing services to the child under a court order

has made reasonable efforts to make it possible for the child to return to his or her home, while assuring that the child's health and safety are the paramount concerns, but that reunification of the child with the child's parent or parents is unlikely or contrary to the best interests of the child and that further reunification efforts are unlikely to be made or are contrary to the best interests of the child, or that any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. apply, and the court has found that appointment of a guardian for the child is in the best interests of the child.

2. The child does not meet the conditions specified in subd. 1., but the county department or department has determined, and a court has confirmed under s. 48.977 (3r) or under a substantially similar tribal law or law of another state, that appointing a guardian for the child and providing monthly subsidized guardianship payments to the guardian are in the best interests of the child.

(b) Subject to par. (d), on the death, incapacity, resignation, or removal of a guardian receiving payments under par. (a), a county department or, in a county having a population of 500,000 or more, the department shall provide monthly subsidized guardianship payments in the amount specified in par. (e) for a period of up to 12 months to an interim caretaker who meets all of the conditions specified in par. (c).

(c) A county department or, in a county having a population of 500,000 or more, the department may not provide monthly subsidized guardianship payments under par. (a) or (b) unless all of the following conditions are met:

1. The county department or department inspects the home of the guardian or interim caretaker, interviews the guardian or interim caretaker, and determines that placement of the child with the guardian or interim caretaker is in the best interests of the child.

2. The county department or department conducts a background investigation under s. 48.57 (3p) of the guardian or interim caretaker, the employees and prospective employees of the guardian or interim caretaker who have or would have regular contact with the child for whom the payments would be made, and any other adult resident, as defined in s. 48.57 (3p) (a), of the home of the guardian or interim caretaker and determines that those individuals do not have any arrests or convictions that are likely to adversely affect the child or the ability of the guardian or interim caretaker to care for the child.

3. In the case of an interim caretaker, the interim caretaker cooperates with the county department or department in finding a permanent placement for the child.

(d) The department shall request from the secretary of the federal department of health and human services a waiver of the requirements under 42 USC 670 to 679a that would authorize the state to receive federal foster care and adoption assistance reimbursement under 42 USC 670 to 679a for the costs of providing care for a child who is in the care of a guardian who was licensed as the child's foster parent or treatment foster parent before the guardianship appointment and who has entered into a subsidized guardianship agreement with the county department or department. If the waiver is approved for a county having a population of 500,000 or more, the department shall provide the monthly payments under par. (a) from the appropriations under s. 20.435 (3) (cx), (gx), (kw), and (mx). If the waiver is approved for any other county, the department shall determine which counties are authorized to provide monthly payments under par. (a) or (b), and the county departments of those counties shall provide those payments from moneys received under s. 46.495 (1) (d).

(e) The amount of a monthly payment under par. (a) or (b) for the care of a child shall equal the amount received under sub. (4) by the guardian of the child for the month immediately preceding the month in which the guardianship order was granted. A guardian or an interim caretaker who receives a monthly payment under par. (a) or (b) is not eligible to receive a payment under sub. (4) or s. 48.57 (3m) or (3n).

***−0265/3.6* SECTION 953.** 48.62 (6) of the statutes is created to read:

48.62 **(6)** The department or a county department may recover an overpayment made under sub. (4) or (5) from a foster parent, treatment foster parent, guardian, or interim caretaker who continues to receive payments under sub. (4) or (5) by reducing the amount of the person's monthly payment. The department may by rule specify other methods for recovering overpayments made under sub. (4) or (5). A county department that recovers an overpayment under this subsection due to the efforts of its officers and employees may retain a portion of the amount recovered, as provided by the department by rule.

***−0404/4.13* SECTION 954.** Subchapter XV (title) of chapter 48 [precedes 48.65] of the statutes is renumbered subchapter VII (title) of chapter 49 [precedes 49.97] and amended to read:

CHAPTER 49

SUBCHAPTER VII

DAY CARE ~~PROVIDERS~~ LICENSING

***−0404/4.14* SECTION 955.** 48.65 (title) of the statutes is renumbered 49.98 (title) and amended to read:

49.98 (title) **~~Day~~ Licensing of day care centers ~~licensed~~; fees.**

***−0404/4.15* SECTION 956.** 48.65 (1) of the statutes is renumbered 49.98 (1) and amended to read:

49.98 **(1)** No person may for compensation provide care and supervision for 4 or more children under the age of 7 for less than 24 hours a day unless that person obtains a license to operate a day care center from the department. To obtain a license under this subsection to operate a day care center, a person must meet the minimum requirements for a license established by the department under s. ~~48.67~~ 49.986, meet the requirements specified in s. 48.685, and pay the license fee under sub. (3). A license issued under this subsection is valid until revoked or suspended, but shall be reviewed every 2 years as provided in s. ~~48.66~~ 49.984 (5).

***−0404/4.16* SECTION 957.** 48.65 (2) (intro.) of the statutes is renumbered 49.98 (2) (intro.) and amended to read:

49.98 **(2)** (intro.) This section does not ~~include~~ apply to any of the following:

***−0404/4.17* SECTION 958.** 48.65 (2) (a) of the statutes is renumbered 49.98 (2) (a).

***−0404/4.18* SECTION 959.** 48.65 (2) (b) of the statutes is renumbered 49.98 (2) (b) and amended to read:

49.98 **(2)** (b) A public or ~~parochial~~ private school.

***−0404/4.19* SECTION 960.** 48.65 (2) (c) of the statutes is renumbered 49.98 (2) (c).

***−0404/4.20* SECTION 961.** 48.65 (2) (d) of the statutes is renumbered 49.98 (2) (d).

***−0404/4.21* SECTION 962.** 48.65 (3) of the statutes is renumbered 49.98 (3) and amended to read:

49.98 **(3)** (a) Before the department may issue a license under sub. (1) to a day care center that provides care and supervision for 4 to 8 children, the day care center must pay to the department a biennial fee of $60.50. Before the department may

issue a license under sub. (1) to a day care center that provides care and supervision for 9 or more children, the day care center must pay to the department a biennial fee of $30.25, plus a biennial fee of ~~$8.47~~ $16.94 per child, based on the number of children that the day care center is licensed to serve. A day care center that wishes to continue a license issued under sub. (1) shall pay the applicable fee under this paragraph by the continuation date of the license. A new day care center shall pay the applicable fee under this paragraph no later than 30 days before the opening of the day care center.

(b) A day care center that wishes to continue a license issued under par. (a) and that fails to pay the applicable fee under par. (a) by the continuation date of the license or a new day care center that fails to pay the applicable fee under par. (a) by 30 days before the opening of the day care center shall pay an additional fee of $5 per day for every day after the deadline that the ~~group home~~ day care center fails to pay the fee.

***−0404/4.22* SECTION 963.** 48.651 (title) of the statutes is renumbered 49.156 (title) and amended to read:

49.156 (title) **~~Certification~~ Wisconsin Works; certification of day care providers.**

***−0404/4.23* SECTION 964.** 48.651 (1) (intro.) of the statutes is renumbered 49.156 (1) (intro.) and amended to read:

49.156 **(1)** (intro.) Each county department shall certify, according to the standards adopted by the department ~~of workforce development~~ under s. 49.155 (1d), each day care provider reimbursed for child care services provided to families determined eligible under s. 49.155, unless the provider is a day care center licensed under s. ~~48.65~~ 49.98 or is established or contracted for under s. 120.13 (14). Each

county may charge a fee to cover the costs of certification. To be certified under this section, a person must meet the minimum requirements for certification established by the department ~~of workforce development~~ under s. 49.155 (1d), meet the requirements specified in s. 48.685, and pay the fee ~~specified~~ referred to in this section. The county shall certify the following categories of day care providers:

***−0404/4.24* SECTION 965.** 48.651 (1) (a) of the statutes is renumbered 49.156 (1) (a) and amended to read:

49.156 **(1)** (a) Level I certified family day care providers, as established by the department ~~of workforce development~~ under s. 49.155 (1d). No county may certify a provider under this paragraph if the provider is a relative of all of the children for whom he or she provides care.

***−0404/4.25* SECTION 966.** 48.651 (1) (b) of the statutes is renumbered 49.156 (1) (b) and amended to read:

49.156 **(1)** (b) Level II certified family day care providers, as established by the department ~~of workforce development~~, under s. 49.155 (1d).

***−0404/4.26* SECTION 967.** 48.651 (2m) of the statutes is renumbered 49.156 (2m) and amended to read:

49.156 **(2m)** Each county department shall provide the department of health and family services with information about each person who is denied certification for a reason specified in s. 48.685 (4m) (a) 1. to 5.

***−0404/4.27* SECTION 968.** 48.653 of the statutes is renumbered 49.982 (1) and amended to read:

49.982 **(1)** ~~INFORMATION FOR DAY CARE PROVIDERS.~~ The department shall provide each day care center licensed under s. ~~48.65~~ 49.98 and each county ~~agency~~ department providing child welfare services with a brochure containing information

on basic child care and the licensing and certification requirements for day care providers. Each county ~~agency~~ department shall provide each day care provider that it certifies with a copy of the brochure.

***−0404/4.28* SECTION 969.** 48.655 of the statutes is renumbered 49.982 (2) and amended to read:

49.982 **(2)** ~~PARENTAL ACCESS.~~ A day care provider that holds a license under s. ~~48.65~~ 49.98, that is certified under s. ~~48.651~~ 49.156, that holds a probationary license under s. ~~48.69~~ 49.99, or that is established or contracted for under s. 120.13 (14) shall permit any parent or guardian of a child enrolled in the program to visit and observe the program of child care at any time during the provider's hours of operation, unless the visit or observation is contrary to an existing court order.

***−0404/4.29* SECTION 970.** 48.656 of the statutes is renumbered 49.982 (3) and amended to read:

49.982 **(3)** ~~PARENT'S RIGHT TO KNOW.~~ Every parent, guardian, or legal custodian of a child who is receiving care and supervision, or of a child who is a prospective recipient of care and supervision, from a day care center that holds a license under s. ~~48.65~~ 49.98 (1) or a probationary license under s. ~~48.69~~ 49.99 has the right to know certain information about the day care center that would aid the parent, guardian, or legal custodian in assessing the quality of care and supervision provided by the day care center.

***−0404/4.30* SECTION 971.** 48.657 (title) of the statutes is repealed.

***−0404/4.31* SECTION 972.** 48.657 (1) (intro.) of the statutes is renumbered 49.982 (4) (a) (intro.) and amended to read:

49.982 **(4)** (a) (intro.) The department shall provide each day care center that holds a license under s. ~~48.65~~ 49.98 (1) or a probationary license under s. ~~48.69~~ 49.99 with an annual report that includes the following information:

***−0404/4.32* SECTION 973.** 48.657 (1) (a) of the statutes is renumbered 49.982 (4) (a) 1. and amended to read:

49.982 **(4)** (a) 1. Violations of statutes, rules promulgated by the department under s. ~~48.67~~ 49.986, or provisions of licensure under s. ~~48.70 (1)~~ 49.988 (2) by the day care center. In providing information under this ~~paragraph~~ subdivision, the department may not disclose the identity of any employee of the day care center.

***−0404/4.33* SECTION 974.** 48.657 (1) (b) of the statutes is renumbered 49.982 (4) (a) 2. and amended to read:

49.982 **(4)** (a) 2. A telephone number at the department that a person may call to complain of any alleged violation of a statute, rule promulgated by the department under s. ~~48.67~~ 49.986, or provision of licensure under s. ~~48.70 (1)~~ 49.988 (2) by the day care center.

***−0404/4.34* SECTION 975.** 48.657 (1) (c) of the statutes is renumbered 49.982 (4) (a) 3. and amended to read:

49.982 **(4)** (a) 3. The results of the most recent inspection of the day care center under s. ~~48.73~~ 49.996 (1).

***−0404/4.35* SECTION 976.** 48.657 (2) of the statutes is renumbered 49.982 (4) (b) and amended to read:

49.982 **(4)** (b) A day care center shall post the report under ~~sub. (1)~~ par. (a) next to the day care center's license or probationary license in a place where the report and the inspection results can be seen by parents, guardians, or legal custodians during the day care center's hours of operation.

***−0404/4.36* SECTION 977.** 48.657 (2g) of the statutes is renumbered 49.982 (4) (c) and amended to read:

49.982 **(4)** (c) If the report under ~~sub. (1)~~ par. (a) indicates that the day care center is in violation of a statute, a rule promulgated by the department under s. ~~48.67~~ 49.986, or a provision of licensure under s. ~~48.70 (1)~~ 49.988 (2), the day care center shall post with the report any notices received from the department relating to that violation.

***−0404/4.37* SECTION 978.** 48.657 (2r) of the statutes is renumbered 49.982 (4) (d) and amended to read:

49.982 **(4)** (d) Each day care center that receives a report under ~~sub. (1)~~ par. (a) shall make available to a parent, guardian, or legal custodian of a child who is receiving, or who is a prospective recipient of, care and supervision from the day care center the reports under ~~sub. (1)~~ par. (a) from the previous 2 years and any notices received from the department relating to any violations identified in those reports. In providing information under this ~~subsection~~ paragraph, a day care center may withhold any information that would disclose the identity of an employee of the day care center.

***−0404/4.38* SECTION 979.** 48.657 (3) of the statutes is renumbered 49.982 (4) (e) and amended to read:

49.982 **(4)** (e) The department may require a day care center to provide to the department any information that is necessary for the department to prepare the report under ~~sub. (1)~~ par. (a).

***−0404/4.39* SECTION 980.** Subchapter XVI (title) of chapter 48 [precedes 48.66] of the statutes is amended to read:

CHAPTER 48

SUBCHAPTER XVI

LICENSING PROCEDURES AND REQUIREMENTS FOR CHILD WELFARE AGENCIES, FOSTER HOMES, TREATMENT FOSTER HOMES, GROUP HOMES, ~~DAY CARE CENTERS~~ AND COUNTY DEPARTMENTS

***−0404/4.40* SECTION 981.** 48.66 (1) (a) of the statutes is amended to read:

48.66 **(1)** (a) Except as provided in s. 48.715 (6) and (7), the department shall license and supervise child welfare agencies, as required by s. 48.60, group homes, as required by s. 48.625, and shelter care facilities, as required by s. 938.22~~, and day care centers, as required by s. 48.65~~. The department may license foster homes or treatment foster homes, as provided by s. 48.62, and may license and supervise county departments in accordance with the procedures specified in this section and in ss. 48.67 to 48.74.

***−0404/4.41* SECTION 982.** 48.66 (2) of the statutes is amended to read:

48.66 **(2)** The department shall prescribe application forms to be used by all applicants for licenses from it. The application forms prescribed by the department shall require that the social security numbers of all applicants for a license to operate a child welfare agency, group home, or shelter care facility ~~or day care center~~ who are individuals, other than an individual who does not have a social security number and who submits a statement made or subscribed under oath or affirmation as required under sub. (2m) (a) 2., be provided and that the federal employer identification numbers of all applicants for a license to operate a child welfare agency, group home, or shelter care facility ~~or day care center~~ who are not individuals be provided.

***−0404/4.42* SECTION 983.** 48.66 (2m) (a) 1. of the statutes is amended to read:

48.66 **(2m)** (a) 1. Except as provided in subd. 2., the department of health and family services shall require each applicant for a license under sub. (1) (a) to operate a child welfare agency, group home, <u>or</u> shelter care facility ~~or day care center~~ who is an individual to provide that department with the applicant's social security number, and shall require each applicant for a license under sub. (1) (a) to operate a child welfare agency, group home, <u>or</u> shelter care facility ~~or day care center~~ who is not an individual to provide that department with the applicant's federal employer identification number, when initially applying for or applying to continue the license.

***−0404/4.43* SECTION 984.** 48.66 (2m) (b) of the statutes is amended to read:

48.66 **(2m)** (b) If an applicant who is an individual fails to provide the applicant's social security number to the department of health and family services or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to that department, that department may not issue or continue a license under sub. (1) (a) to operate a child welfare agency, group home, <u>or</u> shelter care facility ~~or day care center~~ to or for the applicant unless the applicant is an individual who does not have a social security number and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (a) 2.

***−0404/4.44* SECTION 985.** 48.66 (5) of the statutes is amended to read:

48.66 **(5)** A child welfare agency, group home, ~~day care center~~ or shelter care facility license, other than a probationary license, is valid until revoked or suspended, but shall be reviewed every 2 years after the date of issuance as provided in this subsection. At least 30 days prior to the continuation date of the license, the licensee shall submit to the department an application for continuance of the license

in the form and containing the information that the department requires. If the minimum requirements for a license established under s. 48.67 are met, the application is approved, the applicable fees referred to in ss. 48.68 (1) and 48.685 (8) are paid, and any forfeiture under s. 48.715 (3) (a) or penalty under s. 48.76 that is due is paid, the department shall continue the license for an additional 2−year period, unless sooner suspended or revoked. If the application is not timely filed, the department shall issue a warning to the licensee. If the licensee fails to apply for continuance of the license within 30 days after receipt of the warning, the department may revoke the license as provided in s. 48.715 (4) and (4m) (b).

***−0404/4.45* SECTION 986.** 48.67 of the statutes is amended to read:

48.67 Rules governing child welfare agencies, ~~day care centers,~~ foster homes, treatment foster homes, group homes, shelter care facilities, and county departments. The department shall promulgate rules establishing minimum requirements for the issuance of licenses to, and establishing standards for the operation of, child welfare agencies, ~~day care centers,~~ foster homes, treatment foster homes, group homes, shelter care facilities, and county departments. These rules shall be designed to protect and promote the health, safety, and welfare of the children in the care of all licensees. The department shall consult with the department of commerce and the department of public instruction before promulgating these rules. ~~In establishing the minimum requirements for the issuance of licenses to day care centers that provide care and supervision for children under one year of age, the department shall include a requirement that all licensees who are individuals and all employees and volunteers of a licensee who provide care and supervision for children receive, before the date on which the license is issued or the employment or volunteer work commences, whichever is applicable, training~~

~~in the most current medically accepted methods of preventing sudden infant death syndrome.~~

***−0404/4.46* SECTION 987.** 48.68 (1) of the statutes is amended to read:

48.68 **(1)** After receipt of an application for a license, the department shall investigate to determine if the applicant meets the minimum requirements for a license adopted by the department under s. 48.67 and meets the requirements specified in s. 48.685, if applicable. In determining whether to issue or continue a license, the department may consider any action by the applicant, or by an employee of the applicant, that constitutes a substantial failure by the applicant or employee to protect and promote the health, safety, and welfare of a child. Upon satisfactory completion of this investigation and payment of the fee required under s. 48.615 (1) (a) or (b), 48.625 (2) (a), ~~48.65 (3) (a)~~ or 938.22 (7) (b), the department shall issue a license under s. 48.66 (1) (a) or, if applicable, a probationary license under s. 48.69 or, if applicable, shall continue a license under s. 48.66 (5). At the time of initial licensure and license renewal, the department shall provide a foster home licensee with written information relating to the age−related monthly foster care rates and supplemental payments specified in s. 48.62 (4), including payment amounts, eligibility requirements for supplemental payments and the procedures for applying for supplemental payments.

***−0404/4.47* SECTION 988.** 48.685 (1) (b) of the statutes is amended to read:

48.685 **(1)** (b) "Entity" means a child welfare agency that is licensed under s. 48.60 to provide care and maintenance for children, to place children for adoption, or to license foster homes or treatment foster homes; a foster home or treatment foster home that is licensed under s. 48.62; a group home that is licensed under s. 48.625; a shelter care facility that is licensed under s. 938.22; a day care center that

is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (14); a day care provider that is certified under s. ~~48.651~~ 49.156; or a temporary employment agency that provides caregivers to another entity.

***−0404/4.48* SECTION 989.** 48.685 (2) (am) (intro.) of the statutes is amended to read:

48.685 **(2)** (am) (intro.) The department of health and family services, the department of workforce development, a county department, a child welfare agency, or a school board shall obtain all of the following with respect to a caregiver specified in sub. (1) (ag) 1. b., a nonclient resident of an entity, and a person under 18 years of age, but not under 12 years of age, who is a caregiver of a day care center that is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. ~~48.651~~ 49.156:

***−0404/4.49* SECTION 990.** 48.685 (2) (am) 5. of the statutes is amended to read:

48.685 **(2)** (am) 5. Information maintained by the department under this section and under ss. ~~48.651 (2m),~~ 48.75 (1m), 49.156 (2m), 49.988 (1), and 120.13 (14) regarding any denial to the person of a license, continuation or renewal of a license, certification, or a contract to operate an entity for a reason specified in sub. (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to 5. If the information obtained under this subdivision indicates that the person has been denied a license, continuation or renewal of a license, certification, a contract, employment, or permission to reside as described in this subdivision, the department of health and family services, the department of workforce development, a county

department, a child welfare agency, or a school board need not obtain the information specified in subds. 1. to 4.

***−0404/4.50* SECTION 991.** 48.685 (2) (b) 1. e. of the statutes is amended to read:

48.685 **(2)** (b) 1. e. Information maintained by the department under this section and under ss. ~~48.651 (2m),~~ 48.75 (1m), 49.156 (2m), 49.988 (1), and 120.13 (14) regarding any denial to the person of a license, continuation or renewal of a license, certification, or a contract to operate an entity for a reason specified in sub. (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to 5. If the information obtained under this subd. 1. e. indicates that the person has been denied a license, continuation or renewal of a license, certification, a contract, employment, or permission to reside as described in this subd. 1. e., the entity need not obtain the information specified in subd. 1. a. to d.

***−0404/4.51* SECTION 992.** 48.685 (2) (b) 4. of the statutes is amended to read:

48.685 **(2)** (b) 4. Subdivision 1. does not apply with respect to a person under 18 years of age, but not under 12 years of age, who is a caregiver or nonclient resident of a day care center that is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. ~~48.651~~ 49.156 and with respect to whom the department of workforce development, a county department, or a school board is required under par. (am) (intro.) to obtain the information specified in par. (am) 1. to 5.

***−0404/4.52* SECTION 993.** 48.685 (2) (bb) of the statutes is amended to read:

48.685 **(2)** (bb) If information obtained under par. (am) or (b) 1. indicates a charge of a serious crime, but does not completely and clearly indicate the final

disposition of the charge, the department of health and family services, department of workforce development, county department, child welfare agency, school board, or entity shall make every reasonable effort to contact the clerk of courts to determine the final disposition of the charge. If a background information form under sub. (6) (a) or (am) indicates a charge or a conviction of a serious crime, but information obtained under par. (am) or (b) 1. does not indicate such a charge or conviction, the department of health and family services, department of workforce development, county department, child welfare agency, school board, or entity shall make every reasonable effort to contact the clerk of courts to obtain a copy of the criminal complaint and the final disposition of the complaint. If information obtained under par. (am) or (b) 1., a background information form under sub. (6) (a) or (am), or any other information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01, or 947.013 obtained not more than 5 years before the date on which that information was obtained, the department of health and family services, department of workforce development, county department, child welfare agency, school board, or entity shall make every reasonable effort to contact the clerk of courts to obtain a copy of the criminal complaint and judgment of conviction relating to that violation.

***−0404/4.53* SECTION 994.** 48.685 (2) (bd) of the statutes is amended to read:

48.685 **(2)** (bd) Notwithstanding pars. (am) and (b) 1., the department of health and family services, the department of workforce development, a county department, a child welfare agency, or a school board is not required to obtain the information specified in par. (am) 1. to 5., and an entity is not required to obtain the information specified in par. (b) 1. a. to e., with respect to a person under 18 years of age whose background information form under sub. (6) (am) indicates that the person is not

ineligible to be employed, contracted with, or permitted to reside at an entity for a reason specified in sub. (4m) (b) 1. to 5. and with respect to whom the department of health and family services, department of workforce development, county department, child welfare agency, school board, or entity otherwise has no reason to believe that the person is ineligible to be employed, contracted with, or permitted to reside at an entity for any of those reasons. This paragraph does not preclude the department of health and family services, the department of workforce development, a county department, a child welfare agency, or a school board from obtaining, at its discretion, the information specified in par. (am) 1. to 5. with respect to a person described in this paragraph who is a nonclient resident or a prospective nonclient resident of an entity.

***−0404/4.54* SECTION 995.** 48.685 (2) (bm) of the statutes is amended to read:

48.685 **(2)** (bm) If the person who is the subject of the search under par. (am) or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding the date of the search that person has not been a resident of this state, or if the department of health and family services, department of workforce development, county department, child welfare agency, school board, or entity determines that the person's employment, licensing, or state court records provide a reasonable basis for further investigation, the department of health and family services, department of workforce development, county department, child welfare agency, school board, or entity shall make a good faith effort to obtain from any state or other United States jurisdiction in which the person is a resident or was a resident within the 3 years preceding the date of the search information that is equivalent to the information specified in par. (am) 1. or (b) 1. a. The department of health and family services, department of workforce development, county department, child welfare agency,

school board, or entity may require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrests and convictions.

***−0404/4.55* SECTION 996.** 48.685 (3) (a) of the statutes is amended to read:

48.685 **(3)** (a) Every 4 years or at any time within that period that the department of health and family services, the department of workforce development, a county department, a child welfare agency, or a school board considers appropriate, the department of health and family services, department of workforce development, county department, child welfare agency, or school board shall request the information specified in sub. (2) (am) 1. to 5. for all persons who are licensed, certified, or contracted to operate an entity, for all persons who are nonclient residents of an entity, and for all persons under 18 years of age, but not under 12 years of age, who are caregivers of a day care center that is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (4) or of a day care provider that is certified under s. ~~48.651~~ 49.156.

***−0404/4.56* SECTION 997.** 48.685 (3) (b) of the statutes is amended to read:

48.685 **(3)** (b) Every 4 years or at any time within that period that an entity considers appropriate, the entity shall request the information specified in sub. (2) (b) 1. a. to e. for all persons who are caregivers of the entity other than persons under 18 years of age, but not under 12 years of age, who are caregivers of a day care center that is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. ~~48.651~~ 49.156.

***−0404/4.57* SECTION 998.** 48.685 (3m) of the statutes is amended to read:

48.685 **(3m)** Notwithstanding subs. (2) (b) 1. and (3) (b), if the department of health and family services, the department of workforce development, a county department, a child welfare agency, or a school board has obtained the information required under sub. (2) (am) or (3) (a) with respect to a person who is a caregiver specified in sub. (1) (ag) 1. b. and that person is also an employee, contractor, or nonclient resident of an entity, the entity is not required to obtain the information specified in sub. (2) (b) 1. or (3) (b) with respect to that person.

***−0404/4.58* SECTION 999.** 48.685 (4m) (a) (intro.) of the statutes is amended to read:

48.685 **(4m)** (a) (intro.) Notwithstanding s. 111.335, and except as provided in par. (ad) and sub. (5), the department of health and family services may not license, or continue or renew the license of, a person to operate an entity, the department of workforce development may not license, or continue the license of, a person to operate a day care center, a county department may not certify a day care provider under s. ~~48.651~~ 49.156, a county department or a child welfare agency may not license, or renew the license of, a foster home or treatment foster home under s. 48.62, and a school board may not contract with a person under s. 120.13 (14), if the department of health and family services, department of workforce development, county department, child welfare agency, or school board knows or should have known any of the following:

***−0404/4.59* SECTION 1000.** 48.685 (4m) (a) 1. of the statutes is amended to read:

48.685 **(4m)** (a) 1. That the person has been convicted of a serious crime or, if the person is an applicant for issuance or continuation of a license to operate a day care center or for initial certification under s. ~~48.651~~ 49.156 or for renewal of that

certification or if the person is proposing to contract with a school board under s. 120.13 (14) or to renew a contract under that subsection, that the person has been convicted of a serious crime or adjudicated delinquent on or after his or her 12th birthday for committing a serious crime.

***−0404/4.60* SECTION 1001.** 48.685 (4m) (ad) of the statutes is amended to read:

48.685 **(4m)** (ad) The department of health and family services, a county department, or a child welfare agency may license a foster home or treatment foster home under s. 48.62, the department of workforce development may license a day care center under s. 49.98, a county department may certify a day care provider under s. ~~48.651~~ 49.156, and a school board may contract with a person under s. 120.13 (14), conditioned on the receipt of the information specified in sub. (2) (am) indicating that the person is not ineligible to be licensed, certified, or contracted with for a reason specified in par. (a) 1. to 5.

***−0404/4.61* SECTION 1002.** 48.685 (4m) (b) 1. of the statutes is amended to read:

48.685 **(4m)** (b) 1. That the person has been convicted of a serious crime or, if the person is a caregiver or nonclient resident of a day care center that is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. ~~48.651~~ 49.156, that the person has been convicted of a serious crime or adjudicated delinquent on or after his or her 12th birthday for committing a serious crime.

***−0404/4.62* SECTION 1003.** 48.685 (5) (a) of the statutes is amended to read:

48.685 **(5)** (a) The department of health and family services may license to operate an entity, the department of workforce development may license to operate

a day care center, a county department may certify under s. ~~48.651~~ 49.156, a county department or a child welfare agency may license under s. 48.62, and a school board may contract with under s. 120.13 (14) a person who otherwise may not be licensed, certified, or contracted with for a reason specified in sub. (4m) (a) 1. to 5., and an entity may employ, contract with, or permit to reside at the entity a person who otherwise may not be employed, contracted with, or permitted to reside at the entity for a reason specified in sub. (4m) (b) 1. to 5., if the person demonstrates to the department of health and family services, the department of workforce development, the county department, the child welfare agency, or the school board or, in the case of an entity that is located within the boundaries of a reservation, to the person or body designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and in accordance with procedures established by the department by rule or by the tribe that he or she has been rehabilitated.

***−0404/4.63* SECTION 1004.** 48.685 (5c) (a) of the statutes is amended to read:

48.685 **(5c)** (a) Any person who is permitted but fails under sub. (5) (a) to demonstrate to the department of health and family services or a child welfare agency that he or she has been rehabilitated may appeal to the secretary of health and family services or his or her designee. Any person who is adversely affected by a decision of the secretary or his or her designee under this paragraph has a right to a contested case hearing under ch. 227.

***−0404/4.64* SECTION 1005.** 48.685 (5c) (am) of the statutes is created to read:

48.685 **(5c)** (am) Any person who is permitted but fails under sub. (5) (a) to demonstrate to the department of workforce development that he or she has been rehabilitated may appeal to the secretary of workforce development or his or her designee. Any person who is adversely affected by a decision of the secretary or his

or her designee under this paragraph has a right to a contested case hearing under ch. 227.

***−0404/4.65* SECTION 1006.** 48.685 (5m) of the statutes is amended to read:

48.685 **(5m)** Notwithstanding s. 111.335, the department of health and family services may refuse to license a person to operate an entity, a county department or a child welfare agency may refuse to license a foster home or treatment foster home under s. 48.62, and an entity may refuse to employ or contract with a caregiver or permit a nonclient resident to reside at the entity if the person has been convicted of an offense that is not a serious crime, but that is, in the estimation of the department of health and family services, county department, child welfare agency, or entity, substantially related to the care of a client. Notwithstanding s. 111.335, the department of workforce development may refuse to license a person to operate a day care center, a county department may refuse to certify a day care provider under s. ~~48.651~~ 49.156, a school board may refuse to contract with a person under s. 120.13 (14), a day care center that is licensed under s. ~~48.65~~ 49.98 or established or contracted for under s. 120.13 (14) and a day care provider that is certified under s. ~~48.651~~ 49.156 may refuse to employ or contract with a caregiver or permit a nonclient resident to reside at the day care center or day care provider if the person has been convicted of or adjudicated delinquent on or after his or her 12th birthday for an offense that is not a serious crime, but that is, in the estimation of the department of workforce development, county department, school board, day care center, or day care provider, substantially related to the care of a client.

***−0404/4.66* SECTION 1007.** 48.685 (6) (a) of the statutes is amended to read:

48.685 **(6)** (a) The department of health and family services shall require any person who applies for issuance, continuation, or renewal of a license to operate an

entity, the department of workforce development shall require any person who applies for issuance or continuation of a license to operate a day care center, a county department shall require any day care provider who applies for initial certification under s. ~~48.651~~ 49.156 or for renewal of that certification, a county department or a child welfare agency shall require any person who applies for issuance or renewal of a license to operate a foster home or treatment foster home under s. 48.62, and a school board shall require any person who proposes to contract with the school board under s. 120.13 (14) or to renew a contract under that subsection, to complete a background information form that is provided by the department.

***−0404/4.67* SECTION 1008.** 48.685 (6) (b) 1. of the statutes is amended to read:

48.685 **(6)** (b) 1. For caregivers who are licensed by the department~~, for persons under 18 years of age, but not under 12 years of age, who are caregivers of a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. 48.651~~ of health and family services, for persons who are nonclient residents of an entity that is licensed by the department of health and family services, and for other persons specified by the department of health and family services by rule, the entity shall send the background information form to the department of health and family services.

***−0404/4.68* SECTION 1009.** 48.685 (6) (b) 1m. of the statutes is created to read:

48.685 **(6)** (b) 1m. For caregivers who are licensed by the department of workforce development, for persons under 18 years of age, but not under 12 years of age, who are caregivers of a day care center that is licensed under s. 49.98 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. 49.156, for persons who are nonclient residents of an entity that is licensed by the department of workforce development, and for other persons

specified by the department of workforce development by rule, the entity shall send the background information form to the department of workforce development.

***−0404/4.69* SECTION 1010.** 48.685 (8) of the statutes is amended to read:

48.685 **(8)** The department of health and family services, the department of workforce development, a county department, a child welfare agency, or a school board may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The fee may not exceed the reasonable cost of obtaining the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining information if to do so would be inconsistent with federal law.

***−0404/4.70* SECTION 1011.** 48.69 of the statutes is amended to read:

48.69 Probationary licenses. Except as provided under s. 48.715 (6) and (7), if any child welfare agency, shelter care facility, or group home ~~or day care center~~ that has not been previously issued a license under s. 48.66 (1) (a) applies for a license, meets the minimum requirements for a license established under s. 48.67, and pays the applicable fee referred to in s. 48.68 (1), the department shall issue a probationary license to that child welfare agency, shelter care facility, or group home ~~or day care center~~. A probationary license is valid for up to 6 months after the date of issuance unless renewed under this section or suspended or revoked under s. 48.715. Before a probationary license expires, the department shall inspect the child welfare agency, shelter care facility, or group home ~~or day care center~~ holding the probationary license and, except as provided under s. 48.715 (6) and (7), if the child welfare agency, shelter care facility, or group home ~~or day care center~~ meets the minimum requirements for a license established under s. 48.67, the department

shall issue a license under s. 48.66 (1) (a). A probationary license issued under this section may be renewed for one 6−month period.

***−0404/4.71* SECTION 1012.** 48.715 (1) of the statutes is amended to read:

48.715 **(1)** In this section, "licensee" means a person who holds a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, shelter care facility, or group home ~~or day care center~~.

***−0404/4.72* SECTION 1013.** 48.715 (2) (a) of the statutes is amended to read:

48.715 **(2)** (a) That a person stop operating a child welfare agency, shelter care facility, or group home ~~or day care center~~ if the child welfare agency, shelter care facility, or group home ~~or day care center~~ is without a license in violation of s. 48.66 (1) (a) or a probationary license in violation of s. 48.69.

***−0404/4.73* SECTION 1014.** 48.715 (4) (c) of the statutes is amended to read:

48.715 **(4)** (c) The licensee or a person under the supervision of the licensee has committed an action or has created a condition relating to the operation or maintenance of the child welfare agency, shelter care facility, or group home ~~or day care center~~ that directly threatens the health, safety, or welfare of any child under the care of the licensee.

***−0404/4.74* SECTION 1015.** 48.715 (6) of the statutes is amended to read:

48.715 **(6)** The department of health and family services shall deny, suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, group home, or shelter care facility ~~or day care center~~, and the department of corrections shall deny, suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (b) to operate a secured child caring institution, for failure of the applicant or licensee to pay court−ordered payments of child or family support, maintenance,

birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure of the applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action taken under this subsection is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in s. 48.72.

***−0404/4.75* SECTION 1016.** 48.715 (7) of the statutes is amended to read:

48.715 **(7)** The department of health and family services shall deny an application for the issuance or continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, group home, or shelter care facility ~~or day care center~~, or revoke such a license already issued, if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes. An action taken under this subsection is subject to review only as provided under s. 73.0301 (5) and not as provided in s. 48.72.

***−0404/4.76* SECTION 1017.** 48.73 of the statutes is amended to read:

48.73 Inspection of licensees. The department may visit and inspect each child welfare agency, foster home, treatment foster home, and group home ~~and day care center~~ licensed by ~~it~~ the department, and for such purpose shall be given unrestricted access to the premises described in the license.

***−0404/4.77* SECTION 1018.** 48.735 of the statutes is renumbered 49.998 (1) and amended to read:

49.998 **(1)** ~~IMMUNIZATION REQUIREMENTS; DAY CARE CENTERS. The~~ If the department of health and family services finds that there has been a substantial

failure by a day care center to comply with the requirements of s. 252.04, that department shall notify the department of workforce development, and the department of workforce development, after notice to ~~a~~ the day care center licensee, may suspend, revoke, or refuse to continue ~~a~~ the licensee's day care center license ~~in any case in which the department finds that there has been a substantial failure to comply with the requirements of s. 252.04~~.

***−0404/4.78* SECTION 1019.** 48.737 of the statutes is renumbered 49.998 (2) and amended to read:

49.998 **(2)** ~~LEAD SCREENING, INSPECTION AND REDUCTION REQUIREMENTS; DAY CARE CENTERS. The~~ If the department of health and family services finds that there has been a substantial failure by a day care center that holds a license under s. 49.98 or a probationary license under s. 49.99 or by a day care provider certified under s. 49.156 to comply with any rule promulgated under s. 254.162, 254.168, or 254.172, that department shall notify the department of workforce development, and the department of workforce development, after notice to ~~a day care provider certified under s. 48.651, or a~~ the day care center ~~that holds a license under s. 48.65 or a probationary license under s. 48.69~~ or day care provider, may suspend, revoke, or refuse to renew or continue ~~a~~ the license or certification ~~in any case in which the department finds that there has been a substantial failure to comply with any rule promulgated under s. 254.162, 254.168 or 254.172~~ of the day care center or day care provider.

***−0404/4.79* SECTION 1020.** 48.74 of the statutes is amended to read:

48.74 Authority of department to investigate alleged violations. Whenever the department is advised or has reason to believe that any person is violating ~~any of the provisions of ss.~~ s. 48.60, 48.62, or 48.625 ~~or 48.65, it~~, the

department shall make an investigation to determine the facts. For the purposes of this investigation, ~~it~~ the department shall have authority to inspect the premises where the violation is alleged to occur. If ~~it~~ the department finds that the person is violating any of ~~the specified~~ those sections, ~~it~~ the department may either issue a license if the person is qualified or may institute a prosecution under s. 48.76.

***−0404/4.80* SECTION 1021.** 48.76 of the statutes is amended to read:

48.76 Penalties. In addition to the sanctions and penalties provided in s. 48.715, any person who violates s. 48.60, 48.62, 48.625, or 48.63 ~~or 48.65~~ may be fined not more than $500 or imprisoned for not more than one year in county jail or both.

***−0404/4.81* SECTION 1022.** 48.77 of the statutes is amended to read:

48.77 Injunction against violations. In addition to the penalties provided in s. 48.76, the circuit courts shall have jurisdiction to prevent and restrain by injunction violations of s. 48.60, 48.62, 48.625, or 48.63 ~~or 48.65~~. It shall be the duty of the district attorneys, upon request of the department, to institute action for such injunction under ch. 813.

***−0296/2.1* SECTION 1023.** 48.78 (2) (h) of the statutes is created to read:

48.78 **(2)** (h) Paragraph (a) does not prohibit the department, a county department, or a licensed child welfare agency from entering the content of any record kept or information received about an individual in its care or legal custody into the statewide automated child welfare information system established under s. 46.03 (7) (g). Paragraph (a) also does not prohibit a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, the department of health and family services, the department of corrections, or any other organization that has entered into an information sharing and access agreement with one of those county departments or departments and that has been approved for access to the statewide automated child

welfare information system by the department of health and family services from having access to information concerning a client of that county department, department, or organization under this chapter or ch. 51 or 938 that is maintained in the statewide automated child welfare information system, if necessary to enable the county department, department, or organization to perform its duties under this chapter or ch. 51 or 938 or to coordinate the delivery of services under this chapter or ch. 51 or 938 to the client. Before entering any information about an individual into the statewide automated child welfare information system, the department, county department, or licensed child welfare agency entering the information shall notify the individual that the information entered may be disclosed as provided in this paragraph.

***−0084/3.36* SECTION 1024.** 48.975 (3) (a) 1. of the statutes is amended to read:

48.975 **(3)** (a) 1. Except as provided in subd. 3., for support of a child who was in foster care ~~or~~, treatment foster care, or subsidized guardianship care immediately prior to placement for adoption, the initial amount of adoption assistance for maintenance shall be equivalent to the amount of that child's foster care ~~or~~, treatment foster care, or subsidized guardianship care payment at the time that the agreement under sub. (4) (a) is signed or a lesser amount if agreed to by the proposed adoptive parents and specified in that agreement.

***−0084/3.37* SECTION 1025.** 48.975 (3) (a) 2. of the statutes is amended to read:

48.975 **(3)** (a) 2. Except as provided in subd. 3., for support of a child not in foster care ~~or~~, treatment foster care, or subsidized guardianship care immediately prior to placement for adoption, the initial amount of adoption assistance for maintenance shall be equivalent to the uniform foster care rate in effect at the time that the

agreement under sub. (4) (a) is signed or a lesser amount if agreed to by the proposed adoptive parents and specified in that agreement.

***−0084/3.38* SECTION 1026.** 48.975 (4) (a) of the statutes is amended to read:

48.975 **(4)** (a) Except in extenuating circumstances, as defined by the department by rule promulgated under sub. (5) (a), a written agreement to provide adoption assistance shall be made prior to adoption. An agreement to provide adoption assistance may be made only for a child who, at the time of placement for adoption, is in the guardianship of the department or other agency authorized to place children for adoption ~~or~~, in the guardianship of an American Indian tribal agency in this state, or in a subsidized guardianship under s. 48.62 (5).

***−0265/3.7* SECTION 1027.** 48.975 (4m) of the statutes is created to read:

48.975 **(4m)** RECOVERY OF INCORRECT PAYMENTS. The department may recover an overpayment of adoption assistance from an adoptive parent who continues to receive adoption assistance for maintenance by reducing the amount of the adoptive parent's monthly payment of adoption assistance for maintenance. The department may by rule specify other methods for recovering overpayments of adoption assistance.

***−0084/3.39* SECTION 1028.** 48.977 (title) of the statutes is amended to read:

48.977 (title) **Appointment of ~~relatives as~~ guardians for certain children in need of protection or services.**

***−0084/3.40* SECTION 1029.** 48.977 (1) of the statutes is repealed.

***−0084/3.41* SECTION 1030.** 48.977 (2) (intro.) of the statutes is amended to read:

48.977 **(2)** TYPE OF GUARDIANSHIP. (intro.) This section may be used for the appointment of a ~~relative of a child as a~~ guardian of the person for ~~the~~ a child if the court finds all of the following:

***−0084/3.42* SECTION 1031.** 48.977 (2) (a) of the statutes is amended to read:

48.977 **(2)** (a) That the child has been adjudged to be in need of protection or services under s. 48.13 (1), (2), (3), (3m), (4), (5), (8), (9), (10), (10m), (11), or (11m) or 938.13 (4) and been placed, or continued in a placement, outside of his or her home pursuant to one or more court orders under s. 48.345, 48.357, 48.363, 48.365, 938.345, 938.357, 938.363, or 938.365 ~~for a cumulative total period of one year or longer~~ or that the child has been so adjudged and placement of the child in the home of a guardian under this section has been recommended under s. 48.33 (1) or 938.33 (1).

***−0084/3.43* SECTION 1032.** 48.977 (2) (b) of the statutes is amended to read:

48.977 **(2)** (b) That the person nominated as the guardian of the child is a ~~relative of the child~~ person with whom the child has been placed or in whose home placement of the child is recommended under par. (a) and that it is likely that the child will continue to be placed with that ~~relative~~ person for an extended period of time or until the child attains the age of 18 years.

***−0084/3.44* SECTION 1033.** 48.977 (2) (c) of the statutes is amended to read:

48.977 **(2)** (c) That, if appointed, it is likely that the ~~relative~~ person would be willing and able to serve as the child's guardian for an extended period of time or until the child attains the age of 18 years.

***−0084/3.45* SECTION 1034.** 48.977 (2) (f) of the statutes is amended to read:

48.977 **(2)** (f) That the agency primarily responsible for providing services to the child under a court order has made reasonable efforts to make it possible for the

child to return to his or her home, while assuring that the child's health and safety are the paramount concerns, but that reunification of the child with the child's parent or parents is unlikely or contrary to the best interests of the child and that further reunification efforts are unlikely to be made or are contrary to the best interests of the child or that the agency primarily responsible for providing services to the child under a court order has made reasonable efforts to prevent the removal of the child from his or her home, while assuring the child's health and safety, but that continued placement of the child in the home would be contrary to the welfare of the child, except that the court is not required to find that the agency has made those reasonable efforts with respect to a parent of the child if any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies to that parent. The court shall make the findings specified in this paragraph on a case−by−case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the guardianship order. A guardianship order that merely references this paragraph without documenting or referencing that specific information in the order or an amended guardianship order that retroactively corrects an earlier guardianship order that does not comply with this paragraph is not sufficient to comply with this paragraph.

***−0084/3.46* SECTION 1035.** 48.977 (3r) of the statutes is created to read:

48.977 **(3r)** SUBSIDIZED GUARDIANSHIP. Subject to s. 48.62 (5) (d), if a county department or, in a county having a population of 500,000 or more, the department has determined under s. 48.62 (5) (a) 2. that appointing a guardian under sub. (2) for a child who does not meet the conditions specified under s. 48.62 (5) (a) 1. and providing monthly subsidized guardianship payments to the guardian are in the best interests of the child, the petitioner under sub. (4) (a) shall include in the petition

under sub. (4) (b) a statement of that determination and a request for the court to include in the court's findings under sub. (4) (d) a finding confirming that determination. If the court confirms that determination and appoints a guardian for the child under sub. (2), the county department or department shall provide monthly subsidized guardianship payments to the guardian under s. 48.62 (5).

***−0084/3.47* SECTION 1036.** 48.977 (4) (a) 4. of the statutes is amended to read:

48.977 **(4)** (a) 4. The ~~relative~~ person with whom the child is placed or in whose home placement of the child is recommended as described in sub. (2) (a), if the ~~relative~~ person is nominated as the guardian of the child in the petition.

***−0084/3.48* SECTION 1037.** 48.977 (4) (a) 6. of the statutes is amended to read:

48.977 **(4)** (a) 6. A county department under s. 46.22 or 46.23 or, if the child has been placed pursuant to an order under ch. 938 or the child's placement with the guardian is recommended under ch. 938, a county department under s. 46.215, 46.22, or 46.23.

***−0084/3.49* SECTION 1038.** 48.977 (4) (b) 3. of the statutes is amended to read:

48.977 **(4)** (b) 3. The date on which the child was adjudged in need of protection or services under s. 48.13 (1), (2), (3), (3m), (4), (5), (8), (9), (10), (10m), (11), or (11m) or 938.13 (4) and the dates ~~that~~ on which the child has been placed, or continued in a placement, outside of his or her home pursuant to one or more court orders under s. 48.345, 48.357, 48.363, 48.365, 938.345, 938.357, 938.363, or 938.365 or, if the child has been so adjudged, but not so placed, the date of the report under s. 48.33 (1) or 938.33 (1) in which placement of the child in the home of the person is recommended.

***−0084/3.50* SECTION 1039.** 48.977 (4) (c) 1. g. of the statutes is amended to read:

48.977 **(4)** (c) 1. g. The ~~relative~~ person with whom the child is placed or in whose home placement of the child is recommended as described in sub. (2) (a), if the ~~relative~~ person is nominated as the guardian of the child in the petition.

***−0084/3.51* SECTION 1040.** 48.977 (4) (e) of the statutes is amended to read:

48.977 **(4)** (e) *Court report.* ~~The~~ For a child who has been placed, or continued in a placement, outside of his or her home for 6 months or longer, the court shall order the person or agency primarily responsible for providing services to the child under a court order to file with the court a report containing the written summary under s. 48.38 (5) (e) and as much information relating to the appointment of a guardian as is reasonably ascertainable. For a child who has been placed, or continued in a placement, outside of his or her home for less than 6 months, the court shall order the person or agency primarily responsible for providing services to the child under a court order to file with the court the report submitted under s. 48.33 (1) or 938.33 (1), the permanency plan prepared under s. 48.38 or 938.38, if one has been prepared, and as much information relating to the appointment of a guardian as is reasonably ascertainable. The agency shall file the report at least 48 hours before the date of the dispositional hearing under par. (fm).

***−0084/3.52* SECTION 1041.** 48.977 (4) (g) 1. of the statutes is amended to read:

48.977 **(4)** (g) 1. Whether the ~~relative~~ person would be a suitable guardian of the child.

***−0084/3.53* SECTION 1042.** 48.977 (4) (g) 2. of the statutes is amended to read:

48.977 **(4)** (g) 2. The willingness and ability of the ~~relative~~ person to serve as the child's guardian for an extended period of time or until the child attains the age of 18 years.

***−0084/3.54* SECTION 1043.** 48.977 (4) (h) 1. of the statutes is amended to read:

48.977 **(4)** (h) 1. A disposition dismissing the petition if the court determines that appointment of the ~~relative~~ person as the child's guardian is not in the best interests of the child.

***−0084/3.55* SECTION 1044.** 48.977 (4) (h) 2. of the statutes is amended to read:

48.977 **(4)** (h) 2. A disposition ordering that the ~~relative~~ person with whom the child has been placed or in whose home placement of the child is recommended as described in sub. (2) (a) be appointed as the child's guardian under sub. (5) (a) or limited guardian under sub. (5) (b), if the court determines that such an appointment is in the best interests of the child.

***−1625/3.2* SECTION 1045.** 48.982 (4) (a) of the statutes is amended to read:

48.982 **(4)** (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), (m), and (q), the board shall award grants to organizations in accordance with the plan developed under sub. (2) (a). In each of the first 2 fiscal years in which grants are awarded, no organization may receive a grant or grants totaling more than $30,000.

***−1625/3.3* SECTION 1046.** 48.982 (6) (a) of the statutes is amended to read:

48.982 **(6)** (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), (ma), and (q), the board shall award grants to organizations in accordance with the request−for−proposal procedures developed under sub. (2) (a). No organization may receive a grant or grants under this subsection totaling more than $150,000 in any year.

***−1625/3.4* SECTION 1047.** 48.982 (7) (a) of the statutes is amended to read:

48.982 **(7)** (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), and (q), the board shall award grants to organizations in accordance with the plan developed under sub. (2) (a).

***−0404/4.82* SECTION 1048.** 49.001 (1) of the statutes is amended to read:

49.001 **(1)** "Child care provider" means a child care provider that is licensed under s. ~~48.65~~ 49.98 (1), certified under s. ~~48.651~~ 49.156, or established or contracted for under s. 120.13 (14).

***−1662/4.3* SECTION 1049.** 49.134 (2) (a) of the statutes is amended to read:

49.134 **(2)** (a) From the allocation under s. 49.155 (1g) ~~(b)~~ (d), the department shall make grants to local agencies to fund child care resource and referral services provided by those local agencies. The department shall provide an allocation formula to determine the amount of a grant awarded under this section.

***−0404/4.83* SECTION 1050.** 49.136 (1) (b) of the statutes is amended to read:

49.136 **(1)** (b) "Child care provider" means a provider licensed under s. ~~48.65~~ 49.98, certified under s. ~~48.651~~ 49.156, or established or contracted for under s. 120.13 (14).

***−0404/4.84* SECTION 1051.** 49.136 (1) (e) of the statutes is amended to read:

49.136 **(1)** (e) "Day care program" means a program established and provided by a school board under s. 120.13 (14) or purchased by a school board from a provider licensed under s. ~~48.65~~ 49.98, which combines care for a child who resides with a student parent who is a parent of that child with parenting education and experience for that student parent.

***−1662/4.4* SECTION 1052.** 49.136 (2) (a) of the statutes is amended to read:

49.136 **(2)** (a) From the allocation under s. 49.155 (1g) ~~(b)~~ (d), the department ~~shall~~ may award grants for the start−up or expansion of child care services.

***−1662/4.5* SECTION 1053.** 49.136 (2) (b) of the statutes is amended to read:

49.136 **(2)** (b) ~~The~~ If the department awards grants under this section, the department shall attempt to award the grants ~~under this section~~ to head start agencies designated under 42 USC 9836, employers that provide or wish to provide

child care services for their employees, family day care centers, group day care centers and day care programs for the children of student parents, organizations that provide child care for sick children, and child care providers that employ participants or former participants in a Wisconsin ~~works~~ Works employment position under s. 49.147 (3) to (5).

***−0404/4.85* SECTION 1054.** 49.137 (1) (a) of the statutes is amended to read:

49.137 **(1)** (a) "Child care provider" means a provider licensed under s. ~~48.65~~ 49.98, certified under s. ~~48.651~~ 49.156, or established or contracted for under s. 120.13 (14).

***−1662/4.6* SECTION 1055.** 49.137 (2) (a) of the statutes is amended to read:

49.137 **(2)** (a) From the allocation under s. 49.155 (1g) ~~(b)~~ (d), the department may award grants to child care providers that meet the quality of care standards established under s. 49.155 (1d) (b) to improve the retention of skilled and experienced child care staff. In awarding grants under this subsection, the department shall consider the applying child care provider's total enrollment of children and average enrollment of children who receive or are eligible for publicly funded care from the child care provider.

***−1662/4.7* SECTION 1056.** 49.137 (3) (a) of the statutes is amended to read:

49.137 **(3)** (a) From the allocation under s. 49.155 (1g) ~~(b)~~ (d), the department may award grants to child care providers for assistance in meeting the quality of care standards established under s. 49.155 (1d) (b).

***−1662/4.8* SECTION 1057.** 49.137 (4) (intro.) of the statutes is amended to read:

49.137 **(4)** TRAINING AND TECHNICAL ASSISTANCE CONTRACTS. (intro.) From the allocation under s. 49.155 (1g) ~~(b)~~ (d), the department may contract with one or more

agencies for the provision of training and technical assistance to improve the quality of child care provided in this state. The training and technical assistance activities contracted for under this subsection may include any of the following activities:

***−1662/4.9* SECTION 1058.** 49.137 (4m) of the statutes is amended to read:

49.137 **(4m)** LOCAL PASS−THROUGH GRANT PROGRAM. ~~The~~ From the allocation under s. 49.155 (1g) (d), the department shall award grants to local governments and tribal governing bodies for programs to improve the quality of child care. The department shall promulgate rules to administer the grant program, including rules that specify the eligibility criteria and procedures for awarding the grants.

***−1662/4.10* SECTION 1059.** 49.1375 of the statutes is repealed.

***−0335/2.1* SECTION 1060.** 49.147 (3) (d) of the statutes is created to read:

49.147 **(3)** (d) *Trial jobs plus pilot project.* The department shall design and, from January 1, 2006, to June 30, 2007, conduct a pilot project for a trial jobs plus program that includes the following features:

1. The project is limited to 1,000 participants and is conducted in at least one of the geographical areas established by the department under s. 49.143 (6) that is in Milwaukee County and in at least 2 of those geographical areas that are not in Milwaukee County.

2. Except as otherwise provided in this paragraph, all provisions of the statutes that apply to the trial job program or a trial job under this subsection apply to the pilot project or a trial job plus under this paragraph, including eligibility requirements.

3. An employer that employs a participant under this paragraph and receives a wage subsidy shall agree to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy ends if the participant

successfully completes participation in the trial job plus. An employer shall also agree that, if the employer does not retain a participant as a permanent unsubsidized employee, the employer will serve as an employment reference for the participant or provide to the Wisconsin Works agency or intermediary under subd. 4. a written performance evaluation of the participant, including recommendations for improvements.

4. The Wisconsin Works agency may contract with an intermediary that acts as any of the following:

a. A placement agency.

b. An employer of record of a participant under this paragraph.

c. A provider of supportive services, including coaching, mentoring, counseling, or job placement services.

5. Subject to subd. 3., the Wisconsin Works agency or intermediary under subd. 4. pays an employer that employs a participant under this paragraph a monthly wage subsidy that does not exceed the federal minimum wage for no more than 30 hours of work per week. In addition, the Wisconsin Works agency or intermediary reimburses the employer for up to 100 percent of all of the following costs that are attributable to employment of the participant:

a. Federal social security taxes.

b. State and federal unemployment contributions or taxes, if any.

c. Worker's compensation insurance premiums, if any.

6. Training activities prescribed by the employer under par. (am) consistent with training provided to other employees at the worksite are considered work for purposes of calculating the wage subsidy.

7. Participation by an individual in a trial job plus is limited to 6 months with a possible extension of up to 3 months.

8. Notwithstanding the ending date for the project, for any participant who is accepted into the program before June 30, 2007, payments under subd. 5. shall be made until the participant completes his or her participation in the trial job plus.

***−1526/3.2* SECTION 1061.** 49.147 (6) (c) of the statutes is amended to read:

49.147 **(6)** (c) *Distribution and administration.* From the ~~appropriations~~ appropriation under s. 20.445 (3) ~~(dz),~~ (jL)~~, and (md)~~, the department shall distribute funds for job access loans to a Wisconsin Works agency, which shall administer the loans in accordance with rules promulgated by the department.

***−0334/2.1* SECTION 1062.** 49.148 (1m) (title) of the statutes is amended to read:

49.148 **(1m)** (title) CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.

***−0334/2.2* SECTION 1063.** 49.148 (1m) (a) of the statutes is amended to read:

49.148 **(1m)** (a) A custodial parent of a child who is 12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of $673 unless another adult member of the custodial parent's Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under this subsection to participate in any employment positions. Receipt of a grant under this subsection does not constitute participation in a Wisconsin works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d) 7., (4) (b) or (5) (b) 2. if the child is born to the participant not more than 10 months

after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position.

***−0334/2.3* SECTION 1064.** 49.148 (1m) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is renumbered 49.148 (1m) (a) (intro.) and amended to read:

49.148 **(1m)** (a) (intro.) ~~A~~ Any of the following may receive a monthly grant of $673:

1. An individual who meets the eligibility requirements under s. 49.145 (2) and (3) and who is a custodial parent of a child who is ~~12~~ 26 weeks old or less ~~and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of $673~~, unless another adult member of the custodial parent's Wisconsin ~~works~~ Works group is participating in, or is eligible to participate in, a Wisconsin ~~works~~ Works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c).

(am) A Wisconsin ~~works~~ Works agency may not require a participant under ~~this subsection~~ par. (a) 1. who is a custodial parent of a child who is 12 weeks old or less or a participant under par. (a) 2. to participate in any Wisconsin Works employment positions. ~~Receipt of a grant under this subsection does not constitute participation in a Wisconsin works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position.~~

***−0334/2.4* SECTION 1065.** 49.148 (1m) (a) 2. of the statutes is created to read:

49.148 **(1m)** (a) 2. An unmarried woman who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child and who is in the 3rd trimester of a pregnancy that is medically verified and shown by medical documentation to be at risk and that renders the woman unable to participate in the workforce.

***−0334/2.5* SECTION 1066.** 49.148 (1m) (b) (intro.) of the statutes is created to read:

49.148 **(1m)** (b) (intro.) For purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2., all of the following apply:

***−0334/2.6* SECTION 1067.** 49.148 (1m) (b) of the statutes is amended to read:

49.148 **(1m)** (b) Receipt of a grant under this subsection constitutes participation in a Wisconsin works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c) <u>or (d) 7.</u>, (4) (b) or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

***−0334/2.7* SECTION 1068.** 49.148 (1m) (b) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is renumbered 49.148 (1m) (b) 1. and amended to read:

49.148 **(1m)** (b) 1. Receipt of a grant under this subsection <u>by a participant under par. (a) 1.</u> constitutes participation in a Wisconsin ~~works~~ <u>Works</u> employment position ~~for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or~~

~~(d) 7., (4) (b), or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position~~ unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

***−0334/2.8* SECTION 1069.** 49.148 (1m) (b) 2. of the statutes is created to read:

49.148 **(1m)** (b) 2. Receipt of a grant under this subsection by a participant under par. (a) 2. does not constitute participation in a Wisconsin Works employment position.

***−0404/4.86* SECTION 1070.** 49.155 (1) (ag) of the statutes is amended to read:

49.155 **(1)** (ag) "Child care provider" means a provider licensed under s. ~~48.65~~ 49.98, certified under s. ~~48.651~~ 49.156, or established or contracted for under s. 120.13 (14).

***−0404/4.87* SECTION 1071.** 49.155 (1) (am) of the statutes is amended to read:

49.155 **(1)** (am) "Level I certified family day care provider" means a day care provider certified under s. ~~48.651~~ 49.156 (1) (a).

***−0404/4.88* SECTION 1072.** 49.155 (1) (b) of the statutes is amended to read:

49.155 **(1)** (b) "Level II certified family day care provider" means a day care provider certified under s. ~~48.651~~ 49.156 (1) (b).

***−0404/4.89* SECTION 1073.** 49.155 (1d) (a) of the statutes is amended to read:

49.155 **(1d)** (a) The department shall promulgate rules establishing standards for the certification of child care providers under s. ~~48.651~~ 49.156. In establishing the requirements for certification under this paragraph of a child care provider who

provides care and supervision for children under one year of age, the department shall include a requirement that all providers and all employees and volunteers of a provider who provide care and supervision for children receive, before the date on which the provider is certified or the employment or volunteer work commences, whichever is applicable, training in the most current medically accepted methods of preventing sudden infant death syndrome. In establishing the requirements for certification as a Level II certified family day care provider, the department may not include any other requirement for training for providers.

***−0404/4.90* SECTION 1074.** 49.155 (1d) (b) of the statutes is amended to read:

49.155 **(1d)** (b) The department shall promulgate rules to establish quality of care standards for child care providers that are higher than the quality of care standards required for licensure under s. ~~48.65~~ 49.98 or for certification under s. ~~48.651~~ 49.156. The standards established by rules promulgated under this paragraph shall consist of the standards provided for the accreditation of day care centers by the ~~national association for the education of young children~~ National Association for the Education of Young Children or any other comparable standards that the department may establish, including standards regarding the turnover of child care provider staff and the training and benefits provided for child care provider staff.

***−1662/4.11* SECTION 1075.** 49.155 (1g) (b) of the statutes is amended to read:

49.155 **(1g)** (b) From the ~~appropriation~~ appropriations under s. 20.445 (3) (cm), (jm), (kx), and (mc), distribute ~~$7,593,500 in fiscal year 2003−04 and $7,597,300~~ $7,476,400 in each fiscal year ~~2004−05 for administering the child care program under this section, for grants under s. 49.134 (2) for child day care resource and referral services, for grants under s. 49.137 (4m), for a child care scholarship and~~

~~bonus program, and~~ for administration of the department's office of child care, for the department's share of the costs for the Child Care Information Center operated by the division for libraries, technology, and community learning in the department of public instruction, and for the licensing and regulation of day care facilities under s. 49.98.

***−0404/4.91* SECTION 1076.** 49.155 (1g) (c) of the statutes is repealed.

***−1662/4.12* SECTION 1077.** 49.155 (1g) (d) of the statutes is created to read:

49.155 **(1g)** (d) From the appropriation under s. 20.445 (3) (md), distribute $11,503,500 in fiscal year 2005−06 and $10,003,500 in fiscal year 2006−07 for grants under s. 49.134 (2) for child day care resource and referral services, for contracts under s. 49.137 (4) for training and technical assistance, for grants under s. 49.137 (4m), for a child care scholarship and bonus program, and for a quality ratings system under s. 49.982 (5).

***−0084/3.56* SECTION 1078.** 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

49.155 **(1m)** (a) 1m. b. The individual has not yet attained the age of 18 years and the individual resides with his or her custodial parent or with a kinship care relative under s. 48.57 (3m) or with a long−term kinship care relative under s. 48.57 (3n) or is in a foster home or treatment foster home licensed under s. 48.62, a subsidized guardianship home under s. 48.62 (5), a group home, or an independent living arrangement supervised by an adult.

***−0335/2.2* SECTION 1079.** 49.155 (1m) (a) 3. of the statutes is amended to read:

49.155 **(1m)** (a) 3. Work in a Wisconsin ~~works~~ Works employment position, including participation in job search, orientation, and training activities under s.

49.147 (2) (a) and in education or training activities under s. 49.147 (3) (am) or (d), (4) (am), or (5) (bm).

***−0084/3.57* SECTION 1080.** 49.155 (1m) (bm) of the statutes is amended to read:

49.155 **(1m)** (bm) If the individual is providing care for a child under a court order and is receiving payments on behalf of the child under s. 48.57 (3m) or (3n) or 48.62 (5), or if the individual is a foster parent or treatment foster parent, and child care is needed for that child, the individual meets the requirement under s. 49.145 (2) (c).

***−0084/3.58* SECTION 1081.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

49.155 **(1m)** (c) 1g. If the individual is a foster parent of the child or a subsidized guardian or interim caretaker of the child under s. 48.62 (5), the child's biological or adoptive family has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. and 3.

***−0404/4.92* SECTION 1082.** 49.155 (3) (b) 5. of the statutes is amended to read:

49.155 **(3)** (b) 5. Certify child care providers under s. ~~48.651~~ 49.156.

***−0404/4.93* SECTION 1083.** 49.155 (4) of the statutes is amended to read:

49.155 **(4)** CHOICE OF PROVIDER. An eligible individual shall choose whether the child care will be provided by a day care center licensed under s. ~~48.65~~ 49.98, a Level I certified family day care provider, a Level II certified family day care provider, or a day care program provided or contracted for by a school board under s. 120.13 (14).

***−1522/2.1* SECTION 1084.** 49.155 (6) (e) of the statutes is created to read:

49.155 **(6)** (e) The department may establish a tiered reimbursement system under which the department reimburses a child care provider for child care services provided under this section at a rate that is based on the child care provider's quality rating under the rating system established under s. 48.982 (5). Notwithstanding pars. (a), (b), and (c), the rate at which a child care provider is reimbursed under a system established under this paragraph may exceed the maximum reimbursement rate established under par. (a), (b), or (c).

***−0334/2.9* SECTION 1085.** 49.159 (4) of the statutes is amended to read:

49.159 **(4)** PREGNANT WOMEN. A pregnant woman whose pregnancy is medically verified, who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child, and who does not satisfy the requirements under s. 49.148 (1m) (a) 2. is eligible for employment training and job search assistance services provided by the Wisconsin ~~works~~ Works agency.

***−1662/4.13* SECTION 1086.** 49.175 (1) (intro.) of the statutes is amended to read:

49.175 **(1)** ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within the limits of the appropriations under s. 20.445 (3) (a), (cm), (dz), ~~(jL),~~ (jm), (k), (kx), (L), (mc), (md), ~~(nL), and~~ (me), (s), and (t), the department shall allocate the following amounts for the following purposes:

***−1662/4.15* SECTION 1087.** 49.175 (1) (a) of the statutes is amended to read:

49.175 **(1)** (a) *Wisconsin Works benefits.* For Wisconsin Works benefits ~~provided under contracts having a term that begins on January 1, 2002, and ends on December 31, 2003, $33,219,700 in fiscal year 2003−04; and for Wisconsin Works benefits provided under contracts having a term that begins on January 1, 2004, and~~

~~ends on December 31, 2005, $33,219,700~~, $59,526,100 in fiscal year ~~2003−04~~ 2005−06 and ~~$66,439,400~~ $52,612,800 in fiscal year ~~2004−05~~ 2006−07.

***−1662/4.16* SECTION 1088.** 49.175 (1) (b) of the statutes is amended to read:

49.175 **(1)** (b) *Wisconsin Works administration.* For administration of Wisconsin Works performed under contracts under s. 49.143 ~~having a term that begins on January 1, 2002, and ends on December 31, 2003, $10,582,800 in fiscal year 2003−04; and for administration of Wisconsin Works performed under contracts under s. 49.143 having a term that begins on January 1, 2004, and ends on December 31, 2005, $10,582,900~~, $20,107,500 in fiscal year ~~2003−04~~ 2005−06 and ~~$21,165,700~~ $19,049,200 in fiscal year ~~2004−05~~ 2006−07.

***−1662/4.17* SECTION 1089.** 49.175 (1) (c) of the statutes is amended to read:

49.175 **(1)** (c) *Performance bonuses.* For the payment of performance bonuses to Wisconsin Works agencies that have entered into contracts under s. 49.143 having a term that begins on January 1, ~~2002~~ 2004, and that ends on December 31, ~~2003~~ 2005, $0 in fiscal year ~~2003−04~~ 2005−06.

***−1662/4.18* SECTION 1090.** 49.175 (1) (f) of the statutes is amended to read:

49.175 **(1)** (f) *Wisconsin Works ancillary services.* For program services under Wisconsin Works~~, including transportation assistance for individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq.,~~ provided under contracts under s. 49.143 ~~having a term that begins on January 1, 2002, and ends on December 31, 2003, $27,803,300 in fiscal year 2003−04; and for program services under Wisconsin Works, including transportation assistance for individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., education and training, mentoring, and other services provided under contracts under s. 49.143 having a term that begins on January 1, 2004, and~~

~~ends on December 31, 2005, $27,803,300~~, 49,879,200 in fiscal year ~~2003−04~~ 2005−06 and ~~$55,606,600~~ $44,151,800 in fiscal year ~~2004−05~~ 2006−07.

***−1662/4.19* SECTION 1091.** 49.175 (1) (g) of the statutes is amended to read:

49.175 **(1)** (g) *State administration of public assistance programs.* For state administration of public assistance programs, ~~$18,484,600~~ $17,004,500 in each fiscal year.

***−1662/4.20* SECTION 1092.** 49.175 (1) (m) of the statutes is amended to read:

49.175 **(1)** (m) *Children first.* For services under the work experience program for noncustodial parents under s. 49.36, ~~$1,140,000~~ $1,361,000 in each fiscal year.

***−1526/3.3* SECTION 1093.** 49.175 (1) (n) of the statutes is repealed.

***−1662/4.21* SECTION 1094.** 49.175 (1) (p) of the statutes is amended to read:

49.175 **(1)** (p) *Direct child care services.* For direct child care services under s. 49.155, ~~$298,640,600~~ $307,282,800 in fiscal year ~~2003−04~~ 2005−06 and ~~$308,040,600~~ $300,509,900 in fiscal year ~~2004−05~~ 2006−07.

***−1662/4.22* SECTION 1095.** 49.175 (1) (q) of the statutes is amended to read:

49.175 **(1)** (q) ~~*Indirect child*~~ *Child care* ~~*services*~~ *state administration*. For ~~indirect~~ child care ~~services~~ state administrative costs under ~~s. 49.155 (1g), $9,559,400 in fiscal year 2003−04 and $9,626,700~~ s. 49.155 (1g) (b), $7,476,400 in each fiscal year ~~2004−05~~.

***−1662/4.23* SECTION 1096.** 49.175 (1) (qm) of the statutes is amended to read:

49.175 **(1)** (qm) ~~*Local pass−through grant program*~~ *Quality care for quality kids*. For the ~~local pass−through grant program under s. 49.137 (4m), $2,475,100~~ child care quality improvement activities specified in s. 49.155 (1g) (d), $11,503,500 in fiscal year ~~2003−04~~ 2005−06 and ~~$2,478,500~~ $10,003,500 in fiscal year ~~2004−05~~ 2006−07.

***−1662/4.24* SECTION 1097.** 49.175 (1) (r) of the statutes is amended to read:

49.175 **(1)** (r) *Early childhood excellence initiative.* For grants under s. 49.1375, ~~$2,500,000~~ $2,250,000 in ~~each~~ fiscal year 2005−06.

***−1662/4.25* SECTION 1098.** 49.175 (1) (r) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is repealed.

***−1662/4.26* SECTION 1099.** 49.175 (1) (v) of the statutes is created to read:

49.175 **(1)** (v) *Transportation assistance grants.* For transportation assistance for individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., $900,000 in each fiscal year.

***−1662/4.27* SECTION 1100.** 49.175 (1) (ze) 1. of the statutes is amended to read:

49.175 **(1)** (ze) 1. 'Kinship care and long−term kinship care assistance.' For the kinship care and long−term kinship care programs under s. 48.57 (3m), (3n), and (3p), ~~$24,122,200~~ $23,748,400 in each fiscal year.

***−1662/4.28* SECTION 1101.** 49.175 (1) (ze) 2. of the statutes is amended to read:

49.175 **(1)** (ze) 2. 'Children of recipients of supplemental security income.' For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, ~~$26,397,200~~ $29,973,600 in fiscal year ~~2003−04~~ 2005−06 and ~~$29,175,100~~ $28,893,300 in fiscal year ~~2004−05~~ 2006−07.

***−1635/3.11* SECTION 1102.** 49.175 (1) (ze) 7. of the statutes is repealed.

***−1635/3.12* SECTION 1103.** 49.175 (1) (ze) 8. of the statutes is repealed.

***−1662/4.29* SECTION 1104.** 49.175 (1) (ze) 10m. of the statutes is amended to read:

49.175 **(1)** (ze) 10m. 'Safety services.' For services provided in counties having a population of 500,000 or more to ensure the safety of children who the department of health and family services determines may remain at home if appropriate services are provided, ~~$7,045,500~~ $7,323,600 in each fiscal year.

***−1662/4.30* SECTION 1105.** 49.175 (1) (ze) 12. of the statutes is amended to read:

49.175 **(1)** (ze) 12. 'Milwaukee and statewide child welfare administration.' For the costs associated with the Milwaukee child welfare information system and the Wisconsin statewide automated child welfare information system, ~~$1,695,700~~ $1,310,800 in fiscal year ~~2003−04~~ 2005−06 and ~~$1,741,300~~ $1,317,700 in fiscal year ~~2004−05~~ 2006−07.

***−1662/4.31* SECTION 1106.** 49.175 (1) (zh) of the statutes is amended to read:

49.175 **(1)** (zh) ~~*Taxable years 1999 and thereafter*~~ *Earned income tax credit supplement*. For the transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, ~~$57,892,000 in fiscal year 2003−04 and $59,532,000~~ $59,532,000 in each fiscal year ~~2004−05~~.

***−1534/3.3* SECTION 1107.** 49.175 (1) (zj) of the statutes is repealed.

***−1534/3.4* SECTION 1108.** 49.175 (1) (zL) of the statutes is renumbered 115.28 (35) and amended to read:

115.28 **(35)** *English for Southeast Asian children.* ~~To~~ Annually pay to the school board of the Wausau school district for English ~~training~~ instruction for 3−year−old, 4−year−old and 5−year−old Southeast Asian children~~, $100,000 in each fiscal year~~ the amount appropriated under s. 20.255 (2) (ce).

***−1625/3.5* SECTION 1109.** 49.175 (1) (zn) of the statutes is repealed.

***−0490/P2.1* SECTION 1110.** 49.195 (3m) (b) of the statutes is amended to read:

49.195 **(3m)** (b) The clerk of circuit court shall accept, file, and enter ~~the~~ each warrant under par. (a) and each satisfaction, release, or withdrawal under par. (d), (e), (g), or (h) in the judgment and lien docket without prepayment of any fee, but the clerk of circuit court shall submit a statement of the proper fee semiannually to the department covering the periods from January 1 to June 30 and July 1 to December 31 unless a different billing period is agreed to between the clerk of circuit court and the department. The department shall pay the fees, but shall add the fees provided by s. 814.61 (5) for entering the warrants to the amount of the warrant and shall collect the fees from the person named in the warrant when satisfaction or release is presented for entry.

***−0490/P2.2* SECTION 1111.** 49.195 (3m) (h) of the statutes is amended to read:

49.195 **(3m)** (h) If the department arranges a payment schedule with the debtor and the debtor complies with the payment schedule, the department ~~shall~~ may issue a notice of withdrawal of the warrant to the clerk of circuit court for the county in which the warrant is filed. ~~The~~ If the department issues a notice of withdrawal of the warrant, the clerk shall void the warrant and the resulting liens.

***−0490/P2.3* SECTION 1112.** 49.195 (3n) (p) of the statutes is amended to read:

49.195 **(3n)** (p) A levy is effective from the date on which the levy is first served on the 3rd party until the liability out of which the levy arose is satisfied~~,~~ or until the levy is released ~~or until one year from the date of service~~, whichever occurs first.

***−0490/P2.4* SECTION 1113.** 49.195 (3n) (t) of the statutes is amended to read:

49.195 **(3n)** (t) Any 3rd party is entitled to a levy fee of $5 for each levy in any case ~~where~~ in which property is secured through the levy. ~~The~~ If the 3rd party retains

the fee, the 3rd party shall increase the levy amount by the amount of the fee and deduct the fee from the proceeds of the levy.

***−0265/3.8* SECTION 1114.** 49.197 (1m) of the statutes is amended to read:

49.197 **(1m)** FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3) (dz), (kx), (L), (md), (n), and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19, on the part of participants in the Wisconsin ~~works~~ Works program under ss. 49.141 to 49.161, and, if the department of health and family services contracts with the department under sub. (5), on the part of recipients of medical assistance under subch. IV ~~and~~, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, supplemental security income payments under s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775, and health care benefits under the Badger Care health care program under s. 49.665. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin ~~works~~ Works agencies to encourage activities to detect fraud. The department shall cooperate with district attorneys regarding fraud prosecutions.

***−0265/3.9* SECTION 1115.** 49.197 (3) of the statutes is amended to read:

49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in Wisconsin ~~works~~ Works under ss. 49.141 to 49.161 and, if the department of health and family services contracts with the

department under sub. (5), the ~~medical assistance~~ Medical Assistance program under subch. IV ~~and~~, the food stamp program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775, and the Badger Care health care program under s. 49.665.

***−0265/3.10* SECTION 1116.** 49.197 (4) of the statutes is amended to read:

49.197 **(4)** COUNTY AND TRIBAL ERROR REDUCTION. If the department of health and family services contracts with the department under sub. (5), the department shall provide funds from the appropriation under s. 20.445 (3) (kx) to counties and governing bodies of federally recognized American Indian tribes administering ~~medical assistance~~ Medical Assistance under subch. IV ~~or~~, the food stamp program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775, and the Badger Care health care program under s. 49.665 to offset administrative costs of reducing payment errors in those programs.

***−0265/3.11* SECTION 1117.** 49.197 (5) of the statutes is amended to read:

49.197 **(5)** CONTRACTS FOR MEDICAL ASSISTANCE ~~AND~~, FOOD STAMPS, SUPPLEMENTAL SECURITY INCOME, AND CARETAKER SUPPLEMENT. ~~The~~ Notwithstanding s. 49.845 (1) and (2), the department of health and family services may contract with the department to investigate suspected fraudulent activity on the part of recipients of medical assistance under subch. IV ~~or recipients of~~, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, supplemental security income payments under s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775, and health care benefits under the Badger Care health

care program under s. 49.665 and to conduct activities to reduce payment errors in the Medical Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775, and the Badger Care health care program under s. 49.665, as provided in this section.

***−1525/3.1* SECTION 1118.** 49.22 (1) of the statutes is amended to read:

49.22 **(1)** There is created a child and spousal support and establishment of paternity and medical ~~liability~~ support liability program in the department. The purpose of this program is to establish paternity when possible, to establish or modify support obligations, to enforce support obligations owed by parents to their children and maintenance obligations owed to spouses or former spouses with whom the children reside in this state or owed in other states if the support order was issued in this state or owed in other states if the parent, spouse, or former spouse resides in this state, to locate persons who are alleged to have taken their child in violation of s. 948.31 or of similar laws in other states, and to locate and value property of any person having a support duty. To accomplish the objectives of this program and of other assistance programs under this chapter, county and state agencies will cooperate with one another to implement a child and spousal support and paternity establishment and medical support liability program in accordance with state and federal laws, regulations, and rules and to assure proper distribution of benefits of all assistance programs authorized under this chapter.

***−0474/3.1* SECTION 1119.** 49.36 (2) of the statutes is amended to read:

49.36 **(2)** The department may contract with any county, tribal governing body, or Wisconsin ~~works~~ Works agency to administer a work experience and job training

program for parents who are not custodial parents and who fail to pay child support or to meet their children's needs for support as a result of unemployment or underemployment. The program may provide the kinds of work experience and job training services available from the program under s. 49.193, 1997 stats., or s. 49.147 (3) or (4). The program may also include job search and job orientation activities. The department shall fund the program from the ~~appropriation~~ appropriations under s. 20.445 (3) (dz) and (k).

***−0265/3.12* SECTION 1120.** 49.45 (2) (a) 3m. of the statutes is repealed.

***−1649/7*SECTION 1121.** 49.45 (2) (a) 17. of the statutes is amended to read:

49.45 **(2)** (a) 17. Notify the governor, the joint committee on legislative organization, the joint committee on finance, and appropriate standing committees, as determined by the presiding officer of each house, if the appropriation accounts under s. 20.435 (4) (b) ~~and~~, (gp), (r), and (rg) are insufficient to provide the state share of medical assistance.

***−1649/7*SECTION 1122.** 49.45 (2) (a) 17. of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(2)** (a) 17. Notify the governor, the joint committee on legislative organization, the joint committee on finance and appropriate standing committees, as determined by the presiding officer of each house, if the appropriation accounts under s. 20.435 (4) (b), (gp), and (r)~~, and (rg)~~ are insufficient to provide the state share of medical assistance.

***−1089/5.2* SECTION 1123.** 49.45 (2) (a) 26. of the statutes is created to read:

49.45 **(2)** (a) 26. a. Impose on each health maintenance organization, as defined in s. 609.01 (2), with a contract under sub. (2) (b) 2. to provide health care to recipients of Medical Assistance or Badger Care, for the privilege of doing business in this state,

an annual assessment of 6 percent of the health maintenance organization's gross revenues for the current calendar year. The assessment shall be deposited into the Medical Assistance trust fund. Each health maintenance organization subject to this subdivision shall file with the office of the commissioner of insurance annually, by March 1, a statement of the gross revenues for the health maintenance organization for the immediately preceding calendar year. If a health maintenance organization fails to file such a report by March 1, the department may withhold payment under this section until the report is filed. The department shall determine the amount of each health maintenance organization's assessment, based on the statement that the health maintenance organization files with the office of the commissioner of insurance. Each health maintenance organization shall pay one−fourth of the total assessment quarterly. For 2007 and every year thereafter, on March 31 payment is due based on estimated gross revenues for the health maintenance organization for the period January 1 to March 31 of that year, and the department may adjust the payment amount to ensure that payments made for the previous calendar year equaled an assessment of 6 percent of the health maintenance organization's actual gross revenues for the immediately preceding calendar year; on June 30 payment is due based on actual gross revenues for the health maintenance organization for the period January 1 to March 31 of that year; on September 30 payment is due based on actual gross revenues for the health maintenance organization for the period April 1 to June 30 of that year; and on December 31 payment is due based on actual gross revenues for the health maintenance organization for the period July 1 to September 30 of that year.

b. Sections 77.59 (1) to (5), (6) (intro.), (a), and (c), and (7) to (10), 77.60 (1) to (7), (9), and (10), 77.61 (9) and (12) to (14), and 77.62, as they apply to the taxes under

subch. III of ch. 77, apply to the assessment under this subdivision, except that the amount of any assessment collected under subd. 26. a. shall be deposited into the Medical Assistance trust fund.

c. The department shall levy, enforce, and collect the assessment under this subdivision and shall develop and distribute forms necessary for levying and collection.

d. The department shall establish procedures and requirements for levying the assessment under this subdivision.

e. An affected health maintenance organization may contest an action by the department of health and family services under this subdivision by submitting a written request for a hearing to the division of hearings and appeals in the department of administration within 30 days after the date of the action by the department of health and family services.

f. Any order or determination made by the division of hearing and appeals in the department of administration under a hearing as specified in subd. 26. e. is subject to judicial review as prescribed under ch. 227.

***−0124/1.1* SECTION 1124.** 49.45 (3) (i) of the statutes is repealed.

***−1649/6.35* SECTION 1125.** 49.45 (5m) (am) of the statutes is amended to read:

49.45 **(5m)** (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) ~~(b), (gp)~~, (o)~~,~~ and ~~(w)~~ (rm), the department shall distribute not more than $2,256,000 in each fiscal year, to provide supplemental funds to rural hospitals that, as determined by the department, have high utilization of inpatient services by patients whose care is provided from governmental sources, and to provide supplemental funds to critical access hospitals, except that the department

may not distribute funds to a rural hospital or to a critical access hospital to the extent that the distribution would exceed any limitation under 42 USC 1396b (i) (3).

***−1649/7*SECTION 1126.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this subsection made under s. 20.435 (4) (b), (gp), (pa), (o), (r), (rg), (w), or (wm) shall, except as provided in pars. (bg), (bm), and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement standards that are necessary and proper for providing patient care and that meet quality and safety standards established under subch. II of ch. 50 and ch. 150. The payment system shall reflect all of the following:

***−1649/7*SECTION 1127.** 49.45 (6m) (ag) (intro.) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this subsection made under s. 20.435 (4) (b), (gp), (pa), (o), (r), ~~(rg),~~ (w), or (wm) shall, except as provided in pars. (bg), (bm), and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement standards that are necessary and proper for providing patient care and that meet quality and safety standards established under subch. II of ch. 50 and ch. 150. The payment system shall reflect all of the following:

***−1302/3.1* SECTION 1128.** 49.45 (6m) (ag) 3m. of the statutes is amended to read:

49.45 **(6m)** (ag) 3m. For each state fiscal year, rates that shall be set by the department based on information from cost reports for costs specified under par. (am) ~~1. bm.,~~ 4., 5m., and 6. for the most recently completed fiscal year of the facility.

***−1302/3.2* SECTION 1129.** 49.45 (6m) (ag) 3r. of the statutes is amended to read:

49.45 **(6m)** (ag) 3r. Flat−rate payment for all costs specified under par. (am) 1. ~~a.~~ and 2.

***−1302/3.3* SECTION 1130.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of allowable direct care costs under par. (am) 1. bm.~~, for facilities that do not primarily serve the developmentally disabled,~~ that take into account direct care costs for a sample of all of those facilities in this state ~~and separate standards for payment of allowable direct care costs, for facilities that primarily serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state~~. The standards shall be adjusted by the department for regional labor cost variations. For facilities in Douglas, Pierce, and St. Croix counties, the department shall perform the adjustment by use of the wage index that is used by the federal department of health and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.

***−1302/3.4* SECTION 1131.** 49.45 (6m) (ar) 1. b. of the statutes is repealed.

***−1302/3.5* SECTION 1132.** 49.45 (6m) (ar) 1. c. of the statutes is amended to read:

49.45 **(6m)** (ar) 1. c. If a facility has an approved program for provision of service to mentally retarded residents, residents dependent upon ventilators, or residents requiring supplemental skilled care due to complex medical conditions, a supplement ~~to the direct care component of the facility rate under subd. 1. b.~~ may be made to that facility according to a method developed by the department.

***−0746/4.1* SECTION 1133.** 49.45 (6t) of the statutes, as affected by 2003 Wisconsin Act 318, is repealed.

***−1649/7*SECTION 1134.** 49.45 (6v) (b) of the statutes is amended to read:

49.45 **(6v)** (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year~~, except for the 1997−98 fiscal year,~~ that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances, and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b), (gp), ~~and~~ (o), (r), and (rg).

***−1649/7*SECTION 1135.** 49.45 (6v) (b) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(6v)** (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year, except for the 1997−98 fiscal year, that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (r)~~, and (rg)~~.

***−1649/7*SECTION 1136.** 49.45 (6x) (a) of the statutes is amended to read:

49.45 **(6x)** (a) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) ~~(b), (gp),~~ (o)~~,~~ and ~~(w)~~ (rm), the department shall distribute not more than ~~$4,748,000~~ $6,248,000 in each fiscal year, to provide funds to an essential access city hospital, except that the department may not allocate funds to an essential access city hospital to the extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

***−1649/7*SECTION 1137.** 49.45 (6y) (a) of the statutes is amended to read:

49.45 **(6y)** (a) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w), the department shall distribute funding in each fiscal year to provide supplemental payment to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief block grant is awarded under this chapter or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2).

***−1649/7*SECTION 1138.** 49.45 (6y) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(6y)** (a) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg),~~ and (w), the department shall distribute funding in each fiscal year to provide supplemental payment to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief block grant is awarded under this chapter or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2).

***−1649/7*SECTION 1139.** 49.45 (6y) (am) of the statutes is amended to read:

49.45 **(6y)** (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (h), (gp), (o), (r), (rg), and (w), the department shall distribute

funding in each fiscal year to provide supplemental payments to hospitals that enter into contracts under s. 49.02 (2) with a county having a population of 500,000 or more to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3).

***−1649/7*SECTION 1140.** 49.45 (6y) (am) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(6y)** (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (h), (gp), (o), (r), ~~(rg),~~ and (w), the department shall distribute funding in each fiscal year to provide supplemental payments to hospitals that enter into contracts under s. 49.02 (2) with a county having a population of 500,000 or more to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals' customary charges for the services, as limited under 42 USC 1396b (i) (3).

***−1649/7*SECTION 1141.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w), the department shall distribute funding in each fiscal year to supplement payment for services to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant under this chapter, if the department determines that the hospitals serve a disproportionate number of low−income patients with special needs. If no medical relief block grant under this chapter is awarded or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered

into a contract under s. 49.02 (2). The department may not distribute funds under this subsection to the extent that the distribution would do any of the following:

***−1649/7*SECTION 1142.** 49.45 (6z) (a) (intro.) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg),~~ and (w), the department shall distribute funding in each fiscal year to supplement payment for services to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant under this chapter, if the department determines that the hospitals serve a disproportionate number of low−income patients with special needs. If no medical relief block grant under this chapter is awarded or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2). The department may not distribute funds under this subsection to the extent that the distribution would do any of the following:

***−1649/7*SECTION 1143.** 49.45 (8) (b) of the statutes is amended to read:

49.45 **(8)** (b) Reimbursement under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w) for home health services provided by a certified home health agency or independent nurse shall be made at the home health agency's or nurse's usual and customary fee per patient care visit, subject to a maximum allowable fee per patient care visit that is established under par. (c).

***−1649/7*SECTION 1144.** 49.45 (8) (b) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(8)** (b) Reimbursement under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg),~~ and (w) for home health services provided by a certified home health agency or independent

nurse shall be made at the home health agency's or nurse's usual and customary fee per patient care visit, subject to a maximum allowable fee per patient care visit that is established under par. (c).

***−1649/7*SECTION 1145.** 49.45 (24m) (intro.) of the statutes is amended to read:

49.45 **(24m)** HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.) From the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), (rg), and (w), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall:

***−1649/7*SECTION 1146.** 49.45 (24m) (intro.) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.45 **(24m)** HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.) From the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), ~~(rg),~~ and (w), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall:

***−0747/1.2* SECTION 1147.** 49.45 (39) (b) 1. of the statutes is amended to read:

49.45 **(39)** (b) 1. 'Payment for school medical services.' If a school district or a cooperative educational service agency elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the school district or the cooperative educational service agency for 60% of the federal share of allowable charges for the school medical services that it provides and, as specified in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf

and Hard of Hearing elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the department of public instruction for 60% of the federal share of allowable charges for the school medical services that the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing provides and, as specified in subd. 2., for allowable administrative costs. A school district, cooperative educational service agency, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing may submit, and the department shall allow, claims for common carrier transportation costs as a school medical service unless the department receives notice from the federal health care financing administration that, under a change in federal policy, the claims are not allowed. If the department receives the notice, a school district, cooperative educational service agency, the Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing may submit, and the department shall allow, unreimbursed claims for common carrier transportation costs incurred before the date of the change in federal policy. The department shall promulgate rules establishing a methodology for making reimbursements under this paragraph. ~~Except as provided in subd. 1m., all~~ All other expenses for the school medical services provided by a school district or a cooperative educational service agency shall be paid for by the school district or the cooperative educational service agency with funds received from state or local taxes. The school district, the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the cooperative educational service agency shall

comply with all requirements of the federal department of health and human services for receiving federal financial participation.

***−0747/1.3* SECTION 1148.** 49.45 (39) (b) 1m. of the statutes is repealed.

***−0747/1.4* SECTION 1149.** 49.45 (39) (b) 2. of the statutes is amended to read:

49.45 **(39)** (b) 2. 'Payment for school medical services administrative costs.' The department shall reimburse a school district or a cooperative educational service agency specified under ~~subds.~~ subd. 1. ~~and 1m.~~ and shall reimburse the department of public instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing for 90% of the federal share of allowable administrative costs, using time studies, beginning in fiscal year 1999−2000. A school district or a cooperative educational service agency may submit, and the department of health and family services shall allow, claims for administrative costs incurred during the period that is up to 24 months before the date of the claim, if allowable under federal law.

***−0084/3.59* SECTION 1150.** 49.46 (1) (a) 5. of the statutes is amended to read:

49.46 **(1)** (a) 5. Any child in an adoption assistance, foster care, kinship care, long−term kinship care ~~or~~, treatment foster care, or subsidized guardianship placement under ch. 48 or 938, as determined by the department.

***−0264/2.1* SECTION 1151.** 49.46 (1) (a) 5m. of the statutes is created to read:

49.46 **(1)** (a) 5m. Any person who is at least 18 years of age but under 20 years of age and who, on his or her 18th birthday, was in a foster care or treatment foster care placement under ch. 48 or 938, as determined by the department.

***−0264/2.2* SECTION 1152.** 49.46 (1) (a) 5m. of the statutes, as created by 2005 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (a) 5m. Any person who is at least 18 years of age but under ~~20~~ 21 years of age and who, on his or her 18th birthday, was in a foster care or treatment foster care placement under ch. 48 or 938, as determined by the department.

***−0311/3.8* SECTION 1153.** 49.46 (1) (a) 14. of the statutes is amended to read:

49.46 **(1)** (a) 14. Any person who would meet the financial and other eligibility requirements for home or community−based services under s. 46.27 (11) ~~or~~, 46.277, or 46.2785 but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3), if a waiver under s. 49.45 (38) is in effect or federal law permits federal financial participation for medical assistance coverage of the person and if funding is available for the person under s. 46.27 (11) ~~or~~, 46.277, or 46.2785.

***−0270/1.1* SECTION 1154.** 49.46 (1) (a) 15. of the statutes is amended to read:

49.46 **(1)** (a) 15. Any individual who is infected with tuberculosis and meets the income and resource eligibility requirements for the federal ~~supplemental security~~ Supplemental Security Income program under 42 USC 1381 to 1383d.

***−0260/2.1* SECTION 1155.** 49.46 (2) (b) 3. of the statutes is renumbered 49.46 (2) (b) 3. a. and amended to read:

49.46 **(2)** (b) 3. a. Transportation by emergency medical vehicle to obtain emergency medical care~~, transportation by specialized medical vehicle to obtain medical care including the unloaded travel of the specialized medical vehicle necessary to provide that transportation or, if authorized in advance by the county department under s. 46.215 or 46.22, transportation by common carrier or private motor vehicle~~ and, if transportation by other means is contraindicated, to obtain nonemergency medical care.

***−0260/2.2* SECTION 1156.** 49.46 (2) (b) 3. b. of the statutes is created to read:

49.46 **(2)** (b) 3. b. To obtain nonemergency medical services, except as provided in subd. 3. a., appropriate transportation that is provided through an entity with which the department has contracted to manage transportation services for the Medical Assistance program.

***−0311/3.9* SECTION 1157.** 49.46 (2) (b) 8. of the statutes is amended to read:

49.46 **(2)** (b) 8. Home or community−based services, if provided under s. 46.27 (11), 46.275, 46.277 ~~or~~, 46.278, or 46.2785, under the family care benefit if a waiver is in effect under s. 46.281 (1) (c), or under a waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c).

***−0311/3.10* SECTION 1158.** 49.47 (4) (as) 1. of the statutes is amended to read:

49.47 **(4)** (as) 1. The person would meet the financial and other eligibility requirements for home or community−based services under s. 46.27 (11) ~~or~~, 46.277, or 46.2785 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c) but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3).

***−0311/3.11*SECTION 1159.** 49.47 (4) (as) 3. of the statutes is amended to read:

49.47 **(4)** (as) 3. Funding is available for the person under s. 46.27 (11) ~~or~~, 46.277, or 46.2785 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

***−1649/7*SECTION 1160.** 49.472 (6) (a) of the statutes is amended to read:

49.472 **(6)** (a) Notwithstanding sub. (4) (a) 3., from the appropriation account under s. 20.435 (4) (b), (gp), (r), (rg), or (w), the department shall, on the part of an individual who is eligible for medical assistance under sub. (3), pay premiums for or purchase individual coverage offered by the individual's employer if the department

determines that paying the premiums for or purchasing the coverage will not be more costly than providing medical assistance.

***−1649/7*SECTION 1161.** 49.472 (6) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.472 **(6)** (a) Notwithstanding sub. (4) (a) 3., from the appropriation account under s. 20.435 (4) (b), (gp), (r), ~~(rg),~~ or (w), the department shall, on the part of an individual who is eligible for medical assistance under sub. (3), pay premiums for or purchase individual coverage offered by the individual's employer if the department determines that paying the premiums for or purchasing the coverage will not be more costly than providing medical assistance.

***−1649/7*SECTION 1162.** 49.472 (6) (b) of the statutes is amended to read:

49.472 **(6)** (b) If federal financial participation is available, from the appropriation account under s. 20.435 (4) (b), (gp), (r), (rg), or (w), the department may pay ~~medicare~~ Medicare Part A and Part B premiums for individuals who are eligible for ~~medicare~~ Medicare and for medical assistance under sub. (3).

***−1649/7*SECTION 1163.** 49.472 (6) (b) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.472 **(6)** (b) If federal financial participation is available, from the appropriation account under s. 20.435 (4) (b), (gp), (r), ~~(rg),~~ or (w), the department may pay Medicare Part A and Part B premiums for individuals who are eligible for Medicare and for medical assistance under sub. (3).

***−1649/7*SECTION 1164.** 49.473 (5) of the statutes is amended to read:

49.473 **(5)** The department shall audit and pay, from the appropriation accounts under s. 20.435 (4) (b), (gp), ~~and~~ (o), (r), and (rg) allowable charges to a provider who is certified under s. 49.45 (2) (a) 11. for ~~medical assistance~~ Medical

Assistance on behalf of a woman who meets the requirements under sub. (2) for all benefits and services specified under s. 49.46 (2).

***−1649/7*SECTION 1165.** 49.473 (5) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

49.473 **(5)** The department shall audit and pay, from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (r)~~, and (rg)~~ allowable charges to a provider who is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who meets the requirements under sub. (2) for all benefits and services specified under s. 49.46 (2).

***−1525/3.2* SECTION 1166.** 49.475 (6) of the statutes is created to read:

49.475 **(6)** SHARING INFORMATION. The department of health and family services shall provide to the department of workforce development, for purposes of the medical support liability program under s. 49.22, any information that the department of health and family services receives under this section. The department of workforce development may allow a county child support agency under s. 59.53 (5) or a tribal child support agency access to the information, subject to the use and disclosure restrictions under s. 49.83, and shall consult with the department of health and family services regarding procedures and methods to adequately safeguard the confidentiality of the information provided under this subsection.

***−0879/4.1* SECTION 1167.** 49.497 (title) of the statutes is amended to read:

49.497 (title) **Recovery of incorrect ~~medical assistance~~ Medical Assistance or Badger Care payments.**

***−0879/4.2* SECTION 1168.** 49.497 (1) of the statutes is renumbered 49.497 (1) (a) (intro.) and amended to read:

49.497 **(1)** (a) (intro.) The department may recover any payment made incorrectly for benefits ~~specified under s. 49.46, 49.468 or 49.47~~ provided under this subchapter or s. 49.665 if the incorrect payment results from any of the following:

1. A misstatement or omission of fact by a person supplying information in an application for benefits under ~~s. 49.46, 49.468 or 49.47~~ this subchapter or s. 49.665.

2. The ~~department may also recover if a medical assistance~~ failure of a Medical Assistance or Badger Care recipient or any other person responsible for giving information on the recipient's behalf ~~fails~~ to report the receipt of income or assets in an amount that would have affected the recipient's eligibility for benefits.

(b) The department's right of recovery is against any ~~medical assistance~~ Medical Assistance or Badger Care recipient to whom or on whose behalf the incorrect payment was made. The extent of recovery is limited to the amount of the benefits incorrectly granted. The county department under s. 46.215 or 46.22 or the governing body of a federally recognized American Indian tribe administering ~~medical assistance~~ Medical Assistance or Badger Care shall begin recovery actions on behalf of the department according to rules promulgated by the department.

***−0879/4.3* SECTION 1169.** 49.497 (1) (a) 3. of the statutes is created to read:

49.497 **(1)** (a) 3. The failure of a Medical Assistance or Badger Care recipient or any other person responsible for giving information on the recipient's behalf to report any change in the recipient's financial or nonfinancial situation or eligibility characteristics that would have affected the recipient's eligibility for benefits or the recipient's cost−sharing requirements.

***−0879/4.4* SECTION 1170.** 49.497 (1m) of the statutes is created to read:

49.497 **(1m)** (a) If, after notice that an incorrect payment was made, a recipient, or parent of a minor recipient, who is liable for repayment of an incorrect payment

fails to repay the incorrect payment or enter into, or comply with, an agreement for repayment, the department may bring an action to enforce the liability or may issue an order to compel payment of the liability. Any person aggrieved by an order issued by the department under this paragraph may appeal the order as a contested case under ch. 227 by filing with the department a request for a hearing within 30 days after the date of the order. The only issue at hearing shall be the determination by the department that the person has not repaid the incorrect payment or entered into, or complied with, an agreement for repayment.

(b) If any recipient, or parent of a minor recipient, named in an order to compel payment issued under par. (a) fails to pay the department any amount due under the terms of the order and no contested case to review the order is pending and the time for filing for a contested case review has expired, the department may present a certified copy of the order to the circuit court for any county. The sworn statement of the secretary shall be evidence of the incorrect payment. The circuit court shall, without notice, render judgment in accordance with the order. A judgment rendered under this paragraph shall have the same effect and shall be entered in the judgment and lien docket and may be enforced in the same manner as if the judgment had been rendered in an action tried and determined by the circuit court.

(c) The recovery procedure under this subsection is in addition to any other recovery procedure authorized by law.

***−0879/4.5* SECTION 1171.** 49.497 (2) of the statutes is amended to read:

49.497 **(2)** A county or governing body of a federally recognized American Indian tribe may retain 15% of benefits ~~distributed under s. 49.46, 49.468 or 49.47~~ <u>provided under this subchapter or s. 49.665</u> that are recovered under ~~sub. (1)~~ <u>this section</u> due to the efforts of an employee or officer of the county or tribe.

***−0879/4.6* SECTION 1172.** 49.497 (4) of the statutes is created to read:

49.497 **(4)** The department may appear for the state in any and all collection matters under this section, and may commence suit in the name of the department to recover an incorrect payment from the recipient to whom or on whose behalf it was made.

***−0879/4.7* SECTION 1173.** 49.497 (5) of the statutes is created to read:

49.497 **(5)** The department may make an agreement with a recipient, or parent of a minor recipient, who is liable under sub. (1), providing for repayment of an incorrect payment at a specified rate or amount.

***−0261/1.4* SECTION 1174.** 49.665 (1) (b) of the statutes is amended to read:

49.665 **(1)** (b) "Child" means a person who is born and who is under the age of 19.

***−0261/1.5* SECTION 1175.** 49.665 (1) (g) of the statutes is created to read:

49.665 **(1)** (g) "Unborn child" means a person from the time of conception until it is born alive.

***−0261/1.6* SECTION 1176.** 49.665 (2) (a) of the statutes is renumbered 49.665 (2) (a) 1. and amended to read:

49.665 **(2)** (a) 1. The department of health and family services shall request a waiver from the secretary of the federal department of health and human services to permit the department of health and family services to implement, beginning not later than July 1, 1998, or the effective date of the waiver, whichever is later, a health care program under this section. If a waiver that is consistent with all of the provisions of this section, excluding sub. (4) (a) 3m. and (ap) and provisions related to sub. (4) (ap), is granted and in effect, the department of health and family services shall implement the program under this section, subject to subd. 2. The department

of health and family services may not implement the program under this section unless a waiver that is consistent with all of the provisions of this section, excluding sub. (4) (a) 3m. and (ap) and provisions related to sub. (4) (ap), is granted and in effect.

***−0261/1.7* SECTION 1177.** 49.665 (2) (a) 2. of the statutes is created to read:

49.665 **(2)** (a) 2. The department may not implement sub. (4) (ap) or provisions related to the coverage under sub. (4) (ap) unless a state plan amendment authorizing the coverage under sub. (4) (ap) is approved by the federal department of health and human services.

***−0261/1.8* SECTION 1178.** 49.665 (3) of the statutes is amended to read:

49.665 **(3)** ADMINISTRATION. ~~The~~ Subject to sub. (2) (a) 2., the department shall administer a program to provide the health services and benefits described in s. 49.46 (2) to persons that meet the eligibility requirements specified in sub. (4). The department shall promulgate rules setting forth the application procedures and appeal and grievance procedures. The department may promulgate rules limiting access to the program under this section to defined enrollment periods. The department may also promulgate rules establishing a method by which the department may purchase family coverage offered by the employer of a member of an eligible family or ~~by~~ of a member of ~~a~~ an eligible child's household, or family or individual coverage offered by the employer of an eligible unborn child's mother or her spouse, under circumstances in which the department determines that purchasing that coverage would not be more costly than providing the coverage under this section.

***−0261/1.9* SECTION 1179.** 49.665 (4) (ap) of the statutes is created to read:

49.665 **(4)** (ap) An unborn child whose mother is not eligible for health care coverage under par. (a) or (am) or for medical assistance under s. 49.46 or 49.47,

except that she may be eligible for benefits under s. 49.45 (27), is eligible for health care coverage under this section, which shall be limited to coverage for prenatal care, if all of the following requirements are met:

1. The income of the unborn child's mother, mother and her spouse, or mother and her family, whichever is applicable, does not exceed 185 percent of the poverty line, except as provided in par. (at) and except that, if an unborn child is already receiving health care coverage under this section, the applicable specified person or persons may have an income that does not exceed 200 percent of the poverty line. The department shall establish by rule the criteria to be used to determine income.

2. Each of the following applicable persons who is employed provides verification from his or her employer, in the manner specified by the department, of his or her earnings:

a. The unborn child's mother.

b. The spouse of the unborn child's mother.

c. Members of the unborn child's mother's family.

3. The unborn child's mother provides medical verification of her pregnancy, in the manner specified by the department.

4. The unborn child and the mother of the unborn child meet all other requirements established by the department by rule except for any of the following:

a. The mother is not a U.S. citizen or an alien qualifying for medicaid under 8 USC 1612.

b. The mother is an inmate of a public institution.

c. The mother does not provide a social security number, but only if subd. 4. a. applies.

***−0261/1.10* SECTION 1180.** 49.665 (4) (at) 3. of the statutes is amended to read:

49.665 **(4)** (at) 3. The department may not adjust the maximum income level of 200% of the poverty line for persons already receiving health care coverage under this section or for applicable persons specified in par. (ap) 1. with respect to an unborn child already receiving health care coverage under this section.

***−0261/1.11* SECTION 1181.** 49.665 (4) (c) of the statutes is amended to read:

49.665 **(4)** (c) No person may be denied health care coverage under this section solely because of a health condition of that person ~~or~~, of any family member of that person, or of the mother of an unborn child.

***−0261/1.12* SECTION 1182.** 49.665 (4) (d) of the statutes is created to read:

49.665 **(4)** (d) An unborn child's eligibility for coverage under par. (ap) shall not begin before the first day of the month in which the unborn child's mother provides the medical verification required under par. (ap) 3.

***−0261/1.13* SECTION 1183.** 49.665 (5) (ag) of the statutes is amended to read:

49.665 **(5)** (ag) Except as provided in pars. (am), (b), and (bm), a family, ~~or~~ a child who does not reside with his or her parent, or the mother of an unborn child, who receives health care coverage under this section shall pay a percentage of the cost of that coverage in accordance with a schedule established by the department by rule. The department may not establish or implement a schedule that requires a ~~family or child to contribute~~ contribution, including the amounts required under par. (am), of more than 5% of the ~~family's or child's~~ income of the family, child, or applicable persons specified in sub. (4) (ap) 1. towards the cost of the health care coverage provided under this section.

***−0261/1.14* SECTION 1184.** 49.665 (5) (am) (intro.) of the statutes is amended to read:

49.665 **(5)** (am) (intro.) Except as provided in pars. (b) and (bm), a child ~~or~~, a family member, or the mother of an unborn child, who receives health care coverage under this section shall pay the following cost−sharing amounts:

***−0261/1.15* SECTION 1185.** 49.665 (5) (b) of the statutes is amended to read:

49.665 **(5)** (b) The department may not require a family, ~~or~~ child who does not reside with his or her parent, or applicable persons specified in sub. (4) (ap) 1., with an income below 150% of the poverty line, to contribute to the cost of health care coverage provided under this section.

***−0261/1.16* SECTION 1186.** 49.665 (5) (c) of the statutes is amended to read:

49.665 **(5)** (c) The department may establish by rule requirements for wage withholding as a means of collecting ~~the~~ a family's or an unborn child's mother's share of the cost of the health care coverage under this section.

***−0314/1.1* SECTION 1187.** 49.688 (1) (e) of the statutes is amended to read:

49.688 **(1)** (e) "Program payment rate" means the rate of payment made for the identical drug specified under s. 49.46 (2) (b) 6. h.~~, plus 5%,~~ plus a dispensing fee that is equal to the dispensing fee permitted to be charged for prescription drugs for which coverage is provided under s. 49.46 (2) (b) 6. h.

***−0265/3.13* SECTION 1188.** 49.77 (6) of the statutes is created to read:

49.77 **(6)** AUTHORITY TO ADMINISTER; RULES. The department shall administer this section and s. 49.775, and may promulgate rules to guide the administration of eligibility determinations and benefits payments.

***−0265/3.14* SECTION 1189.** 49.78 (8) (a) of the statutes is amended to read:

49.78 **(8)** (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department shall reimburse each county and tribal governing body that contracts with the department under sub. (2) for reasonable costs of administering the income maintenance programs. The amount of each reimbursement paid under this paragraph shall be calculated using a formula based on workload within the limits of available state and federal funds under s. 20.435 (4) (bn) and (nn) by contract under sub. (2). The amount of reimbursement calculated under this paragraph and par. (b) is in addition to any reimbursement provided to a county or tribal governing body for fraud and error reduction under s. 49.197 ~~(1m) and (4)~~ or 49.845.

***−0878/1.1* SECTION 1190.** 49.78 (11) of the statutes is created to read:

49.78 **(11)** REQUIREMENT TO PROVIDE INFORMATION. (a) 1. The department, a county department under s. 46.215, 46.22, or 46.23, or a tribal governing body may request from any person in this state information it determines appropriate and necessary for determining or verifying eligibility or benefits for a recipient under any income maintenance program. Unless access to the information is prohibited or restricted by law, or unless the person has good cause, as determined by the department in accordance with federal law and regulations, for refusing to cooperate, the person shall make a good faith effort to provide the information within 7 days after receiving a request under this paragraph. The department, county department, or tribal governing body, or employees of any of them, may not disclose information obtained under this subdivision for any purpose not connected with the administration of the income maintenance program for which the information was requested.

2. In conjunction with any request for information under subd. 1., including a request made by subpoena under par. (b), the department, county department, or tribal governing body shall advise the person of the time by which the information must be provided.

(b) The department, a county department, or a tribal governing body may issue a subpoena, in substantially the form authorized under s. 885.02, to compel the production of financial information or other documentary evidence for determining or verifying eligibility or benefits for a recipient under any income maintenance program.

(c) A person is not liable to any person for any of the following:

1. Allowing access to financial or other records by the department, a county department, or a tribal governing body in response to a request under par. (a) or a subpoena described in par. (b).

2. Disclosing information from financial or other records to the department, a county department, or a tribal governing body in response to a request under par. (a) or a subpoena described in par. (b).

3. Any other action taken in good faith to comply with this subsection or a subpoena described in par. (b) or to comply with a request for information or access to records from the department, a county department, or a tribal governing body for determining or verifying eligibility or benefits for a recipient under any income maintenance program.

***−1597/1.1* SECTION 1191.** 49.785 (2) of the statutes is amended to read:

49.785 **(2)** From the appropriation under s. 20.435 (4) (bn), <u>to the extent that funds are available for this purpose,</u> the department shall reimburse a county or applicable tribal governing body or organization for any amount that the county or

applicable tribal governing body or organization is required to pay under sub. (1). From the appropriation under s. 20.435 (4) (bn), the department shall reimburse a county or applicable tribal governing body or organization for cemetery expenses or for funeral and burial expenses for persons described under sub. (1) that the county or applicable tribal governing body or organization is not required to pay under subs. (1) and (1m) only if the department approves the reimbursement due to unusual circumstances and if funds are available for this purpose.

***−0265/3.15* SECTION 1192.** 49.79 (9) of the statutes is repealed.

***−0261/1.17* SECTION 1193.** 49.82 (2) of the statutes is amended to read:

49.82 **(2)** ELIGIBILITY VERIFICATION. Proof shall be provided for each person included in an application for public assistance under this chapter, except for a child who is eligible for medical assistance under s. 49.46 or 49.47 because of 42 USC 1396a (e) (4) or an unborn child who is eligible for coverage under the Badger Care health care program under s. 49.665 (4) (ap), of his or her social security number or that an application for a social security number has been made.

***−0299/2.1* SECTION 1194.** 49.83 of the statutes is amended to read:

49.83 Limitation on giving information. Except as provided under s. 49.32 (9), (10), and (10m), no person may use or disclose information concerning applicants and recipients of relief funded by a relief block grant, aid to families with dependent children, Wisconsin ~~works~~ Works under ss. 49.141 to 49.161, social services, child and spousal support and establishment of paternity and medical support liability services under s. 49.22, or supplemental payments under s. 49.77 for any purpose not connected with the administration of the programs, except that the department may disclose such information to the department of revenue for the sole purpose of administering state taxes. Any person violating this section may be fined not less

than $25 nor more than $500 or imprisoned in the county jail not less than 10 days nor more than one year or both.

***−0265/3.16* SECTION 1195.** 49.845 of the statutes is created to read:

49.845 Fraud investigation and error reduction. (1) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4) (bn), (kz), (L), and (nn), the department of health and family services shall establish a program to investigate suspected fraudulent activity on the part of recipients of medical assistance under subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, supplemental security income payments under s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775, and health care benefits under the Badger Care health care program under s. 49.665 and, if the department of workforce development contracts with the department of health and family services under sub. (4), on the part of recipients of aid to families with dependent children under s. 49.19 and participants in the Wisconsin Works program under ss. 49.141 to 49.161. The activities of the department of health and family services under this subsection may include comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The department of health and family services shall cooperate with district attorneys regarding fraud prosecutions.

(2) STATE ERROR REDUCTION ACTIVITIES. The department of health and family services shall conduct activities to reduce payment errors in the Medical Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, the

supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775, and the Badger Care health care program under s. 49.665 and, if the department of workforce development contracts with the department of health and family services under sub. (4), in Wisconsin Works under ss. 49.141 to 49.161.

(3) WISCONSIN WORKS AGENCY ERROR REDUCTION. If the department of workforce development contracts with the department of health and family services under sub. (4), the department of health and family services shall provide funds from the appropriation under s. 20.435 (4) (kz) to Wisconsin Works agencies to offset the administrative costs of reducing payment errors in Wisconsin Works under ss. 49.141 to 49.161.

(4) CONTRACT FOR WISCONSIN WORKS. Notwithstanding s. 49.197 (1m) and (3), the department of workforce development may contract with the department of health and family services to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19 and participants in Wisconsin Works under ss. 49.141 to 49.161 and to conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, as provided in this section.

***−0265/3.17* SECTION 1196.** 49.847 of the statutes is created to read:

49.847 Recovery of incorrect payments under certain public assistance programs. (1) Subject to ss. 49.497 (1) and 49.793 (1), the department of health and family services, or a county or elected governing body of a federally recognized American Indian tribe or band acting on behalf of the department, may

recover benefits incorrectly paid under any of the programs administered by the department under this chapter.

(2) The department, county, or elected governing body may recover an overpayment from a family or individual who continues to receive benefits under any program administered by the department under this chapter by reducing the family's or individual's benefit amount. Subject to s. 49.793 (1), the department may by rule specify other methods for recovering incorrectly paid benefits.

(3) Subject to ss. 49.497 (2) and 49.793 (2), a county or elected governing body may retain a portion of an amount recovered under this section due to the efforts of an employee or officer of the county, tribe, or band, as provided by the department by rule.

***−0265/3.18* SECTION 1197.** 49.85 (1) of the statutes is amended to read:

49.85 **(1)** DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band determines that the department of health and family services may recover an amount under s. 49.497, 49.793, or 49.847, or that the department of workforce development may recover an amount under s. 49.161~~,~~ or 49.195 (3)~~, or 49.793,~~ or collect an amount under s. 49.147 (6) (cm), the county department or governing body shall notify the affected department of the determination. If a Wisconsin ~~works~~ Works agency determines that the department of workforce development may recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s. 49.147 (6) (cm), the Wisconsin ~~works~~ Works agency shall notify the department of workforce development of the determination.

***−0879/4.8* SECTION 1198.** 49.85 (2) (a) of the statutes is renumbered 49.85 (2) (a) (intro.) and amended to read:

49.85 **(2)** (a) (intro.) At least annually, the department of health and family services shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of health and family services, the department of health and family services has determined that it may recover under s. 49.45 (2) (a) 10. ~~or~~, 49.497, 49.793, or 49.847, except that the department of health and family services may not certify an amount under this subsection unless ~~it~~ all of the following apply:

1. The department has met the notice requirements under sub. (3) ~~and unless its~~.

2. The department's determination has either not been appealed or is no longer under appeal.

***−0879/4.9* SECTION 1199.** 49.85 (2) (a) 3. of the statutes is created to read:

49.85 **(2)** (a) 3. If the determination relates to recovery of an amount under s. 49.497, the determination was rendered to a judgment under s. 49.497 (1m) (b).

***−0265/3.19* SECTION 1200.** 49.85 (2) (b) of the statutes is amended to read:

49.85 **(2)** (b) At least annually, the department of workforce development shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of workforce development, the department of workforce development has determined that it may recover under ss. 49.161~~,~~ and 49.195 (3)~~, and 49.793,~~ and collect under s. 49.147 (6) (cm), except that the department of workforce development may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

***−0265/3.20* SECTION 1201.** 49.85 (3) (a) 1. of the statutes is amended to read:

49.85 **(3)** (a) 1. Inform the person that the department of health and family services intends to certify to the department of revenue an amount that the department of health and family services has determined to be due under s. 49.45 (2) (a) 10. ~~or,~~ 49.497, 49.793, or 49.847, for setoff from any state tax refund that may be due the person.

***−0265/3.21* SECTION 1202.** 49.85 (3) (b) 1. of the statutes is amended to read:

49.85 **(3)** (b) 1. Inform the person that the department of workforce development intends to certify to the department of revenue an amount that the department of workforce development has determined to be due under s. 49.161~~,~~ or 49.195 (3)~~, or 49.793,~~ or to be delinquent under a repayment agreement for a loan under s. 49.147 (6), for setoff from any state tax refund that may be due the person.

***−1525/3.3* SECTION 1203.** 49.855 (6) of the statutes is amended to read:

49.855 **(6)** If the state implements the child and spousal support and establishment of paternity and medical support liability program under ss. 49.22 and 59.53 (5), the state may act under this section in place of the county child support agency under s. 59.53 (5).

***−0404/4.94* SECTION 1204.** 49.857 (1) (d) 3m. of the statutes is created to read:

49.857 **(1)** (d) 3m. A license issued under s. 49.984 (1).

***−0347/2.2* SECTION 1205.** 49.857 (1) (d) 4. of the statutes is amended to read:

49.857 **(1)** (d) 4. A certification, license, training permit, registration, approval or certificate issued under s. 49.45 (2) (a) 11., 146.50 (5) (a) or (b), (6g) (a) or (8) (a), ~~250.05 (5),~~ 252.23 (2), 252.24 (2), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47 (1), 254.64 (1) (a) or (b), 254.71 (2) or 255.08 (2).

***−0404/4.95* SECTION 1206.** 49.97 of the statutes is created to read:

49.97 Definition. In this subchapter, "department" means the department of workforce development.

***−0404/4.96* SECTION 1207.** 49.982 (title) of the statutes is created to read:

49.982 (title) **Information for day care providers and parents.**

***−1522/2.2* SECTION 1208.** 49.982 (5) of the statutes is created to read:

49.982 **(5)** The department shall provide a child care quality rating system that rates the quality of the child care provided by a child care provider that is licensed under s. 49.98, certified under s. 49.156, or established or contracted for under s. 120.13 (14). The department shall make the rating information provided under that system available to the parents, guardians, and legal custodians of children who are recipients, or prospective recipients, of care and supervision from a child care provider that is licensed under s. 49.98, certified under s. 49.156, or established or contracted for under s. 120.13 (14), including making that information available on the department's Internet site.

***−0404/4.97* SECTION 1209.** 49.984 of the statutes is created to read:

49.984 Licensing duties of the department. (1) Except as provided in s. 49.992 (6) and (7), the department shall license and supervise day care centers as required by s. 49.98. A license issued under this subsection is valid until revoked or suspended. No license issued under this subsection is transferable.

(2) The department shall prescribe an application form to be used by all applicants for licenses to operate a day care center. In prescribing that form, the department shall require an applicant for a license to operate a day care center who is an individual, other than an individual who does not have a social security number and who submits a statement made or subscribed under oath or affirmation as required under sub. (3) (a) 2., to provide his or her social security number, and an

applicant for a license to operate a day care center who is not an individual to provide the applicant's federal employer identification number.

(3) (a) 1. Except as provided in subd. 2., when initially applying for or applying to continue a license issued under sub. (1) to operate a day care center, an applicant who is an individual shall provide the department with the applicant's social security number, and an applicant who is not an individual shall provide the department with the applicant's federal employer identification number.

2. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The department shall prescribe the form of the statement. A license issued in reliance upon a false statement submitted under this subdivision is invalid.

(b) If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or continue a license under sub. (1) to operate a day care center to or for the applicant unless the applicant is an individual who does not have a social security number and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (a) 2.

(c) The department of workforce development may not disclose any information obtained under par. (a) 1. to any person except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the request of the subunit of the department of workforce development that administers the child and spousal support program under s. 49.22 (2m).

(4) The department shall prescribe the form and content of records to be kept and information to be reported by persons licensed by it.

(5) A day care center license, other than a probationary license, is valid until revoked or suspended, but shall be reviewed every 2 years after the date of issuance as provided in this subsection. At least 30 days prior to the continuation date of the license, the licensee shall submit to the department an application for continuance of the license in the form and containing the information that the department requires. If the minimum requirements established under s. 49.986 for a license are met, the application is approved, the applicable fees specified in ss. 48.685 (8) and 49.98 (3) (a) are paid, and any forfeiture under s. 49.992 (3) (a) or penalty under s. 49.999 (1) that is due is paid, the department shall continue the license for an additional 2−year period, unless sooner suspended or revoked. If the application is not timely filed, the department shall issue a warning to the licensee. If the licensee fails to apply for continuance of the license within 30 days after receipt of the warning, the department may revoke the license as provided in s. 49.992 (4) and (4m) (b).

***−0404/4.98* SECTION 1210.** 49.986 of the statutes is created to read:

49.986 Rules governing day care centers. The department shall promulgate rules establishing minimum requirements for the issuance of licenses to, and establishing standards for the operation of, day care centers. These rules shall be designed to protect and promote the health, safety, and welfare of the children in the care of all licensees. The department shall consult with the department of commerce and the department of public instruction before promulgating these rules. In establishing the minimum requirements for the issuance of licenses to day care centers that provide care and supervision for children under one year of age, the

department shall include a requirement that all licensees who are individuals and all employees and volunteers of a licensee who provide care and supervision for children receive, before the date on which the license is issued or the employment or volunteer work commences, whichever is applicable, training in the most current medically accepted methods of preventing sudden infant death syndrome.

***−0404/4.99* SECTION 1211.** 49.988 of the statutes is created to read:

49.988 Investigation of applicant; issuance of license; provisions of licensure. (1) After receipt of an application for a license, the department shall investigate to determine if the applicant meets the minimum requirements for a license promulgated by the department by rule under s. 49.986 and meets the requirements specified in s. 48.685. In determining whether to issue or continue a license, the department may consider any action by the applicant, or by an employee of the applicant, that constitutes a substantial failure by the applicant or employee to protect and promote the health, safety, and welfare of a child. Upon satisfactory completion of this investigation and payment of the fee required under s. 49.98 (3) (a), the department shall issue a license under s. 49.984 (1) or, if applicable, a probationary license under s. 49.99 or, if applicable, shall continue a license under s. 49.984 (5). The department shall provide the department of health and family services with information about each person who is denied a license for a reason specified in s. 48.685 (4m) (a) 1. to 5.

(2) Each license shall state the name of the person licensed, the premises included under the license, the maximum number of children who can be received and their ages and sex, and such additional information and special conditions as the department may prescribe.

***−0404/4.100* SECTION 1212.** 49.99 of the statutes is created to read:

49.99 Probationary licenses. Except as provided under s. 49.992 (6) and (7), if any day care center that has not been previously issued a license under s. 49.984 (1) applies for a license, meets the minimum requirements established under s. 49.986 for a license, and pays the applicable fee specified in s. 49.98 (3) (a), the department shall issue a probationary license to that day care center. A probationary license is valid for up to 6 months after the date of issuance unless renewed under this section or suspended or revoked under s. 49.992. Before a probationary license expires, the department shall inspect the day care center holding the probationary license and, except as provided under s. 49.992 (6) and (7), if the day care center meets the minimum requirements established under s. 49.986 for a license, the department shall issue a license under s. 49.984 (1). A probationary license issued under this section may be renewed for one 6−month period.

***−0404/4.101* SECTION 1213.** 49.992 of the statutes is created to read:

49.992 Sanctions and penalties. (1) In this section, "licensee" means a person who holds a license under s. 49.984 (1) or a probationary license under s. 49.99 to operate a day care center.

(2) If the department provides written notice of the grounds for a sanction, an explanation of the types of sanctions that may be imposed under this subsection, and an explanation of the process for appealing a sanction imposed under this subsection, the department may order any of the following sanctions:

(a) That a person stop operating a day care center if the day care center is without a license in violation of s. 49.984 (1) or a probationary license in violation of s. 49.99.

(b) That a person who employs a person who has had a license under s. 49.984 (1) or a probationary license under s. 49.99 revoked within the previous 5 years

terminate the employment of that person within 30 days after the date of the order. This paragraph includes employment of a person in any capacity, whether as an officer, director, agent, or employee.

(c) That a licensee stop violating any provision of licensure under s. 49.988 (2) or rules promulgated by the department under s. 49.986.

(d) That a licensee submit a plan of correction for violation of any provision of licensure under s. 49.988 (2) or rule promulgated by the department under s. 49.986.

(e) That a licensee implement and comply with a plan of correction provided by the department or previously submitted by the licensee and approved by the department.

(f) That a licensee close the intake of any new children until all violations of the provisions of licensure under s. 49.988 (2) and the rules promulgated by the department under s. 49.986 are corrected.

(g) That a licensee provide training for the licensee's staff members as specified by the department.

(3) If the department provides written notice of the grounds for a penalty, an explanation of the types of penalties that may be imposed under this subsection, and an explanation of the process for appealing a penalty imposed under this subsection, the department may impose any of the following penalties against a licensee or any other person who violates a provision of licensure under s. 49.988 (2) or rule promulgated by the department under s. 49.986 or who fails to comply with an order issued under sub. (2) by the time specified in the order:

(a) A daily forfeiture amount per violation of not less than $10 nor more than $1,000. All of the following apply to a forfeiture under this paragraph:

1. Within the limits specified in this paragraph, the department may, by rule, set daily forfeiture amounts and payment deadlines based on the size and type of facility or agency and the seriousness of the violation. The department may set daily forfeiture amounts that increase periodically within the statutory limits if there is continued failure to comply with an order issued under sub. (2).

2. The department may directly assess a forfeiture imposed under this paragraph by specifying the amount of that forfeiture in the notice provided under this subsection.

3. A person against whom the department has assessed a forfeiture shall pay that forfeiture to the department within 10 days after receipt of notice of the assessment or, if that person contests that assessment under s. 49.994, within 10 days after receipt of the final decision after exhaustion of administrative review or, if that person petitions for judicial review under ch. 227, within 10 days after receipt of the final decision after exhaustion of judicial review. The department shall remit all forfeitures paid under this subdivision to the secretary of administration for deposit into the school fund.

4. The attorney general may bring an action in the name of the state to collect any forfeiture imposed under this paragraph that has not been paid as provided in subd. 3. The only contestable issue in an action under this subdivision is whether or not the forfeiture has been paid.

(b) Suspension of the licensee's license for not more than 2 weeks.

(c) Refusal to continue a license or a probationary license.

(d) Revocation of a license or a probationary license as provided in sub. (4).

(4) If the department provides written notice of revocation and the grounds for revocation as provided in sub. (4m) and an explanation of the process for appealing

a revocation under this subsection, the department may revoke a license issued under s. 49.984 (1) or a probationary license issued under s. 49.99 for any of the following reasons:

(a) The department has imposed a penalty on the licensee under sub. (3) and the licensee or a person under the supervision of the licensee either continues to violate or resumes violation of a rule promulgated under s. 49.986, a provision of licensure under s. 49.988 (2), or an order under this section forming any part of the basis for the penalty.

(b) The licensee or a person under the supervision of the licensee has committed a substantial violation, as determined by the department, of a rule promulgated under s. 49.986, a provision of licensure under s. 49.988 (2), or an order under this section.

(c) The licensee or a person under the supervision of the licensee has committed an action or has created a condition relating to the operation or maintenance of the day care center that directly threatens the health, safety, or welfare of any child under the care of the licensee.

(d) The licensee or a person under the supervision of the licensee has violated, as determined by the department, a rule promulgated under s. 49.986, a provision of licensure under s. 49.988 (2), or an order under this section that is the same as or similar to a rule promulgated under s. 49.986, a provision of licensure under s. 49.988 (2), or an order under this section that the licensee or a person under the supervision of the licensee has violated previously.

(e) The licensee has failed to apply for a continuance of the license within 30 days after receipt of the warning under s. 49.984 (5).

(4m) (a) For a revocation under sub. (4) (a) or (d), the department shall provide to the licensee written notice of the revocation and the grounds for revocation not less than 30 days before the date of the revocation. The revocation will take effect only if the violation on which the revocation is based remains substantially uncorrected at the end of the 30−day notice period.

(b) For revocations under sub. (4) (b), (c), or (e), the department may revoke the license or probationary license immediately upon written notice to the licensee of the revocation and the grounds for revocation.

(5) The department may deny a license under s. 49.984 (1) or a probationary license under s. 49.99 to any person who has had a license under s. 49.984 (1) or a probationary license under s. 49.99 revoked within the previous 5 years.

(6) The department shall deny, suspend, restrict, refuse to renew, or otherwise withhold a license under s. 49.984 (1) or a probationary license under s. 49.99 to operate a day care center for failure of the applicant or licensee to pay court−ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure of the applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 49.994, an action taken under this subsection is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in s. 49.994.

(7) The department of workforce development shall deny an application for the issuance or continuation of a license under s. 49.984 (1) or a probationary license

under s. 49.99 to operate a day care center, or revoke such a license already issued, if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes. An action taken under this subsection is subject to review only as provided under s. 73.0301 (5) and not as provided in s. 49.994.

***−0404/4.102* SECTION 1214.** 49.994 of the statutes is created to read:

49.994 Appeal procedure. Except as provided in s. 49.992 (6) and (7), any person aggrieved by the department's refusal or failure to issue, renew, or continue a license or by any action taken by the department under s. 49.992 has the right to an administrative hearing provided for contested cases in ch. 227. To receive an administrative hearing under ch. 227, the aggrieved person shall send to the department a written request for a hearing under s. 227.44 within 10 days after the date of the department's refusal or failure to issue, renew, or continue a license or the department's action taken under s. 49.992. The department shall hold an administrative hearing under s. 227.44 within 30 days after receipt of the request for the administrative hearing unless the aggrieved person consents to an extension of that time period. Judicial review of the department's decision may be had as provided in ch. 227.

***−0404/4.103* SECTION 1215.** 49.996 of the statutes is created to read:

49.996 Inspection and investigation of licensees. (1) The department may visit and inspect each day care center licensed by the department, and for such purpose shall be given unrestricted access to the premises described in the license.

(2) Whenever the department is advised or has reason to believe that any person is violating s. 49.98, the department shall make an investigation to determine the facts. For the purposes of this investigation, the department shall have authority to inspect the premises where the violation is alleged to occur. If the department

finds that the person is violating s. 49.98, the department may either issue a license if the person is qualified or may institute an action for the penalties and injunction specified under s. 49.999 (1).

***−0404/4.104* SECTION 1216.** 49.998 (title) of the statutes is created to read:

49.998 (title) **Immunization and lead screening requirements.**

***−0404/4.105* SECTION 1217.** 49.999 of the statutes is created to read:

49.999 Penalties and injunctions. (1) In addition to the sanctions and penalties provided in s. 49.992, any person who violates s. 49.98 may be fined not more than $500 or imprisoned for not more than one year in county jail or both.

(2) In addition to the penalties provided in sub. (1), the circuit courts shall have jurisdiction to prevent and restrain by injunction violations of s. 49.98. It shall be the duty of the district attorneys, upon request of the department, to institute action for such injunction under ch. 813.

***−1744/2.1* SECTION 1218.** 50.065 (2) (bg) of the statutes is amended to read:

50.065 **(2)** (bg) If an entity hires or contracts with a caregiver for whom, within the last 4 years, the information required under par. (b) 1. to 3. and 5. has already been obtained by another entity, the entity may obtain that information from that other entity, which, notwithstanding par. (br), shall provide the information, if possible, to the requesting entity. If an entity cannot obtain the information required under par. (b) 1. to 3. and 5. from another entity or if an entity has reasonable grounds to believe that any information obtained from another entity is no longer accurate, the entity shall obtain that information from the sources specified in par. (b) 1. to 3. and 5.

***−1744/2.2* SECTION 1219.** 50.065 (2) (br) of the statutes is created to read:

50.065 **(2)** (br) 1. Except as provided in subd. 2, an entity that receives information regarding the arrest or conviction of a caregiver from the federal bureau of investigation in connection with a criminal history search under this section may use the information only to determine whether the caregiver's arrest or conviction record disqualifies him or her from serving as a caregiver. An entity is immune from civil liability to a caregiver for using arrest or conviction information provided by the federal bureau of investigation to make an employment determination regarding the caregiver.

2. Subdivision 1. does not apply to use by an entity of arrest or conviction information that the entity requests from the federal bureau of investigation after September 30, 2007.

***−0309/4.2* SECTION 1220.** 50.065 (8) of the statutes is amended to read:

50.065 **(8)** The department may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) or (3) (b). ~~The fee may not exceed the reasonable cost of obtaining the information.~~ No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining the information if to do so would be inconsistent with federal law.

***−0316/3.4* SECTION 1221.** 50.135 (2) (c) of the statutes is amended to read:

50.135 **(2)** (c) The fees collected under par. (a) shall be credited to the ~~appropriations~~ <u>appropriation account</u> under s. 20.435 ~~(4) (gm) and~~ (6) (jm) ~~as specified in those appropriations~~ for licensing, review and certifying activities.

***−0560/2.2* SECTION 1222.** 50.14 (2) (intro.) of the statutes is amended to read:

50.14 **(2)** (intro.) For the privilege of doing business in this state, there is imposed on all licensed beds of a facility an assessment that per calendar month per

licensed bed of an intermediate care facility for the mentally retarded may not exceed ~~$435~~ $523 in fiscal year ~~2003=04~~ 2005−06 and may not exceed ~~$445~~ $587 in fiscal year ~~2004=05~~ 2006−07 and an assessment that may not exceed ~~$75~~ $125 per calendar month per licensed bed of a nursing home. ~~The~~ In each fiscal year, $13,800,000 of the assessment moneys collected shall be deposited in the general fund~~, except that in fiscal year 2003−04, amounts in excess of $14,300,000, in fiscal year 2004−05, amounts in excess of $13,800,000, and, beginning July 1, 2005, in each fiscal year, amounts in excess of 45% of the money received from the assessment~~ and the remainder shall be deposited in the Medical Assistance trust fund. In determining the number of licensed beds, all of the following apply:

***−0560/2.3* SECTION 1223.** 50.14 (4) of the statutes is amended to read:

50.14 **(4)** Sections 77.59 (1) to (5), (6) (intro.), (a) and (c) and (7) to (10), 77.60 (1) to (7), (9) and (10), 77.61 (9) and (12) to (14) and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the assessment under this section, except that ~~the amount of~~ any assessment amount greater than $13,800,000 collected under s. 77.59 (7) ~~in excess of $14,300,000 in fiscal year 2003−04, in excess of $13,800,000 in fiscal year 2004−05, and, beginning July 1, 2005, in excess of 45% in each fiscal year~~ in a fiscal year shall be deposited in the Medical Assistance trust fund.

***−0042/1.1* SECTION 1224.** 51.05 (3g) of the statutes is repealed.

***−0042/1.2* SECTION 1225.** 51.05 (3m) of the statutes is repealed.

***−0296/2.2* SECTION 1226.** 51.30 (4) (b) 27. of the statutes is created to read:

51.30 **(4)** (b) 27. For the purpose of entering information concerning the subject individual into the statewide automated child welfare information system established under s. 46.03 (7) (g). A county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, the department of health and family services, the department of

corrections, or any other organization that has entered into an information sharing and access agreement with one of those county departments or departments and that has been approved for access to the statewide automated child welfare information system by the department of health and family services may have access to information concerning a client of that county department, department, or organization under this chapter or ch. 48 or 938 that is maintained in the statewide automated child welfare information system, if necessary to enable the county department, department, or organization to perform its duties under this chapter or ch. 48 or 938 or to coordinate the delivery of services under this chapter or ch. 48 or 938 to the client. Before entering any information about an individual into the statewide automated child welfare information system, the person entering the information shall notify the individual that the information entered may be disclosed as provided in this subdivision.

***−0295/2.7* SECTION 1227.** 51.423 (1) of the statutes is amended to read:

51.423 **(1)** The department shall fund, within the limits of the department's allocation for mental health services under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o) and subject to this section, services for mental illness, developmental disability, alcoholism, and drug abuse to meet standards of service quality and accessibility. The department's primary responsibility is to guarantee that county departments established under either s. 51.42 or 51.437 receive a reasonably uniform minimum level of funding and its secondary responsibility is to fund programs which meet exceptional community needs or provide specialized or innovative services. Moneys appropriated under s. 20.435 (7) (b) and earmarked by the department for mental health services under s. 20.435 (7) (o) shall be allocated by the department to county departments under s. 51.42 or 51.437 in the manner set forth in this section.

***−0295/2.8* SECTION 1228.** 51.423 (2) of the statutes is amended to read:

51.423 **(2)** From the appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o), the department shall distribute the funding for services provided or purchased by county departments under s. 46.23, 51.42, or 51.437 to such county departments as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2) and (9) (b). Each county's required match for the distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions under s. 46.40 (2) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency−related services from its distribution for 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue sharing funds, or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

***−0345/1.1* SECTION 1229.** 51.437 (4rm) (c) 2. b. of the statutes is amended to read:

51.437 **(4rm)** (c) 2. b. Bill the county department of developmental disabilities services for services provided on or after December 31, 1997, at $48 per day, if an independent professional review established under 42 USC 1396a (a) (31) designates the person served as appropriate for community care, including persons who have

been admitted for more than 180 consecutive days and for whom the cost of care in the community would be equal to or less than ~~$184 per day~~ the daily rate for services under s. 46.275. The department of health and family services shall use money it receives from the county department of developmental disabilities services to offset the state's share of medical assistance. Payment is due from the county department of developmental disabilities services within 60 days of the billing date, subject to provisions of the contract. If the department of health and family services does not receive any payment within 60 days, it shall deduct all or part of the amount due from any payment the department of health and family services is required to make to the county department of developmental disabilities services. The department of health and family services shall first use collections received under s. 46.10 as a result of care at a center for the developmentally disabled to reduce the costs paid by medical assistance, and shall remit the remainder to the county department of developmental disabilities services up to the portion billed. The department of health and family services shall use the appropriation under s. 20.435 (2) (gk) to remit collection credits and other appropriate refunds to county departments of developmental disabilities services.

***−1525/3.4* SECTION 1230.** 59.40 (2) (p) of the statutes is amended to read:

59.40 **(2)** (p) Cooperate with the department of workforce development with respect to the child and spousal support and establishment of paternity and medical ~~liability~~ support liability program under ss. 49.22 and 59.53 (5), and provide that department with any information from court records which it requires to administer that program.

***−0984/4.12* SECTION 1231.** 59.43 (1) (u) of the statutes is repealed and recreated to read:

59.43 **(1)** (u) Submit that portion of recording fees collected under sub. (2) (ag) 1. and (e) and not retained by the county to the department of administration under s. 59.72 (5).

***−0984/4.13* SECTION 1232.** 59.43 (1) (um) of the statutes is repealed.

***−0984/4.14* SECTION 1233.** 59.43 (2) (ag) 1. of the statutes is repealed and recreated to read:

59.43 **(2)** (ag) 1. Subject to s. 59.72 (5), for recording any instrument entitled to be recorded in the office of the register of deeds, $11 for the first page and $2 for each additional page, except that no fee may be collected for recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

***−0984/4.15* SECTION 1234.** 59.43 (2) (e) of the statutes is repealed and recreated to read:

59.43 **(2)** (e) Subject to s. 59.72 (5), for filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, $11 for the first page and $2 for each additional page.

***−1377/3.8* SECTION 1235.** 59.54 (12) of the statutes is amended to read:

59.54 **(12)** COUNTY−TRIBAL LAW ENFORCEMENT PROGRAMS. Pursuant to adoption of a resolution, a board may enter into an agreement and seek funding under s. ~~165.90~~ 16.964 (7m).

***−0984/4.16* SECTION 1236.** 59.72 (3) of the statutes is repealed and recreated to read:

59.72 **(3)** LAND INFORMATION OFFICE. The board may establish a county land information office or may direct that the functions and duties of the office be performed by an existing department, board, commission, agency, institution,

authority, or office. If the board establishes a county land information office, the office shall:

(a) Coordinate land information projects within the county, between the county and local governmental units, between the state and local governmental units and among local governmental units, the federal government and the private sector.

(b) Within 2 years after the land information office is established, develop and receive approval for a countywide plan for land records modernization. The plan shall be submitted for approval to the department of administration under s. 16.967 (3) (e).

(c) Review and recommend projects from local governmental units for grants from the department of administration under s. 16.967 (7).

***−0984/4.17* SECTION 1237.** 59.72 (4) of the statutes is repealed and recreated to read:

59.72 **(4)** AID TO COUNTIES. A board that has established a land information office under sub. (3) may apply to the department of administration for a grant for a land information project under s. 16.967 (7).

***−0984/4.18* SECTION 1238.** 59.72 (5) of the statutes is repealed and recreated to read:

59.72 **(5)** LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each month a register of deeds shall submit to the department of administration $7 from the fee for recording or filing the first page of each instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e), less any amount retained by the county under par. (b).

(b) A county may retain $5 of the $7 submitted under par. (a) from the fee for recording or filing the first page of each instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

1. The county has established a land information office under sub. (3).

2. A land information office has been established for less than 2 years or has received approval for a countywide plan for land records modernization under sub. (3) (b).

3. The county uses $4 of each $5 fee retained under this paragraph to develop, implement, and maintain the countywide plan for land records modernization and $1 of each $5 fee retained under this paragraph for the provision of land information on the Internet, including the county's land information records relating to housing.

***−1566/2.1* SECTION 1239.** 65.90 (3) (br) of the statutes is created to read:

65.90 **(3)** (br) For a school district, the budget summary required under par. (a) shall also include all of the following:

1. For the proposed budget, the current budget, and the budget in the previous fiscal year, the school district's general fund balance at the end of the fiscal year divided by the school district's general fund expenditures in that fiscal year, expressed as a percentage.

2. For the current budget and the budget in the previous fiscal year, the statewide average school district general fund balance at the end of the fiscal year divided by the statewide average school district general fund expenditures in that fiscal year, expressed as a percentage, as provided by the department of public instruction under par. (c).

***−1566/2.2* SECTION 1240.** 65.90 (3) (c) of the statutes is amended to read:

65.90 **(3)** (c) The department of public instruction under s. 115.28, the department of revenue under s. 73.10 and the technical college system board under s. 38.04 shall encourage and consult with interested public and private organizations regarding the budget summary information required under pars. (a) and (b). The department of public instruction and the technical college system board shall specify the revenue and expenditure detail that is required under par. (b) 1. and 2. for school districts and for technical college districts. The department of public instruction shall provide school districts with the information required under par. (br) 2. For the current budget, the department shall estimate the percentage.

***−1566/2.3* SECTION 1241.** 65.90 (3) (d) of the statutes is amended to read:

65.90 **(3)** (d) A municipality may publish any additional budget summary information that its governing body considers necessary, but the additional information shall be reported separately from the information required under pars. (a), (b) ~~and~~, (bm), and (br).

***−1566/2.4* SECTION 1242.** 65.90 (5) (c) of the statutes is created to read:

65.90 **(5)** (c) If a school board adopts a proposed budget in which the school district's general fund balance at the end of the fiscal year divided by the school district's general fund expenditures in that fiscal year exceeds an amount equal to 90 percent of the statewide average school district general fund balance at the end of the previous fiscal year divided by the statewide average school district general fund expenditures in the previous fiscal year, as determined by the department of public instruction under sub. (3) (br) 2., the school board shall conduct a separate vote approving the excess.

***−1707/3.2* SECTION 1243.** 66.0301 (3) of the statutes is amended to read:

66.0301 **(3)** Any contract under sub. (2) may provide a plan for administration of the function or project, which may include but is not limited to provisions as to proration of the expenses involved, deposit and disbursement of funds appropriated, submission and approval of budgets, creation of a commission, selection and removal of commissioners, and formation and letting of contracts. If a commission is created, the employees of the commission are not employees of the municipalities that created the commission, unless the municipalities specify otherwise in the contract.

***−1018/2.1* SECTION 1244.** 66.0305 (title) of the statutes is amended to read:

66.0305 (title) **~~Municipal~~ Political subdivision revenue sharing.**

***−1018/2.2* SECTION 1245.** 66.0305 (1) of the statutes is amended to read:

66.0305 **(1)** DEFINITION. In this section, ~~"municipality"~~ "political subdivision" means a city, village ~~or~~, town, or county.

***−1018/2.3* SECTION 1246.** 66.0305 (2) of the statutes is amended to read:

66.0305 **(2)** ~~MUNICIPAL~~ POLITICAL SUBDIVISION REVENUE SHARING AGREEMENT. Subject to the requirements of this section, any 2 or more ~~municipalities~~ political subdivisions may, by a majority vote of a quorum of their governing bodies, enter into an agreement to share all or a specified part of revenues derived from taxes, payments received from the state, fee revenues, and special charges, as defined in s. 74.01 (4). One or more ~~municipalities~~ political subdivisions may enter into agreements under this section with federally recognized American Indian tribes or bands.

***−1018/2.4* SECTION 1247.** 66.0305 (3) of the statutes is amended to read:

66.0305 **(3)** PUBLIC HEARING. At least 30 days before entering into an agreement under sub. (2), a ~~municipality~~ political subdivision shall hold a public hearing on the

proposed agreement. Notice of the hearing shall be published as a class 3 notice under ch. 985.

***−1018/2.5* SECTION 1248.** 66.0305 (4) (a) 4. of the statutes is amended to read:

66.0305 **(4)** (a) 4. The date upon which revenues agreed to be shared under the agreement shall be paid to the appropriate ~~municipality~~ political subdivision shall be specified.

***−1018/2.6* SECTION 1249.** 66.0305 (5) of the statutes is amended to read:

66.0305 **(5)** CONTIGUOUS BOUNDARIES. No ~~municipality~~ political subdivision may enter into an agreement under sub. (2) with one or more ~~municipalities~~ political subdivisions unless the ~~municipality~~ political subdivision is contiguous to at least one other ~~municipality~~ political subdivision that enters into the agreement.

***−1018/2.7* SECTION 1250.** 66.0305 (6) of the statutes is amended to read:

66.0305 **(6)** ADVISORY REFERENDUM. (a) Within 30 days after the hearing under sub. (3), the governing body of a participating ~~municipality~~ political subdivision may adopt a resolution calling for an advisory referendum on the agreement. An advisory referendum shall be held if, within 30 days after the hearing under sub. (3), a petition, signed by a number of qualified electors equal to at least 10% of the votes cast for governor in the ~~municipality~~ political subdivision at the last gubernatorial election, is filed with the clerk of a participating ~~municipality~~ political subdivision, requesting an advisory referendum on the revenue sharing plan. The petition shall conform to the requirements of s. 8.40 and shall be filed as provided in s. 8.37. If an advisory referendum is held, the ~~municipality's~~ political subdivision's governing body may not vote to approve the agreement under sub. (2) until the report under par. (d) is filed.

(b) The advisory referendum shall be held not less than 42 days nor more than 72 days after adoption of the resolution under par. (a) calling for the referendum or not less than 42 days nor more than 72 days after receipt of the petition under par. (a) by the municipal or county clerk. The municipal or county clerk shall give notice of the referendum by publishing a notice in a newspaper of general circulation in the ~~municipality~~ political subdivision, both on the publication day next preceding the advisory referendum election and one week prior to that publication date.

(c) The advisory referendum shall be conducted by the ~~municipal~~ political subdivision's election officials. The governing body of the ~~municipality~~ political subdivision may specify the number of election officials for the referendum. The ballots shall contain the words "For the revenue sharing agreement" and "Against the revenue sharing agreement" and shall otherwise conform to the provisions of s. 5.64 (2). The election shall be conducted as are other municipal or county elections in accordance with chs. 6 and 7, insofar as applicable.

(d) The election inspectors shall report the results of the election, showing the total number of votes cast and the numbers cast for and against the revenue sharing. The election inspectors shall attach their affidavit to the report and immediately file the report in the office of the municipal or county clerk.

(e) The costs of the advisory referendum election shall be borne by the ~~municipality~~ political subdivision that holds the election.

***−1863/4.1* SECTION 1251.** 66.0602 of the statutes is created to read:

66.0602 Local levy limits. (1) DEFINITIONS. In this section:

(a) "County growth factor" means a percentage equal to 60 percent of the percentage change in the county's January 1 equalized value due to new construction

less improvements removed between the year before the previous year and the previous year, but not less than zero.

(b) "Debt service" includes debt service on debt issued or reissued to fund or refund outstanding municipal or county obligations, interest on outstanding municipal or county obligations, and related issuance costs and redemption premiums.

(c) "Inflation factor" means a percentage equal to the average annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months ending on June 30 of the year in which property tax bills are mailed under s. 74.09 (5).

(d) "Members−elect" has the meaning given in s. 59.001 (2m).

(e) "Municipal growth factor" means a percentage equal to 60 percent of the percentage change in the region's January 1 equalized value due to new construction less improvements removed between the year before the previous year and the previous year, but not less than zero.

(f) "Municipality" means a city, village, or town.

(g) "Political subdivision" means a city, village, town, or county.

(h) "Region" means any of the following areas to which a municipality is assigned by the department of revenue, according to the county in which the municipality is located, except that, if the municipality is located in more than one county, the municipality is considered to be located in the county that has the greater taxable value:

1. Region 1, consisting of the counties of Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto, and Sheboygan.

2. Region 2, consisting of the counties of Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara, and Winnebago.

3. Region 3, consisting of the counties of Buffalo, Crawford, Jackson, La Crosse, Monroe, Pepin, Pierce, Trempealeau, and Vernon.

4. Region 4, consisting of the counties of Adams, Forest, Juneau, Langlade, Lincoln, Marathon, Oneida, Portage, Vilas, and Wood.

5. Region 5, consisting of the counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, and Washburn.

6. Region 6, consisting of the counties of Columbia, Dane, Dodge, Jefferson, Rock, and Sauk.

7. Region 7, consisting of the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha.

8. Region 8, consisting of the counties of Grant, Green, Iowa, Lafayette, and Richland.

9. Region 9, consisting of the counties of Barron, Chippewa, Clark, Dunn, Eau Claire, Polk, and St. Croix.

(2) LEVY LIMIT. (a) Except as provided in subs. (3), (4), and (5), no municipality may increase its levy in any year by a percentage that exceeds the sum of the inflation factor and the municipal growth factor. In determining its levy in any year, a city, village, or town shall subtract any tax increment that is calculated under s. 60.85 (1) (L) or 66.1105 (2) (i).

(b) Except as provided in subs. (3), (4), and (5), no county may increase its levy in any year by a percentage that exceeds the sum of the inflation factor and the county growth factor.

(3) EXCEPTIONS. (a) If a political subdivision transfers to another governmental unit responsibility for providing any service that the political subdivision provided in the preceding year, the levy increase limit otherwise applicable under this section to the political subdivision in the current year is decreased to reflect the cost that the political subdivision would have incurred to provide that service, as determined by the department of revenue.

(b) If a political subdivision increases the services that it provides by adding responsibility for providing a service transferred to it from another governmental unit that provided the service in the preceding year, the levy increase limit otherwise applicable under this section to the political subdivision in the current year is increased to reflect the cost of that service, as determined by the department of revenue.

(c) If a city or village annexes territory from a town, the city's or village's levy increase limit otherwise applicable under this section is increased in the current year by an amount equal to the city's or village's mill rate applied to the current assessed value of the annexed territory, and the levy increase limit otherwise applicable under this section in the current year for the town from which the territory is annexed is decreased by the town's mill rate applied to the assessed value of the annexed territory as of the last year that the territory was subject to taxation by the town, as determined by the department of revenue.

(d) The limit otherwise applicable under this section does not apply to amounts levied by a political subdivision for the payment of any general obligation debt service, including debt service on debt issued or reissued to fund or refund outstanding obligations of the political subdivision, interest on outstanding obligations of the political subdivision, or the payment of related issuance costs or

redemption premiums, secured by the full faith and credit of the political subdivision.

(e) The limit otherwise applicable under this section does not apply to the amount that a county levies in that year for a county children with disabilities education board.

(f) The limit otherwise applicable under this section does not apply to the amount that a 1st class city levies for school purposes.

(g) If in any year a political subdivision's distribution under s. 79.043 (5) is less than the political subdivision's distribution under s. 79.043 (5) in the previous year, the limit otherwise applicable under this section shall be increased to reflect the reduction in the distribution.

(4) REFERENDUM EXCEPTION. (a) A political subdivision may exceed the levy increase limit under sub. (2) if its governing body adopts a resolution to that effect and the resolution is approved in a referendum.

(b) The resolution under par. (a) shall specify the proposed amount of increase in the levy beyond the amount that is allowed under sub. (2). The political subdivision may either call a special referendum for the purpose of submitting the resolution to the electors of the political subdivision for approval or rejection or the referendum may be held at the next succeeding spring primary or election or September primary or general election, if such election is to be held not sooner than 42 days after the resolution is adopted.

(c) The clerk of the political subdivision shall publish type A, B, C, D, and E notices of the referendum under s. 10.01 (2). Section 5.01 (1) applies in the event of failure to comply with the notice requirements of this paragraph.

(d) The referendum shall be held in accordance with chs. 5 to 12. The political subdivision shall provide the election officials with all necessary election supplies. The form of the ballot shall correspond substantially with the standard form for referendum ballots prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a). The question shall be submitted as follows: "Under state law, the increase in the levy of the .... (name of political subdivision) for the tax to be imposed for the next fiscal year, ... (year), is limited to ....%, which results in a levy of $.... Shall the .... (name of political subdivision) be allowed to exceed this limit and increase the levy for the next fiscal year, ... (year), by a total of ....%, which results in a levy of $....?".

(e) Within 14 days after the referendum, the clerk of the political subdivision shall certify the results of the referendum to the department of revenue.

(f) The levy increase limit otherwise applicable to the political subdivision under sub. (2) is increased in the next fiscal year by the percentage approved by a majority of those voting on the question under par. (d).

(5) EXCEPTION, CERTAIN TOWNS. A town with a population of less than 2,000 may exceed the levy increase limit otherwise applicable under this section to the town if the annual town meeting or a special town meeting adopts a resolution to that effect. The limit otherwise applicable to the town under sub. (2) is increased in the next fiscal year by the percentage approved by a majority of those voting on the question. Within 14 days after the adoption of the resolution, the town clerk shall certify the results of the vote to the department of revenue.

(6) REPORTING REQUIREMENTS. The department of revenue may promulgate rules relating to a political subdivision reporting its debt service levy and nondebt service levy to the department.

(7) SUNSET. This section does not apply to a property tax levy that is imposed after December 2006.

***−0303/4.3* SECTION 1252.** 66.0615 (1m) (f) 2. of the statutes is amended to read:

66.0615 **(1m)** (f) 2. Sections 77.51 (12m), (14) ~~(c), (f) and (j) and~~, (14g), (15a), and (15b), 77.52 (3), (3m), (4), ~~(6) and~~ (13), (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9) ~~and~~, (12) to (14), and (15), and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the tax described under subd. 1.

***−1219/2.7* SECTION 1253.** 66.0902 of the statutes is created to read:

66.0902 False claims. (1) DEFINITIONS. In this section:

(a) "Local governmental unit" has the meaning given in s. 66.0131 (1) (a).

(b) "Public contract" means a contract for the construction, execution, repair, remodeling, or improvement of a public work or building or for the furnishing of supplies, equipment, material, or professional or contractual services of any kind.

(2) PRESENTATION OF FALSE CLAIMS. Whoever knowingly presents or causes to be presented a false claim for payment under any public contract with a local governmental unit shall forfeit not less than $5,000 nor more than $10,000, plus 3 times the amount of the damages that were sustained by the local governmental unit or would have been sustained by the local governmental unit, whichever is greater, as a result of the false claim.

***−1305/1.1* SECTION 1254.** 66.0903 (10) (a) of the statutes is amended to read:

66.0903 **(10)** (a) Each contractor, subcontractor, or contractor's or subcontractor's agent performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or

occupation of every person performing the work described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid for the hours worked. By no later than the end of the week following a week in which a contractor, subcontractor, or contractor's or subcontractor's agent performs work on a project that is subject to this section, the contractor, subcontractor, or agent shall submit to the contracting local governmental unit a certified record of the information specified in the preceding sentence for that preceding week.

***−0404/4.106* SECTION 1255.** 66.1017 (1) (a) of the statutes is amended to read:

66.1017 **(1)** (a) "Family day care home" means a dwelling licensed as a day care center by the department of ~~health and family services under s. 48.65~~ workforce development under s. 49.98 where care is provided for not more than 8 children.

***−0404/4.107* SECTION 1256.** 66.1017 (2) of the statutes is amended to read:

66.1017 **(2)** No municipality may prevent a family day care home from being located in a zoned district in which a single−family residence is a permitted use. No municipality may establish standards or requirements for family day care homes different from the licensing standards established under s. ~~48.65~~ 49.98. This subsection does not prevent a municipality from applying to a family day care home the zoning regulations applicable to other dwellings in the zoning district in which it is located.

***−0748/1.1* SECTION 1257.** 69.22 (1) (c) of the statutes is amended to read:

69.22 **(1)** (c) ~~Twelve~~ Fifteen dollars for issuing an uncertified copy of a birth certificate or a certified copy of a birth certificate, ~~$7~~ $9 of which shall be forwarded to the secretary of administration as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and $3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.

***−0748/1.2* SECTION 1258.** 69.22 (5) (b) 2. of the statutes is amended to read:

69.22 **(5)** (b) 2. The filing of a birth certificate under s. 69.14 (2) (b) 5. ~~The~~ To the fee under this subdivision ~~includes the search for the birth certificate and the first copy of the certificate except that the state registrar shall add to the $20 fee, the $5~~ shall be added the $15 fee required under sub. (1) (c), which shall be treated as specified in sub. (1) (c).

***−1258/5.68* SECTION 1259.** 70.111 (3m) of the statutes is amended to read:

70.111 **(3m)** CHARTER SPORT FISHING BOATS. Motorboats, and the equipment used on them, which are regularly employed in carrying persons for hire for sport fishing in and upon the outlying waters, as defined in s. 29.001 (63), and the rivers and tributaries specified in s. ~~29.191 (5)~~ 29.2285 (2) (a) 1. and 2. if the owner and all operators are licensed under s. 29.512 or under s. 29.514 or both and by the U.S. coast guard to operate the boat for that purpose.

***−0303/4.4* SECTION 1260.** 70.111 (23) of the statutes is amended to read:

70.111 **(23)** VENDING MACHINES. All machines that automatically dispense ~~soda water beverages, as defined in s. 97.29 (1) (i), and items included as a food or beverage under s. 77.54 (20) (a) and (b)~~ food and food ingredient, as defined in s. 77.51 (3t), upon the deposit in the machines of specified coins or currency, or insertion of a credit card, in payment for the ~~soda water beverages, food or beverages~~ food and food ingredient, as defined in s. 77.51 (3t).

***−1656/3.1* SECTION 1261.** 71.01 (1b) of the statutes is created to read:

71.01 **(1b)** For purposes of s. 71.04 (7) (df), (dg), and (dh), "commercial domicile" means the location from which a trade or business is principally managed and directed, based on any factors the department determines are appropriate, including the location where the greatest number of employees of the trade or business work,

have their office or base of operations, or from which the employees are directed or controlled.

***−1656/3.2* SECTION 1262.** 71.01 (1n) of the statutes is created to read:

71.01 **(1n)** For purposes of s. 71.04 (7) (df), (dg), and (dh), "domicile" means an individual's true, fixed, and permanent home where the individual intends to remain permanently and indefinitely and to which, whenever absent, the individual intends to return, except that no individual may have more than one domicile at any time.

***−0302/4.1* SECTION 1263.** 71.01 (6) (j) of the statutes is repealed.

***−0302/4.2* SECTION 1264.** 71.01 (6) (k) of the statutes is repealed.

***−0302/4.3* SECTION 1265.** 71.01 (6) (L) of the statutes is amended to read:

71.01 **(6)** (L) For taxable years that begin after December 31, 1996, and before January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L.

102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L.

108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.4* SECTION 1266.** 71.01 (6) (m) of the statutes is amended to read:

71.01 **(6)** (m) For taxable years that begin after December 31, 1997, and before January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L.

106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.5* SECTION 1267.** 71.01 (6) (n) of the statutes is amended to read:

71.01 **(6)** (n) For taxable years that begin after December 31, 1998, and before January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337,

909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.6* SECTION 1268.** 71.01 (6) (o) of the statutes is amended to read:

71.01 **(6)** (o) For taxable years that begin after December 31, 1999, and before January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203

(d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the

federal Internal Revenue Code enacted after December 31, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.7* SECTION 1269.** 71.01 (6) (p) of the statutes is amended to read:

71.01 **(6)** (p) For taxable years that begin after December 31, 2002, and before January 1, 2004, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2002, excluding sections 103,

104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the

same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2002, do not apply to this paragraph with respect to taxable years beginning after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.8* SECTION 1270.** 71.01 (6) (q) of the statutes is created to read:

71.01 **(6)** (q) For taxable years that begin after December 31, 2003, and before January 1, 2005, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L.

108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2003, do not apply to this paragraph with respect to taxable years beginning after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307,

308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.9* SECTION 1271.** 71.01 (6) (r) of the statutes is created to read:

71.01 **(6)** (r) For taxable years that begin after December 31, 2004, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−280, P.L. 101−508, P.L. 102−90, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−117, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L.

105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

***−1656/3.3* SECTION 1272.** 71.01 (8g) of the statutes is amended to read:

71.01 **(8g)** "Member" does not include a member of a limited liability company treated as a corporation under s. 71.22 ~~(1)~~ (1k).

***−1656/3.4* SECTION 1273.** 71.01 (8m) of the statutes is amended to read:

71.01 **(8m)** "Partner" does not include a partner of a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1k).

***−1656/3.5* SECTION 1274.** 71.01 (10g) of the statutes is created to read:

71.01 **(10g)** For purposes of s. 71.04 (7) (df), (dg), and (dh), "state" means a state of the United States, the District of Columbia, the commonwealth of Puerto Rico, or any territory or possession of the United States, unless the context requires that "state" means only the state of Wisconsin.

***−1656/3.6* SECTION 1275.** 71.03 (1) of the statutes is amended to read:

71.03 **(1)** DEFINITION. In this section, "gross income" means all income, from whatever source derived and in whatever form realized, whether in money, property or services, which is not exempt from Wisconsin income taxes. "Gross income" includes, but is not limited to, the following items: compensation for services, including salaries, wages and fees, commissions and similar items; gross income derived from business; interest; rents; royalties; dividends; alimony and separate maintenance payments; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive shares of partnership gross income except distributive shares of the income of publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1k); distributive shares of limited liability company gross income except distributive shares of the income of limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1k); income in respect of a decedent; and income from an interest in an estate or trust. "Gross income" from a business or farm consists of the total gross receipts without reduction for cost of goods sold, expenses or any other amounts. The gross rental amounts received from rental properties are included in gross income without reduction for expenses or any other amounts. "Gross income" from the sale of securities, property or other assets consists of the gross selling price without reduction for the cost of the assets, expenses of sale or any other amounts. "Gross income" from an annuity, retirement plan or profit sharing plan consists of the gross amount received without reduction for the employee's contribution to the annuity or plan.

***−1656/3.7* SECTION 1276.** 71.04 (7) (d) of the statutes is repealed.

***−1656/3.8* SECTION 1277.** 71.04 (7) (db) of the statutes is created to read:

71.04 **(7)** (db) Gross receipts from the lease, rental, or licensing of real property owned by the taxpayer and the sublease of real property are in this state if the real property is located in this state.

***−1656/3.9* SECTION 1278.** 71.04 (7) (dd) of the statutes is created to read:

71.04 **(7)** (dd) 1. Except as provided in subd. 2., gross receipts from the lease, rental, or licensing of tangible personal property owned by the taxpayer and the sublease of tangible personal property are in this state if the property is located in this state during the entire period of lease, rental, licensing, sublease, or other use. If the property is used in and outside this state during the period of lease, rental, licensing, or sublease, gross receipts are in this state to the extent that the property is used in this state. The proportion of use in this state is determined by multiplying the gross receipts from the lease, rental, licensing, sublease, or other use of the property by a fraction having as a numerator the amount of time the property was used in this state in the taxable year and having as a denominator the total time the property was used in all states having jurisdiction to impose an income tax on the taxpayer in the taxable year.

2. Gross receipts from the lease, rental, or licensing of moving property, including motor vehicles, rolling stock, aircraft, vessels, or mobile equipment, owned by the taxpayer and the sublease of moving property are in this state to the extent that the property is used in this state. The proportion of use of moving property in this state is determined as follows:

a. The proportion of use of a motor vehicle or rolling stock in this state is determined by multiplying the gross receipts from the lease, rental, licensing, or sublease of the motor vehicle or rolling stock by a fraction having as a numerator the number of miles traveled within this state by the motor vehicle or rolling stock while

leased, rented, licensed, or subleased in the taxable year and having as a denominator the total number of miles traveled by the motor vehicle or rolling stock while leased, rented, licensed, or subleased in the taxable year.

b. The proportion of use of an aircraft in this state is determined by multiplying the gross receipts from the lease, rental, licensing, or sublease of the aircraft by a fraction having as a numerator the number of takeoffs and landings of the aircraft in this state while leased, rented, licensed, or subleased in the taxable year and having as a denominator the total number of takeoffs and landings of the aircraft while leased, rented, licensed, or subleased in the taxable year.

c. The proportion of use of a vessel or mobile equipment in this state is determined by multiplying the gross receipts from the lease, rental, licensing, or sublease of the vessel or mobile equipment by a fraction having as a numerator the number of days that the vessel or mobile equipment is in this state while leased, rented, licensed, or subleased in the taxable year and having as a denominator the total number of days that the vessel or mobile equipment is leased, rented, licensed, or subleased in the taxable year.

d. If the taxpayer is unable to determine the use of moving property under subd. 2. a., b., or c. while the property is leased, rented, licensed, or subleased in the taxable year, the moving property is conclusively deemed to be used in the state in which the property is located at the time that the lessee, renter, licensee, or sublessee takes possession of the property in the taxable year.

***−1656/3.10* SECTION 1279.** 71.04 (7) (df) of the statutes is created to read:

71.04 **(7)** (df) 1. Gross receipts from the use of computer software are in this state if the purchaser or licensee uses the computer software at a location in this state.

2. Computer software is used at a location in this state if the purchaser or licensee uses the computer software in the regular course of business operations in this state, for personal use in this state, or if the purchaser or licensee is an individual whose domicile is in this state. If the purchaser or licensee uses the computer software in more than one state, the gross receipts shall be divided among those states having jurisdiction to impose an income tax on the taxpayer in proportion to the use of the computer software in those states. To determine computer software use in this state, the department may consider the number of users in each state where the computer software is used, the number of site licenses or workstations in this state, and any other factors that reflect the use of computer software in this state.

3. If the taxpayer is not subject to income tax in the state in which the gross receipts are considered received under this paragraph, but the taxpayer's commercial domicile is in this state, 50 percent of those gross receipts shall be included in the numerator of the sales factor.

***−1656/3.11* SECTION 1280.** 71.04 (7) (dg) of the statutes is created to read:

71.04 **(7)** (dg) 1. Gross royalties and other gross receipts received for the sale or use of intangible property, including, but not limited to, patents, copyrights, trademarks, trade names, service names, franchises, licenses, plans, specifications, blueprints, processes, techniques, formulas, designs, layouts, patterns, drawings, manuals, technical know−how, contracts, and customer lists, are in this state if the user, purchaser, or licensee uses the intangible property at a location in this state.

2. Intangible property is used at a location in this state if the user, purchaser, or licensee uses the property in the operation of a trade or business at a location in this state, for personal use in this state, or if the user, purchaser, or licensee is an

individual whose domicile is in this state. If the user, purchaser, or licensee uses the intangible property in more than one state, the gross royalties and other gross receipts from the sale or use of the intangible property shall be divided among those states having jurisdiction to impose an income tax on the taxpayer in proportion to the use of the intangible property in those states. To determine intangible property use in this state, the department may consider the number of licensed sites in each state, the volume of property manufactured, produced, or sold at locations in this state, or any other factors that reflect the use of the intangible property in this state.

3. If the taxpayer is not subject to income tax in the state in which the gross royalties or other gross receipts are considered received under this paragraph, but the taxpayer's commercial domicile is in this state, 50 percent of those gross royalties or other gross receipts shall be included in the numerator of the sales factor.

***−1656/3.12* SECTION 1281.** 71.04 (7) (dh) of the statutes is created to read:

71.04 **(7)** (dh) 1. Gross receipts from services are in this state if the purchaser of the service received the benefit of the service in this state.

2. The benefit of a service is received in this state if any of the following applies:

a. The service relates to real property that is located in this state.

b. The service relates to tangible personal property that is located in this state at the time that the service is received or tangible personal property that is delivered directly or indirectly to customers in this state.

c. The service is provided to an individual who is physically present in this state at the time that the service is received.

d. The service is provided to a person engaged in a trade or business in this state and relates to that person's business in this state.

3. If the purchaser of a service receives the benefit of a service in more than one state, the gross receipts from the performance of the service are included in the numerator of the sales factor according to the portion of the service received in this state.

4. If the taxpayer is not subject to income tax in the state in which the benefit of the service is received, the benefit of the service is received in this state to the extent that the taxpayer's employees or representatives performed services from a location in this state. Fifty percent of the taxpayer's receipts that are considered received in this state under this paragraph shall be included in the numerator of the sales factor.

***−1656/3.13* SECTION 1282.** 71.04 (7) (dm) of the statutes is created to read:

71.04 **(7)** (dm) If the income from sales, other than sales of tangible personal property, properly assignable to this state cannot be ascertained with reasonable certainty by the methods under pars. (db), (dd), (df), (dg), and (dh), the department may promulgate rules that specify how the income shall be apportioned.

***−1656/3.14* SECTION 1283.** 71.04 (7) (e) 12. of the statutes is created to read:

71.04 **(7)** (e) 12. Gross receipts from the sale, licensing, or use of intangible property in the ordinary course of the taxpayer's trade or business.

***−1656/3.15* SECTION 1284.** 71.04 (7) (f) 5. of the statutes is amended to read:

71.04 **(7)** (f) 5. ~~Proceeds~~ Notwithstanding any other provision of this subsection, proceeds and gain or loss from the redemption of securities.

***−1656/3.16* SECTION 1285.** 71.04 (7) (f) 7. of the statutes is amended to read:

71.04 **(7)** (f) 7. Gross receipts and gain or loss from the sale of intangible assets, except those under par. (e) 1. and 12.

***−1656/3.17* SECTION 1286.** 71.04 (7) (f) 9. of the statutes is amended to read:

71.04 **(7)** (f) 9. ~~Gross~~ Notwithstanding any other provision of this subsection, gross receipts and gain or loss from the sale or exchange of securities.

***−1510/2.30* SECTION 1287.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 **(6)** (b) 28. (intro.) An amount paid by a claimant for tuition expenses for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. ~~45.54~~ 38.50, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota−Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

***−1659/1.1* SECTION 1288.** 71.05 (6) (b) 28. a. of the statutes is amended to read:

71.05 **(6)** (b) 28. a. An amount equal to not more than ~~$3,000~~ $5,100, or twice the average amount charged by the board of regents of the University of Wisconsin System at 4−year institutions for resident undergraduate academic fees for the most recent fall semester, as determined by the board of regents by September 1 of that semester, whichever is greater, per student for each year to which the claim relates.

***−0302/4.10* SECTION 1289.** 71.05 (22) (f) 4. a. of the statutes is amended to read:

71.05 **(22)** (f) 4. a. For taxable years beginning after December 31, 1997, in the case of a taxpayer with respect to whom a ~~deduction~~ exemption under ~~s. 71.07 (8)~~ sub. (23) (b) 2. is allowable to another person, the Wisconsin standard deduction shall be the lesser of the amount under subd. 4. b. or one of the amounts calculated under subd. 4. c., whichever amount under subd. 4. c. is greater.

***−0302/4.11* SECTION 1290.** 71.05 (22) (g) of the statutes is amended to read:

71.05 **(22)** (g) *Nonresidents.* With respect to nonresident natural persons deriving income from property located, business transacted or personal or professional services performed in this state, including natural persons changing their domicile into or from this state, the Wisconsin standard deduction and itemized deductions are based on federal adjusted gross income, and as provided in par. (f) 4., and are limited by such fraction of that amount as Wisconsin adjusted gross income is of federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses.

***−0302/4.12* SECTION 1291.** 71.05 (22) (h) of the statutes is amended to read:

71.05 **(22)** (h) *Part−year residents.* If a person and that person's spouse are not both domiciled in this state during the entire taxable year, the Wisconsin standard deduction or itemized deduction on a joint return is determined by multiplying the Wisconsin standard deduction or itemized deduction, each calculated on the basis of federal adjusted gross income, and as provided in par. (f) 4., by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income. For a married person who is not domiciled in this state for the entire taxable year and who files a separate return, the Wisconsin standard deduction and itemized deduction are determined under par. (g).

***−0404/4.108* SECTION 1292.** 71.07 (2dd) (a) 1. of the statutes is amended to read:

71.07 **(2dd)** (a) 1. "Day care center benefits" means benefits provided at a day care facility that is licensed under s. ~~48.65 or 48.69~~ 49.98 or 49.99 and that for compensation provides care for at least 6 children or benefits provided at a facility for persons who are physically or mentally incapable of caring for themselves.

***−0402/5.1* SECTION 1293.** 71.07 (2di) (b) 1. of the statutes is repealed.

***−0402/8*SECTION 1294.** 71.07 (2dL) (c) 1. of the statutes is repealed.

***−0403/2*SECTION 1295.** 71.07 (2dL) (c) 2. of the statutes is renumbered 71.07 (2dL) (c).

***−0403/2*SECTION 1296.** 71.07 (2dL) (d) of the statutes is amended to read:

71.07 **(2dL)** (d) Except as provided in par. (c) ~~2.~~, the carry−over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s. 71.28 (4) relate to the credit under this subsection and apply as if the development zone continued to exist.

***−0402/5.2* SECTION 1297.** 71.07 (2dm) (hm) of the statutes is amended to read:

71.07 **(2dm)** (hm) ~~Credits claimed~~ A claimant may claim the credit under this subsection, including any credits carried over, ~~may be offset only~~ against the amount of the tax otherwise due under this subchapter ~~attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset credits, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant~~.

***−1656/3.18* SECTION 1298.** 71.07 (2dr) (a) of the statutes is amended to read:

71.07 **(2dr)** (a) *Credit.* Any person may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting

from the person's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (2dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the person's base amount, as defined in section 41 (c) of the internal revenue code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.04 (7) (b) 1. and 2. ~~and (d)~~, (db), (dd), (df), (dg), (dh), and (dm) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (2di) (f) and (g), as they apply to the credit under that subsection, apply to claims under this paragraph. Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph.

***−0403/2.1* SECTION 1299.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

71.07 **(2dx)** (a) 5. "Member of a targeted group" means a person who resides in an ~~empowerment zone, or an enterprise community, that the U.S. government designates~~ area designated by the federal government as an economic revitalization

area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin ~~works~~ Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex−convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient~~;~~, if the person has been certified in the manner under sub. (2dj) (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

***−0402/5.3* SECTION 1300.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes ~~imposed on the person's income from the person's business activities in a development zone~~ otherwise due under this chapter the following amounts:

***−0335/2.3* SECTION 1301.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

71.07 **(2dx)** (b) 2. The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full−time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.4* SECTION 1302.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

71.07 **(2dx)** (b) 3. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full−time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.5* SECTION 1303.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full−time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.6* SECTION 1304.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

71.07 **(2dx)** (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full−time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−1656/3.19* SECTION 1305.** 71.07 (3m) (a) 1. b. of the statutes is amended to read:

71.07 **(3m)** (a) 1. b. For partnerships except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1k), or limited liability companies, except

limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1k), "claimant" means each individual partner or member.

***−1245/2.1* SECTION 1306.** 71.07 (3n) (title) of the statutes is amended to read:

71.07 **(3n)** (title) ~~DAIRY~~ LIVESTOCK FARM INVESTMENT CREDIT.

***−1245/2.2* SECTION 1307.** 71.07 (3n) (a) 1m. of the statutes is repealed.

***−1245/2.3* SECTION 1308.** 71.07 (3n) (a) 1n. of the statutes is created to read:

71.07 **(3n)** (a) 1n. "Livestock" means domestic animals used in this state in the production of food, fiber, or other animal products and includes bovine animals, swine, poultry, fish, sheep, and goats. "Livestock" does not include equine animals, deer, ratites, camelidae, or mink.

***−1245/2.4* SECTION 1309.** 71.07 (3n) (a) 1p. of the statutes is repealed.

***−1245/2.5* SECTION 1310.** 71.07 (3n) (a) 2. (intro.) of the statutes is amended to read:

71.07 **(3n)** (a) 2. (intro.) ~~"Dairy~~ "Livestock farm modernization or expansion" means the construction, the improvement, or the acquisition of buildings or facilities, or the acquisition of equipment, for ~~dairy animal~~ livestock housing, livestock confinement, ~~animal~~ livestock feeding, milk production, or waste management, including the following, if used exclusively related to ~~dairy animals~~ livestock:

***−1245/2.6* SECTION 1311.** 71.07 (3n) (b) of the statutes is amended to read:

71.07 **(3n)** (b) Subject to the limitations provided in this subsection, for taxable years that begin after December 31, 2003, and before January 1, 2010, a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08 an amount equal to 10% of the amount the claimant paid in the taxable year for ~~dairy~~ livestock farm modernization or expansion related to the operation of the claimant's ~~dairy~~ livestock farm.

***−1656/3.20* SECTION 1312.** 71.07 (10) of the statutes is amended to read:

71.07 **(10)** CREDITS NOT ALLOWED. The credits under s. 71.28 (4) and (5) may not be claimed by partners, including partners of a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1k), members of a limited liability company, including members of a limited liability company treated as a corporation under s. 77.22 ~~(1)~~ (1k), or shareholders of a tax−option corporation.

***−0371/5.2* SECTION 1313.** 71.10 (5g) of the statutes is created to read:

71.10 **(5g)** VETERANS TRUST FUND DONATIONS. (a) *Definitions.* In this subsection:

1. "Department" means the department of revenue.

2. "Veterans trust fund" means the fund under s. 25.36.

(b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an income tax return who has a tax liability or is entitled to a tax refund may designate on the return any amount of additional payment or any amount of a refund due that individual as a veterans trust fund donation.

2. 'Designation added to tax owed.' If the individual owes any tax, the individual shall remit in full the tax due and the amount designated on the return as a veterans trust fund donation when the individual files a tax return.

3. 'Designation deducted from refund.' Except as provided in par. (d), if the individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80 (3) and (3m), the department of revenue shall deduct the amount designated on the return as a veterans trust fund donation from the amount of the refund.

(c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails to remit an amount equal to or in excess of the total of the actual tax due, after error corrections, and the amount designated on the return as a veterans trust fund donation:

1. The department shall reduce the designation for the veterans trust fund to reflect the amount remitted in excess of the actual tax due, after error corrections, if the individual remitted an amount in excess of the actual tax due, after error corrections, but less than the total of the actual tax due, after error corrections, and the amount originally designated on the return as a veterans trust fund donation.

2. The designation for the veterans trust fund donation is void if the individual remitted an amount equal to or less than the actual tax due, after error corrections.

(d) *Errors; insufficient refund.* If an individual is owed a refund which does not equal or exceed the amount designated on the return as a veterans trust fund donation, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections, the department shall reduce the designation for the veterans trust fund donation to reflect the actual amount of the refund that the individual is otherwise owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

(e) *Conditions.* If an individual places any conditions on a designation for the veterans trust fund donation, the designation is void.

(f) *Void designation.* If a designation for the veterans trust fund donation is void, the department shall disregard the designation and determine amounts due, owed, refunded, and received without regard to the void designation.

(g) *Tax return.* The secretary of revenue shall provide a place for the designations under this subsection on the individual income tax return.

(h) *Certification of amounts.* Annually, on or before September 15, the secretary of revenue shall certify to the department of veterans affairs, the department of administration, and the state treasurer:

1. The total amount of the administrative costs, including data processing costs, incurred by the department in administering this subsection during the previous fiscal year.

2. The total amount received from all designations for veterans trust fund donations made by taxpayers during the previous fiscal year.

3. The net amount remaining after the administrative costs, including data processing costs, under subd. 1. are subtracted from the total received under subd. 2.

(i) *Appropriations.* From the moneys received from designations for veterans trust fund donations, an amount equal to the sum of administrative expenses, including data processing costs, certified under par. (h) 1. shall be deposited into the general fund and credited to the appropriation account under s. 20.566 (1) (hp), and the net amount remaining that is certified under par. (h) 3. shall be deposited into the veterans trust fund and used for veterans programs under s. 25.36 (1).

(j) *Amounts subject to refund.* Amounts designated as veterans trust fund donations under this subsection are not subject to refund to the taxpayer unless the taxpayer submits information to the satisfaction of the department, within 18 months after the date on which the taxes are due or the date on which the return is filed, whichever is later, that the amount designated is clearly in error. Any refund granted by the department under this paragraph shall be deducted from the moneys received under this subsection in the fiscal year for which the refund is certified.

***−0302/4.13* SECTION 1314.** 71.10 (6) (a) of the statutes is amended to read:

71.10 **(6)** (a) *Joint returns.* Persons filing a joint return are jointly and severally liable for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter applicable to the return. ~~A~~ Except as provided in

par. (e), a person shall be relieved of liability in regard to a joint return in the manner specified in section ~~6013 (e)~~ 6015 (a) to (d) and (f) of the ~~internal revenue code, notwithstanding the amount or percentage of the understatement~~ Internal Revenue Code.

***−0302/4.14* SECTION 1315.** 71.10 (6) (b) of the statutes is amended to read:

71.10 **(6)** (b) *Separate returns.* ~~A~~ Except as provided in par. (e), a spouse filing a separate return may be relieved of liability for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter ~~with regard to unreported marital property income~~ in the manner specified in section 66 (c) of the ~~internal revenue code~~ Internal Revenue Code. The department may not apply ch. 766 in assessing a taxpayer with respect to marital property income the taxpayer did not report if that taxpayer failed to notify the taxpayer's spouse about the amount and nature of the income before the due date, including extensions, for filing the return for the taxable year in which the income was derived. The department shall include all of that marital property income in the gross income of the taxpayer and exclude all of that marital property income from the gross income of the taxpayer's spouse.

***−0302/4.15* SECTION 1316.** 71.10 (6) (e) of the statutes is created to read:

71.10 **(6)** (e) *Application for relief.* A person who seeks relief from liability under par. (a) or (b) shall apply for relief with the department, on a form prescribed by the department, within 2 years after the date on which the department first begins collection activities after the effective date of this paragraph .... [revisor inserts date].

***−0302/4.16* SECTION 1317.** 71.10 (6m) (a) of the statutes is amended to read:

71.10 **(6m)** (a) ~~A~~ Except as provided in par. (c), a formerly married or remarried person filing a return for a period during which the person was married may be relieved of liability for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter ~~for unreported marital property income~~ from that period as if the person were a spouse under section 66 (c) of the ~~internal revenue code~~ Internal Revenue Code. The department may not apply ch. 766 in assessing the former spouse of the person with respect to marital property income that the former spouse did not report if that former spouse failed to notify the person about the amount and nature of the income before the due date, including extensions, for filing the return for the taxable year during which the income was derived. The department shall include all of that marital property income in the gross income of the former spouse and exclude all of that marital property income from the gross income of the person.

***−0302/4.17* SECTION 1318.** 71.10 (6m) (c) of the statutes is created to read:

71.10 **(6m)** (c) A person who seeks relief from liability under par. (a) shall apply for relief with the department as provided under sub. (6) (e).

***−1656/3.21* SECTION 1319.** 71.195 of the statutes is amended to read:

71.195 Definition. In this subchapter, "partnership" includes limited liability companies and other entities that are treated as partnerships under the Internal Revenue Code, and "partnership" does not include publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1k).

***−1656/3.22* SECTION 1320.** 71.22 (1) of the statutes is renumbered 71.22 (1k).

***−1656/3.23* SECTION 1321.** 71.22 (1g) of the statutes is created to read:

71.22 **(1g)** For purposes of s. 71.25 (9) (df), (dg), and (dh), "commercial domicile" means the location from which a trade or business is principally managed and

directed, based on any factors the department determines are appropriate, including the location where the greatest number of employees of the trade or business work, have their office or base of operations, or from which the employees are directed or controlled.

***−1656/3.24* SECTION 1322.** 71.22 (1t) of the statutes is created to read:

71.22 **(1t)** For purposes of s. 71.25 (9) (df), (dg), and (dh), "domicile" means an individual's true, fixed, and permanent home where the individual intends to remain permanently and indefinitely and to which, whenever absent, the individual intends to return, except that no individual may have more than one domicile at any time.

***−0302/4.18* SECTION 1323.** 71.22 (4) (j) of the statutes is repealed.

***−0302/4.19* SECTION 1324.** 71.22 (4) (k) of the statutes is repealed.

***−0302/4.20* SECTION 1325.** 71.22 (4) (L) of the statutes is amended to read:

71.22 **(4)** (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1996, and before January 1, 1998, means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this

subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made

by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.21* SECTION 1326.** 71.22 (4) (m) of the statutes is amended to read:

71.22 **(4)** (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1997, and before January 1, 1999, means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L.

102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L.

108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.22* SECTION 1327.** 71.22 (4) (n) of the statutes is amended to read:

71.22 **(4)** (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1998, and before January 1, 2000, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337,

909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.23* SECTION 1328.** 71.22 (4) (o) of the statutes is amended to read:

71.22 **(4)** (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1999, and before January 1, 2003, means the federal Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L.

105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding

sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.24* SECTION 1329.** 71.22 (4) (p) of the statutes is amended to read:

71.22 **(4)** (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after December 31, 2002, and before January 1, 2004, means the federal Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L.

104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2002, do not apply to this paragraph with respect to taxable years beginning after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and

P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.25* SECTION 1330.** 71.22 (4) (q) of the statutes is created to read:

71.22 **(4)** (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after December 31, 2003, and before January 1, 2005, means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15,

P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2003, do not apply to this paragraph with respect to taxable years beginning after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.26* SECTION 1331.** 71.22 (4) (r) of the statutes is created to read:

71.22 **(4)** (r) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after December 31, 2004, means the federal Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b),

1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after

December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

***−0302/4.27* SECTION 1332.** 71.22 (4m) (h) of the statutes is repealed.

***−0302/4.28* SECTION 1333.** 71.22 (4m) (i) of the statutes is repealed.

***−0302/4.29* SECTION 1334.** 71.22 (4m) (j) of the statutes is amended to read:

71.22 **(4m)** (j) For taxable years that begin after December 31, 1996, and before January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188 and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554,

excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.30* SECTION 1335.** 71.22 (4m) (k) of the statutes is amended to read:

71.22 **(4m)** (k) For taxable years that begin after December 31, 1997, and before January 1, 1999, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121. P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244,

336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.31* SECTION 1336.** 71.22 (4m) (L) of the statutes is amended to read:

71.22 **(4m)** (L) For taxable years that begin after December 31, 1998, and before January 1, 2000, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203

(d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by

P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.32* SECTION 1337.** 71.22 (4m) (m) of the statutes is amended to read:

71.22 **(4m)** (m) For taxable years that begin after December 31, 1999, and before January 1, 2003, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L.

108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L.

107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.33* SECTION 1338.** 71.22 (4m) (n) of the statutes is amended to read:

71.22 **(4m)** (n) For taxable years that begin after December 31, 2002, and before January 1, 2004, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section

109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2002, do not apply to this paragraph with respect to taxable years beginning after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L.

108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.34* SECTION 1339.** 71.22 (4m) (o) of the statutes is created to read:

71.22 **(4m)** (o) For taxable years that begin after December 31, 2003, and before January 1, 2005, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L.

101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2003, do not apply to this paragraph with respect to taxable years beginning after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections

101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.35* SECTION 1340.** 71.22 (4m) (p) of the statutes is created to read:

71.22 **(4m)** (p) For taxable years that begin after December 31, 2004, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L.

108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

***−1656/3.25* SECTION 1341.** 71.22 (6m) of the statutes is amended to read:

71.22 **(6m)** "Member" does not include a member of a limited liability company treated as a corporation under sub. ~~(1)~~ (1k).

***−1656/3.26* SECTION 1342.** 71.22 (7m) of the statutes is amended to read:

71.22 **(7m)** "Partner" does not include a partner of a publicly traded partnership treated as a corporation under sub. ~~(1)~~ (1k).

***−1656/3.27* SECTION 1343.** 71.22 (9g) of the statutes is created to read:

71.22 **(9g)** For purposes of s. 71.25 (9) (df), (dg), and (dh), "state" means a state of the United States, the District of Columbia, the commonwealth of Puerto Rico, or any territory or possession of the United States, unless the context requires that "state" means only the state of Wisconsin.

***−1656/3.28* SECTION 1344.** 71.25 (9) (d) of the statutes is repealed.

***−1656/3.29* SECTION 1345.** 71.25 (9) (db) of the statutes is created to read:

71.25 **(9)** (db) Gross receipts from the lease, rental, or licensing of real property owned by the taxpayer and the sublease of real property are in this state if the real property is located in this state.

***−1656/3.30* SECTION 1346.** 71.25 (9) (dd) of the statutes is created to read:

71.25 **(9)** (dd) 1. Except as provided in subd. 2., gross receipts from the lease, rental, or licensing of tangible personal property owned by the taxpayer and the sublease of tangible personal property are in this state if the property is located in this state during the entire period of lease, rental, licensing, sublease, or other use. If the property is used in and outside this state during the period of lease, rental, licensing, or sublease, gross receipts are in this state to the extent that the property is used in this state. The proportion of use in this state is determined by multiplying the gross receipts from the lease, rental, licensing, sublease, or other use of the property by a fraction having as a numerator the amount of time the property was used in this state in the taxable year and having as a denominator the total time the property was used in all states having jurisdiction to impose an income tax on the taxpayer in the taxable year.

2. Gross receipts from the lease, rental, or licensing of moving property, including motor vehicles, rolling stock, aircraft, vessels, or mobile equipment, owned by the taxpayer and the sublease of moving property are in this state to the extent that the property is used in this state. The proportion of use of moving property in this state is determined as follows:

a. The proportion of use of a motor vehicle or rolling stock in this state is determined by multiplying the gross receipts from the lease, rental, licensing, or sublease of the motor vehicle or rolling stock by a fraction having as a numerator the number of miles traveled within this state by the motor vehicle or rolling stock while leased, rented, licensed, or subleased in the taxable year and having as a denominator the total number of miles traveled by the motor vehicle or rolling stock while leased, rented, licensed, or subleased in the taxable year.

b. The proportion of use of an aircraft in this state is determined by multiplying the gross receipts from the lease, rental, licensing, or sublease of the aircraft by a fraction having as a numerator the number of takeoffs and landings of the aircraft in this state while leased, rented, licensed, or subleased in the taxable year and having as a denominator the total number of takeoffs and landings of the aircraft while leased, rented, licensed, or subleased in the taxable year.

c. The proportion of use of a vessel or mobile equipment in this state is determined by multiplying the gross receipts from the lease, rental, licensing, or sublease of the vessel or mobile equipment by a fraction having as a numerator the number of days that the vessel or mobile equipment is in this state while leased, rented, licensed, or subleased in the taxable year and having as a denominator the total number of days that the vessel or mobile equipment is leased, rented, licensed, or subleased in the taxable year.

d. If the taxpayer is unable to determine the use of moving property under subd. 2. a., b., or c. while the property is leased, rented, licensed, or subleased in the taxable year, the moving property is conclusively deemed to be used in the state in which the property is located at the time that the lessee, renter, licensee, or sublessee takes possession of the property in the taxable year.

***−1656/3.31* SECTION 1347.** 71.25 (9) (df) of the statutes is created to read:

71.25 **(9)** (df) 1. Gross receipts from the use of computer software are in this state if the purchaser or licensee uses the computer software at a location in this state.

2. Computer software is used at a location in this state if the purchaser or licensee uses the computer software in the regular course of business operations in this state, for personal use in this state, or if the purchaser or licensee is an individual

whose domicile is in this state. If the purchaser or licensee uses the computer software in more than one state, the gross receipts shall be divided among those states having jurisdiction to impose an income tax on the taxpayer in proportion to the use of the computer software in those states. To determine computer software use in this state, the department may consider the number of users in each state where the computer software is used, the number of site licenses or workstations in this state, and any other factors that reflect the use of computer software in this state.

3. If the taxpayer is not subject to income tax in the state in which the gross receipts are considered received under this paragraph, but the taxpayer's commercial domicile is in this state, 50 percent of those gross receipts shall be included in the numerator of the sales factor.

***−1656/3.32* SECTION 1348.** 71.25 (9) (dg) of the statutes is created to read:

71.25 **(9)** (dg) 1. Gross royalties and other gross receipts received for the sale or use of intangible property, including, but not limited to, patents, copyrights, trademarks, trade names, service names, franchises, licenses, plans, specifications, blueprints, processes, techniques, formulas, designs, layouts, patterns, drawings, manuals, technical know−how, contracts, and customer lists, are in this state if the user, purchaser, or licensee uses the intangible property at a location in this state.

2. Intangible property is used at a location in this state if the user, purchaser, or licensee uses the property in the operation of a trade or business at a location in this state, for personal use in this state, or if the user, purchaser, or licensee is an individual whose domicile is in this state. If the user, purchaser, or licensee uses the intangible property in more than one state, the gross royalties and other gross receipts from the sale or use of the intangible property shall be divided among those

states having jurisdiction to impose an income tax on the taxpayer in proportion to the use of the intangible property in those states. To determine intangible property use in this state, the department may consider the number of licensed sites in each state, the volume of property manufactured, produced, or sold at locations in this state, or any other factors that reflect the use of the intangible property in this state.

3. If the taxpayer is not subject to income tax in the state in which the gross royalties or other gross receipts are considered received under this paragraph, but the taxpayer's commercial domicile is in this state, 50 percent of those gross royalties or other gross receipts shall be included in the numerator of the sales factor.

***−1656/3.33* SECTION 1349.** 71.25 (9) (dh) of the statutes is created to read:

71.25 **(9)** (dh) 1. Gross receipts from services are in this state if the purchaser of the service received the benefit of the service in this state.

2. The benefit of a service is received in this state if any of the following applies:

a. The service relates to real property that is located in this state.

b. The service relates to tangible personal property that is located in this state at the time that the service is received or tangible personal property that is delivered directly or indirectly to customers in this state.

c. The service is provided to an individual who is physically present in this state at the time that the service is received.

d. The service is provided to a person engaged in a trade or business in this state and relates to that person's business in this state.

3. If the purchaser of a service receives the benefit of a service in more than one state, the gross receipts from the performance of the service are included in the numerator of the sales factor according to the portion of the service received in this state.

4. If the taxpayer is not subject to income tax in the state in which the benefit of the service is received, the benefit of the service is received in this state to the extent that the taxpayer's employees or representatives performed services from a location in this state. Fifty percent of the taxpayer's receipts that are considered received in this state under this paragraph shall be included in the numerator of the sales factor.

***−1656/3.34* SECTION 1350.** 71.25 (9) (dm) of the statutes is created to read:

71.25 **(9)** (dm) If the income from sales, other than sales of tangible personal property, properly assignable to this state cannot be ascertained with reasonable certainty by the methods under pars. (db), (dd), (df), (dg), and (dh), the department may promulgate rules that specify how the income shall be apportioned.

***−1656/3.35* SECTION 1351.** 71.25 (9) (e) 12. of the statutes is created to read:

71.25 **(9)** (e) 12. Gross receipts from the sale, licensing, or use of intangible property in the ordinary course of the taxpayer's trade or business.

***−1656/3.36* SECTION 1352.** 71.25 (9) (f) 5. of the statutes is amended to read:

71.25 **(9)** (f) 5. ~~Proceeds~~ Notwithstanding any other provision of this subsection, proceeds and gain or loss from the redemption of securities.

***−1656/3.37* SECTION 1353.** 71.25 (9) (f) 7. of the statutes is amended to read:

71.25 **(9)** (f) 7. Gross receipts and gain or loss from the sale of intangible assets, except those under par. (e) 1. and 12.

***−1656/3.38* SECTION 1354.** 71.25 (9) (f) 9. of the statutes is amended to read:

71.25 **(9)** (f) 9. ~~Gross~~ Notwithstanding any other provision of this subsection, gross receipts and gain or loss from the sale or exchange of securities.

***−0302/4.36* SECTION 1355.** 71.26 (2) (b) 10. of the statutes is repealed.

***−0302/4.37* SECTION 1356.** 71.26 (2) (b) 11. of the statutes is repealed.

***−0302/4.38* SECTION 1357.** 71.26 (2) (b) 12. of the statutes is amended to read:

71.26 **(2)** (b) 12. For taxable years that begin after December 31, 1996, and before January 1, 1998, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109

of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188 and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and

406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188,

excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1996, do not apply to this subdivision with respect to taxable years that begin after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101,

201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.39* SECTION 1358.** 71.26 (2) (b) 13. of the statutes is amended to read:

71.26 **(2)** (b) 13. For taxable years that begin after December 31, 1997, and before January 1, 1999, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of

P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L.

105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104,

and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1997, do not apply to this subdivision with respect to taxable years that begin after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121,P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109

of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.40* SECTION 1359.** 71.26 (2) (b) 14. of the statutes is amended to read:

71.26 **(2)** (b) 14. For taxable years that begin after December 31, 1998, and before January 1, 2000, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L.

105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188,

excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter

by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1998, do not apply to this subdivision with respect to taxable years that begin after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431

of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.41* SECTION 1360.** 71.26 (2) (b) 15. of the statutes is amended to read:

71.26 **(2)** (b) 15. For taxable years that begin after December 31, 1999, and before January 1, 2003, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L.

102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308,

401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and

110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, applies for

Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1999, do not apply to this subdivision with respect to taxable years that begin after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.42* SECTION 1361.** 71.26 (2) (b) 16. of the statutes is amended to read:

71.26 **(2)** (b) 16. For taxable years that begin after December 31, 2002, and before January 1, 2004, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment

conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and

403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101

of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L.

102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2002, do not apply to this subdivision with respect to taxable years that begin after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections

306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.43* SECTION 1362.** 71.26 (2) (b) 17. of the statutes is created to read:

71.26 **(2)** (b) 17. For taxable years that begin after December 31, 2003, and before January 1, 2005, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554,

excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L.

103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306,

307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2003, do not apply to this subdivision with respect to taxable years that begin after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and changes that indirectly affect the provisions

applicable to this subchapter made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.44* SECTION 1363.** 71.26 (2) (b) 18. of the statutes is created to read:

71.26 **(2)** (b) 18. For taxable years that begin after December 31, 2004, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding

section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L.

106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L.

102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2004, do not apply to this subdivision with respect to taxable years that begin after December 31, 2004.

***−0404/4.109* SECTION 1364.** 71.28 (1dd) (a) 1. of the statutes is amended to read:

71.28 **(1dd)** (a) 1. "Day care center benefits" means benefits provided at a day care facility that is licensed under s. ~~48.65 or 48.69~~ 49.98 or 49.99 and that for compensation provides care for at least 6 children or benefits provided at a facility for persons who are physically or mentally incapable of caring for themselves.

***−0402/5.4* SECTION 1365.** 71.28 (1di) (b) 1. of the statutes is repealed.

***−0402/7.6*SECTION 1366.** 71.28 (1dL) (c) 1. of the statutes is repealed.

***−0402/8*SECTION 1367.** 71.28 (1dL) (c) 2. of the statutes is renumbered 71.28 (1dL) (c).

***−0402/8*SECTION 1368.** 71.28 (1dL) (d) of the statutes is amended to read:

71.28 **(1dL)** (d) Except as provided in par. (c) ~~2.~~, the carry−over provisions of sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit under this subsection and apply as if the development zone continued to exist.

***−0402/5.5* SECTION 1369.** 71.28 (1dm) (hm) of the statutes is amended to read:

71.28 **(1dm)** (hm) ~~Credits claimed~~ A claimant may claim the credit under this subsection, including any credits carried over, ~~may be offset only~~ against the amount of the tax otherwise due under this subchapter ~~attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset credits, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant~~.

***−0403/2.2* SECTION 1370.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

71.28 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides in an ~~empowerment zone, or an enterprise community, that the U.S. government designates~~ area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin ~~works~~ Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an

economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex−convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient~~;~~, if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

***−0402/5.6* SECTION 1371.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 **(1dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes ~~imposed on the person's income from the person's business activities in a development zone~~ otherwise due under this chapter the following amounts:

***−0335/2.7* SECTION 1372.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

71.28 **(1dx)** (b) 2. The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full−time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.8* SECTION 1373.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

71.28 **(1dx)** (b) 3. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full−time jobs created in a development zone and not filled by a member of a targeted group and by then

subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.9* SECTION 1374.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

71.28 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full−time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.10* SECTION 1375.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

71.28 **(1dx)** (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full−time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−1656/3.39* SECTION 1376.** 71.28 (2m) (a) 1. b. of the statutes is amended to read:

71.28 **(2m)** (a) 1. b. For partnerships, except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1k), or limited liability companies, except limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1k), "claimant" means each individual partner or member.

***−1245/2.7* SECTION 1377.** 71.28 (3n) (title) of the statutes is amended to read:

71.28 **(3n)** (title) ~~DAIRY~~ LIVESTOCK FARM INVESTMENT CREDIT.

***−1245/2.8* SECTION 1378.** 71.28 (3n) (a) 1m. of the statutes is repealed.

***−1245/2.9* SECTION 1379.** 71.28 (3n) (a) 1n. of the statutes is created to read:

71.28 **(3n)** (a) 1n. "Livestock" means domestic animals used in this state in the production of food, fiber, or other animal products and includes bovine animals, swine, poultry, fish, sheep, and goats. "Livestock" does not include equine animals, deer, ratites, camelidae, or mink.

***−1245/2.10* SECTION 1380.** 71.28 (3n) (a) 1p. of the statutes is repealed.

***−1245/2.11* SECTION 1381.** 71.28 (3n) (a) 2. (intro.) of the statutes is amended to read:

71.28 **(3n)** (a) 2. (intro.) ~~"Dairy~~ "Livestock farm modernization or expansion" means the construction, the improvement, or the acquisition of buildings or facilities, or acquiring equipment, for ~~dairy animal~~ livestock housing, livestock confinement, ~~animal~~ livestock feeding, milk production, or waste management, including the following, if used exclusively related to ~~dairy animals~~ livestock:

***−1245/2.12* SECTION 1382.** 71.28 (3n) (b) of the statutes is amended to read:

71.28 **(3n)** (b) Subject to the limitations provided in this subsection, for taxable years that begin after December 31, 2003, and before January 1, 2010, a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to 10% of the amount the claimant paid in the taxable year for ~~dairy~~ livestock farm modernization or expansion related to the operation of the claimant's ~~dairy~~ livestock farm.

***−1656/3.40* SECTION 1383.** 71.28 (4) (a) of the statutes is amended to read:

71.28 **(4)** (a) *Credit.* Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting

from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the internal revenue code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and (d)~~, (db), (dd), (df), (dg), (dh), and (dm). Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph.

***−1656/3.41* SECTION 1384.** 71.28 (4) (am) 1. of the statutes is amended to read:

71.28 **(4)** (am) 1. In addition to the credit under par. (a), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41

(c) of the internal revenue code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and (d)~~, (db), (dd), (df), (dg), (dh), and (dm) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision. Section 41 (h) of the internal revenue code does not apply to the credit under this subdivision.

***−1656/3.42* SECTION 1385.** 71.28 (4) (i) of the statutes is amended to read:

71.28 **(4)** (i) *Nonclaimants.* The credits under this subsection may not be claimed by a partnership, except a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1k), limited liability company, except a limited liability company treated as a corporation under s. 71.22 ~~(1)~~ (1k), or tax−option corporation or by partners, including partners of a publicly traded partnership, members of a limited liability company or shareholders of a tax−option corporation.

***−0341/3.1* SECTION 1386.** 71.30 (11) of the statutes is created to read:

71.30 **(11)** VETERANS TRUST FUND. (a) *Definitions.* In this subsection, "veterans trust fund" means the fund under s. 25.36.

(b) *Voluntary payments.* 1. 'Designation on return.' A corporation filing an income or franchise tax return may designate on the return any amount of additional

payment or any amount of a refund that is due the corporation as a donation to the veterans trust fund to be used for veterans programs under s. 25.36 (1).

2. 'Designation added to tax owed.' If the corporation owes any tax, the corporation shall remit in full the tax due and the amount designated on the return as a donation to the veterans trust fund when the corporation files a tax return.

3. 'Designation deducted from refund.' Except as provided under par. (d), and subject to ss. 71.75 (9) and 71.80 (3), if the corporation is owed a refund, the department shall deduct the amount designated on the return as a donation to the veterans trust fund from the amount of the refund.

(c) *Errors; failure to remit correct amount.* 1. 'Reduced designation.' If a corporation remits an amount that exceeds the tax due, after error corrections, but that is less than the total of the tax due, after error corrections, and the amount designated by the corporation on the return as a donation to the veterans trust fund, the department shall reduce the designation to reflect the amount remitted that exceeds the tax due, after error corrections.

2. 'Void designation.' The designation for a donation to the veterans trust fund is void if the corporation remits an amount equal to or less than the tax due, after error corrections.

(d) *Errors; insufficient refund.* If a corporation is owed a refund that is less than the amount designated on the return as a donation to the veterans trust fund, after attachment and crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections, the department shall reduce the designation to reflect the actual amount of the refund the corporation is otherwise owed.

(e) *Conditions.* If a corporation places any conditions on a designation for a donation to the veterans trust fund, the designation is void.

(f) *Void designation.* If a designation for a donation to the veterans trust fund is void, the department shall disregard the designation and determine the amounts due, owed, refunded, and received.

(g) *Tax return.* The secretary of revenue shall provide a place for the designations under this subsection on the corporate income and franchise tax returns and the secretary shall highlight that place on the returns by a symbol chosen by the department of veterans affairs that relates to veterans.

(h) *Certification of amounts.* Annually, on or before September 15, the secretary of revenue shall certify to the department of veterans affairs and the department of administration:

1. The total amount of the administrative costs, including data processing costs, incurred by the department of revenue in administering this subsection during the previous fiscal year.

2. The total amount received from all designations to the veterans trust fund under this subsection made by corporations during the previous fiscal year.

3. The net amount remaining after the administrative costs under subd. 1. are subtracted from the total received under subd. 2.

(i) *Appropriations.* From the moneys received from designations to the veterans trust fund under this subsection, an amount equal to the sum of administrative expenses certified under par. (h) 1. shall be deposited into the general fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining certified under par. (h) 3. shall be deposited into the veterans trust fund and used for the veterans programs under s. 25.36 (1).

(j) *Refunds.* An amount designated as a donation to the veterans trust fund under this subsection is not subject to refund to a corporation that designates the

donation unless the corporation submits information to the satisfaction of the department within 18 months from the date that taxes are due from the corporation or from the date that the corporation filed the return, whichever is later, that the amount designated is clearly in error. A refund granted by the department under this paragraph shall be deducted from the moneys received under this subsection in the fiscal year that the refund is certified under 71.75 (7).

***−0302/4.45* SECTION 1387.** 71.34 (1g) (j) of the statutes is repealed.

***−0302/4.46* SECTION 1388.** 71.34 (1g) (k) of the statutes is repealed.

***−0302/4.47* SECTION 1389.** 71.34 (1g) (L) of the statutes is amended to read:

71.34 **(1g)** (L) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 1996, and before January 1, 1998, means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and

110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of

P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.48* SECTION 1390.** 71.34 (1g) (m) of the statutes is amended to read:

71.34 **(1g)** (m) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 1997, and before January 1, 1999, means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. ~~and~~ 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L.

103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L.

107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.49* SECTION 1391.** 71.34 (1g) (n) of the statutes is amended to read:

71.34 **(1g)** (n) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 1998, and before January 1, 2000, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L.

105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357,

excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.50* SECTION 1392.** 71.34 (1g) (o) of the statutes is amended to read:

71.34 **(1g)** (o) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 1999, and before January 1, 2003, means the federal Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107.22, P.L. 107.116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L.

106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and

406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.51* SECTION 1393.** 71.34 (1g) (p) of the statutes is amended to read:

71.34 **(1g)** (p) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 2002, and before January 1, 2004, means the federal Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L.

104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2002, do not apply to this paragraph with respect to taxable years beginning after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173,

P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.52* SECTION 1394.** 71.34 (1g) (q) of the statutes is created to read:

71.34 **(1g)** (q) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 2003, and before January 1, 2005, means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L.

106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2003, do not apply to this paragraph with respect to taxable years beginning after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.53* SECTION 1395.** 71.34 (1g) (r) of the statutes is created to read:

71.34 **(1g)** (r) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 2004, means the federal Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding

sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, except that section 1366 (f) (relating to pass−through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

***−0302/4.54* SECTION 1396.** 71.42 (2) (i) of the statutes is repealed.

***−0302/4.55* SECTION 1397.** 71.42 (2) (j) of the statutes is repealed.

***−0302/4.56* SECTION 1398.** 71.42 (2) (k) of the statutes is amended to read:

71.42 **(2)** (k) For taxable years that begin after December 31, 1996, and before January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L.

108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.57* SECTION 1399.** 71.42 (2) (L) of the statutes is amended to read:

71.42 **(2)** (L) For taxable years that begin after December 31, 1997, and before January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L.

108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, ~~and~~ P.L. 107−181, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.58* SECTION 1400.** 71.42 (2) (m) of the statutes is amended to read:

71.42 **(2)** (m) For taxable years that begin after December 31, 1998, and before January 1, 2000, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as amended by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue

Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, ~~and~~ P.L. 107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.59* SECTION 1401.** 71.42 (2) (n) of the statutes is amended to read:

71.42 **(2)** (n) For taxable years that begin after December 31, 1999, and before January 1, 2003, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, and as

amended by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal

Revenue Code enacted after December 31, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2003, except that changes to the Internal Revenue Code made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding sections 101 and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.60* SECTION 1402.** 71.42 (2) (o) of the statutes is amended to read:

71.42 **(2)** (o) For taxable years that begin after December 31, 2002, and before January 1, 2004, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66,

sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and section 101 of P.L. 107−147, and as amended by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, ~~and~~ P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes.

Amendments to the federal Internal Revenue Code enacted after December 31, 2002, do not apply to this paragraph with respect to taxable years beginning after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.61* SECTION 1403.** 71.42 (2) (p) of the statutes is created to read:

71.42 **(2)** (p) For taxable years that begin after December 31, 2003, and before January 1, 2005, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173, and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.

108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2003, do not apply to this paragraph with respect to taxable years beginning after December 31, 2003, and before January 1, 2005, except that changes to the Internal Revenue Code made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of

P.L. 108−357, and P.L. 108−476, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, apply for Wisconsin purposes at the same time as for federal purposes.

***−0302/4.62* SECTION 1404.** 71.42 (2) (q) of the statutes is created to read:

71.42 **(2)** (q) For taxable years that begin after December 31, 2004, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, section 101 of P.L. 107−147, sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306, 308, 401, and 403 (a) of P.L. 108−311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and as indirectly affected by P.L. 99−514, P.L. 100−203, P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L. 101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and 110 of P.L. 102−227, P.L. 102−318, P.L. 102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L. 103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−22, P.L. 107−116, P.L. 107−134, P.L. 107−147, excluding section 101 of P.L. 107−147, P.L. 107−181, P.L.

107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173, excluding section 1201 of P.L. 108−173, P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, and P.L. 108−476, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

***−1656/3.43* SECTION 1405.** 71.42 (3d) of the statutes is amended to read:

71.42 **(3d)** "Member" does not include a member of a limited liability company treated as a corporation under s. 71.22 ~~(1)~~ (1k).

***−1656/3.44* SECTION 1406.** 71.42 (3h) of the statutes is amended to read:

71.42 **(3h)** "Partner" does not include a partner of a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1k).

***−0404/4.110* SECTION 1407.** 71.47 (1dd) (a) 1. of the statutes is amended to read:

71.47 **(1dd)** (a) 1. "Day care center benefits" means benefits provided at a day care facility that is licensed under s. ~~48.65 or 48.69~~ 49.98 or 49.99 and that for compensation provides care for at least 6 children or benefits provided at a facility for persons who are physically incapable of caring for themselves.

***−0402/5.7* SECTION 1408.** 71.47 (1di) (b) 1. of the statutes is repealed.

***−0402/7.10*SECTION 1409.** 71.47 (1dL) (c) 1. of the statutes is repealed.

***−0402/8*SECTION 1410.** 71.47 (1dL) (c) 2. of the statutes is renumbered 71.47 (1dL) (c).

***−0402/8*SECTION 1411.** 71.47 (1dL) (d) of the statutes is amended to read:

71.47 **(1dL)** (d) Except as provided in par. (c) ~~2.~~, the carry−over provisions of sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit under this subsection and apply as if the development zone continued to exist.

***−0402/5.8* SECTION 1412.** 71.47 (1dm) (hm) of the statutes is amended to read:

71.47 **(1dm)** (hm) ~~Credits claimed~~ A claimant may claim the credit under this subsection, including any credits carried over, ~~may be offset only~~ against the amount of the tax otherwise due under this subchapter ~~attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset credits, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant~~.

***−0403/2.3* SECTION 1413.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

71.47 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides in an ~~empowerment zone, or an enterprise community, that the U.S. government designates~~ area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin ~~works~~ Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an

economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex−convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient~~;~~, if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

***−0402/5.9* SECTION 1414.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

71.47 **(1dx)** (b) *Credit.* (intro.) Except ~~or~~ as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes ~~imposed on the person's income from the person's business activities in a development zone~~ otherwise due under this chapter the following amounts:

***−0335/2.11* SECTION 1415.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

71.47 **(1dx)** (b) 2. The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full−time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.12* SECTION 1416.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

71.47 **(1dx)** (b) 3. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full−time jobs created in a

development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.13* SECTION 1417.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full−time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−0335/2.14* SECTION 1418.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

71.47 **(1dx)** (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full−time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

***−1656/3.45* SECTION 1419.** 71.47 (2m) (a) 1. b. of the statutes is amended to read:

71.47 **(2m)** (a) 1. b. For partnerships, except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1k), or limited liability companies, except

limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1k), "claimant" means each individual partner or member.

***−1245/2.13* SECTION 1420.** 71.47 (3n) (title) of the statutes is amended to read:

71.47 **(3n)** (title) ~~DAIRY~~ LIVESTOCK FARM INVESTMENT CREDIT.

***−1245/2.14* SECTION 1421.** 71.47 (3n) (a) 1m. of the statutes is repealed.

***−1245/2.15* SECTION 1422.** 71.47 (3n) (a) 1n. of the statutes is created to read:

71.47 **(3n)** (a) 1n. "Livestock" means domestic animals used in this state in the production of food, fiber, or other animal products and includes bovine animals, swine, poultry, fish, sheep, and goats. "Livestock" does not include equine animals, deer, ratites, camelidae, or mink.

***−1245/2.16* SECTION 1423.** 71.47 (3n) (a) 1p. of the statutes is repealed.

***−1245/2.17* SECTION 1424.** 71.47 (3n) (a) 2. (intro.) of the statutes is amended to read:

71.47 **(3n)** (a) 2. (intro.) ~~"Dairy~~ "Livestock farm modernization or expansion" means the construction, the improvement, or the acquisition of buildings or facilities, or the acquisition of equipment, for ~~dairy animal~~ livestock housing, livestock confinement, ~~animal~~ livestock feeding, milk production, or waste management, including the following, if used exclusively related to ~~dairy animals~~ livestock:

***−1245/2.18* SECTION 1425.** 71.47 (3n) (b) of the statutes is amended to read:

71.47 **(3n)** (b) Subject to the limitations provided in this subsection, for taxable years that begin after December 31, 2003, and before January 1, 2010, a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to 10% of the amount the claimant paid in the taxable year for ~~dairy~~ livestock farm

modernization or expansion related to the operation of the claimant's ~~dairy~~ livestock farm.

***−1656/3.46* SECTION 1426.** 71.47 (4) (a) of the statutes is amended to read:

71.47 **(4)** (a) *Credit.* Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the internal revenue code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and (d)~~, (db), (dd), (df), (dg), (dh), and (dm). Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph.

***−1656/3.47* SECTION 1427.** 71.47 (4) (am) of the statutes is amended to read:

71.47 **(4)** (am) *Development zone additional research credit.* In addition to the credit under par. (a), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the

Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the internal revenue code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and (d)~~, (db), (dd), (df), (dg), (dh), and (dm) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

***−1656/3.48* SECTION 1428.** 71.47 (4) (i) of the statutes is amended to read:

71.47 **(4)** (i) *Nonclaimants.* The credits under this subsection may not be claimed by a partnership, except a publicly traded partnership treated as a corporation under s. 71.22 ~~(1)~~ (1k), limited liability company, except a limited

liability company treated as a corporation under s. 71.22 ~~(1)~~ (1k), or tax−option corporation or by partners, including partners of a publicly traded partnership, members of a limited liability company or shareholders of a tax−option corporation.

***−1656/3.49* SECTION 1429.** 71.58 (1) (c) of the statutes is amended to read:

71.58 **(1)** (c) For partnerships except publicly traded partnerships treated as corporations under s. 71.22 ~~(1)~~ (1k), "claimant" means each individual partner.

***−1656/3.50* SECTION 1430.** 71.58 (1) (cm) of the statutes is amended to read:

71.58 **(1)** (cm) For limited liability companies, except limited liability companies treated as corporations under s. 71.22 ~~(1)~~ (1k), "claimant" means each individual member.

***−0306/2.1* SECTION 1431.** 71.775 of the statutes is created to read:

71.775 Withholding from nonresident members of pass−through entities. (1) DEFINITIONS. In this section:

(a) "Nonresident" includes an individual who is not domiciled in this state; a partnership, limited liability company, or corporation whose commercial domicile is outside the state; and an estate or a trust that is a nonresident under s. 71.14 (1) to (3m).

(b) "Pass−through entity" means a partnership, a limited liability company, a tax−option corporation, an estate, or a trust that is treated as a pass−through entity for federal income tax purposes.

(2) WITHHOLDING TAX IMPOSED. (a) For the privilege of doing business in this state or deriving income from property located in this state, a pass−through entity that has Wisconsin income for the taxable year that is allocable to a nonresident partner, member, shareholder, or beneficiary shall pay a withholding tax. The amount of the tax imposed under this subsection to be withheld from the income

distributable to each nonresident partner, member, shareholder, or beneficiary is equal to the nonresident partner's, member's, shareholder's, or beneficiary's share of income attributable to this state, multiplied by the following:

1. For an individual, an estate, or a trust that is a pass−through entity, the highest tax rate for a single individual for the taxable year under s. 71.06.

2. For a partnership, a limited liability company, or a tax−option corporation that is a pass−through entity, the highest tax rate for the taxable year under s. 71.27.

(b) A pass−through entity that is also a member of another pass−through entity is subject to withholding under this subsection and shall pay the tax based on the share of income that is distributable to each of the entity's nonresident partners, members, shareholders, or beneficiaries.

(3) EXEMPTIONS. (a) A nonresident partner's, member's, shareholder's, or beneficiary's share of income from the pass−through entity that is attributable to this state shall not be included in determining the withholding under sub. (2) if any of the following applies:

1. The partner, member, shareholder, or beneficiary is exempt from taxation under this chapter. For purposes of this subdivision, the pass−through entity may rely on a written statement from the partner, member, shareholder, or beneficiary claiming to be exempt from taxation under this chapter, if the pass−through entity attaches a copy of the statement to its return for the taxable year and if the statement specifies the name, address, federal employer identification number, and reason for claiming an exemption for each partner, member, shareholder, or beneficiary claiming to be exempt from taxation under this chapter.

2. The partner, member, shareholder, or beneficiary has no Wisconsin income other than his or her share of income from the pass−through entity that is attributable to this state and his or her share of such income is less than $1,000.

(b) A pass−through entity that is a joint venture is not subject to the withholding under sub. (2), if the pass−through entity has elected not to be treated as a partnership under section 761 of the Internal Revenue Code.

(4) ADMINISTRATION. (a) Each pass−through entity that is subject to the withholding under sub. (2) shall pay the amount of the tax withheld to the department no later than:

1. For tax−option corporations, the 15th day of the 3rd month following the close of the taxable year.

2. For partnerships, limited liability companies, estates, and trusts, the 15th day of the 4th month following the close of the taxable year.

(b) 1. If the pass−through entity has an extension of time to file its return, the tax withheld under sub. (2) is due on the unextended due date of the entity's return as provided under s. 71.13 (1), 71.20 (1), or 71.24 (1).

2. A pass−through entity that pays the tax withheld under sub. (2) as provided under subd. 1. is not subject to an underpayment of estimated tax under s. 71.09 or 71.29, if 90 percent of the tax that is due for the current taxable year is paid by the unextended due date or if 100 percent of the tax that is due for the taxable year immediately preceding the current taxable year is paid by the unextended due date and the taxable year immediately preceding the current taxable year was a 12−month period. Interest at the rate 12 percent shall be imposed on the unpaid amount of the tax withheld under sub. (2) during any extension period and interest at the rate of 18 percent shall be imposed on the unpaid amount of the tax withheld

under sub. (2) for the period beginning with the extended due date and ending with the date that the unpaid amount is paid in full.

(c) On or before the due date, including extensions, of the entity's return, a pass−through entity that withholds tax under sub. (2) shall annually notify each of its nonresident partners, members, shareholders, or beneficiaries of the amount of the tax withheld under sub. (2) that the pass−through entity paid on the nonresident partner's, member's, shareholder's, or beneficiary's behalf. The pass−through entity shall provide a copy of the notice to the department with the return that it files for the taxable year.

(d) A nonresident partner, member, shareholder, or beneficiary of a pass−through entity may claim a credit, as prescribed by the department, on his or her Wisconsin income or franchise tax return for the amount withheld under sub. (2) on his or her behalf. For purposes of this paragraph, the amount withheld under sub. (2) is considered to be paid on the last day of the pass−through entity's taxable year for which the tax is paid.

(e) Any tax withheld under this section shall be held in trust for this state, and a pass−through entity subject to withholding under this section shall be liable to the department for the payment of the tax withheld. No partner, member, shareholder, or beneficiary of a pass−through entity shall have any right of action against the pass−through entity with respect to any amount withheld and paid in compliance with this section.

(f) If a pass−through entity subject to withholding under this section fails to withhold tax as required by this section, the pass−through entity shall be liable for any tax, interest, and penalties. If a nonresident partner, member, shareholder, or beneficiary of the pass−through entity files a return and pays the tax due, the

pass−through entity shall not be liable for the tax, but shall be liable for any interest and penalties otherwise applicable for failure to withhold, as provided under ss. 71.82 (2) (d) and 71.83.

***−0375/2.1* SECTION 1432.** 71.78 (4) (r) of the statutes is created to read:

71.78 **(4)** (r) The secretary of revenue and employees of that department for the purposes of preparing and maintaining the list of persons with unpaid tax obligations as described in s. 71.91 (8) so that the list of such persons is available for public inspection.

***−0375/2.2* SECTION 1433.** 71.91 (8) of the statutes is created to read:

71.91 **(8)** INTERNET LISTING OF DELINQUENT TAXPAYERS. The department may prepare and maintain a list of all persons who owe delinquent taxes of any type administered by the department, including interest, penalties, fees, and costs, to the department, in excess of $25,000, which are unpaid for more than 90 days after all appeal rights have expired, and may post the names of persons from this list on the Internet at a site the department creates and maintains for this purpose. If the department places such a posting, the Internet site shall list the names, addresses, type of tax due, and amount of tax due, including interest, penalties, fees, and costs for each person who has one of the delinquent taxpayer accounts. If a listed person is a corporation, the Internet site shall also contain the name and address of each of the corporation's officers, if known. Except as otherwise provided in this subsection, the department shall update the Internet site on a quarterly basis. The department may not post on the Internet the name of any person who has reached an agreement or compromise with the department, or the department of justice, under s. 71.92 and is in compliance with that agreement, regarding the payment of delinquent taxes, or the name of any person who is protected by a stay that is in effect under the federal

Bankruptcy Code; and the Internet posting shall be updated each business day, as defined in s. 562.01 (3m), to comply with these prohibitions.

***−0301/1.1* SECTION 1434.** 71.93 (1) (a) 1. of the statutes is amended to read:

71.93 **(1)** (a) 1. An amount owed to a state agency ~~that~~, if the amount has been reduced to a judgment or if the state agency has provided the debtor reasonable notice and an opportunity to be heard with regards to the amount owed.

***−0265/3.22* SECTION 1435.** 71.93 (1) (a) 3. of the statutes is amended to read:

71.93 **(1)** (a) 3. An amount that the department of health and family services may recover under s. 49.45 (2) (a) 10. ~~or,~~ 49.497, 49.793, or 49.847, if the department of health and family services has certified the amount under s. 49.85.

***−0265/3.23* SECTION 1436.** 71.93 (1) (a) 4. of the statutes is amended to read:

71.93 **(1)** (a) 4. An amount that the department of workforce development may recover under s. 49.161~~,~~ or 49.195 (3)~~, or 49.793,~~ or ~~may~~ collect under s. 49.147 (6) (cm), if the department of workforce development has certified the amount under s. 49.85.

***−0305/3.1* SECTION 1437.** 71.93 (1) (cm) of the statutes is created to read:

71.93 **(1)** (cm) "Disbursement" means any payment to a person who provides goods and services to the state under subch. IV or V of ch. 16 or under ch. 84.

***−0305/3.2* SECTION 1438.** 71.93 (2) of the statutes is amended to read:

71.93 **(2)** CERTIFICATION. A state agency may certify to the department ~~for setoff~~ any properly identified debt exceeding $20 so that the department may set off the amount of the debt against a refund to the debtor or so that the department of administration may reduce a disbursement to the debtor by the amount of the debt. At least 30 days prior to certification each debtor shall be sent a notice by the state agency of its intent to certify the debt to the department for setoff or reduction and

of the debtor's right of appeal. At the time of certification, the certifying state agency shall furnish the social security number of individual debtors and the federal employer identification number of other debtors.

***−0305/3.3* SECTION 1439.** 71.93 (3) of the statutes is renumbered 71.93 (3) (a) and amended to read:

71.93 **(3)** (a) ADMINISTRATION. In administering this section the department shall first check with the state agency certifying the debt to determine whether the debt has been collected by other means. If the debt remains uncollected the department of revenue shall setoff any debt or other amount owed to the department, regardless of the origin of the debt or of the amount, its nature or its date. If after the setoff there remains a refund in excess of $10, the department shall set off the remaining refund against certified debts of other state agencies. If more than one certified debt exists for any debtor, the refund shall be first set off against the earliest debt certified, except that no child support or spousal support obligation submitted by an agency of another state may be set off until all debts owed to and certified by state agencies of this state have been set off. When all debts have been satisfied, any remaining refund shall be refunded to the debtor by the department. Any legal action contesting a setoff under this paragraph shall be brought against the state agency that certified the debt under sub. (2).

***−0305/3.4* SECTION 1440.** 71.93 (3) (b) of the statutes is created to read:

71.93 **(3)** (b) The department shall provide the information obtained under sub. (2) to the department of administration. Before reducing any disbursement as provided under this paragraph, the department of administration shall contact the department to verify whether a certified debt that is the basis of the reduction has been collected by other means. If the certified debt remains uncollected, the

department of administration shall reduce the disbursement by the amount of the debtor's certified debt under sub. (2), notify the department of such reduction and disbursement, and remit the amount of the reduction to the department in the manner prescribed by the department. If more than one certified debt exists for any debtor, the disbursement shall be reduced first by any debts certified under s. 73.12 then by the earliest debt certified. Any legal action contesting a reduction under this paragraph shall be brought against the state agency that certified the debt under sub. (2).

***−0305/3.5* SECTION 1441.** 71.93 (4) of the statutes is amended to read:

71.93 **(4)** SETTLEMENT. Within 30 days after the close of each calendar quarter, the department shall settle with each state agency that has certified a debt. Each settlement shall note the opening balance of debts certified, any additions or deletions, reductions or amounts set off, and the ending balance at the close of the settlement period.

***−0305/3.6* SECTION 1442.** 71.93 (5) of the statutes is amended to read:

71.93 **(5)** STATE AGENCY CHARGED FOR COSTS. At the time of each settlement, each state agency shall be charged for administration expenses, and the amounts charged shall be credited to the department's appropriation under s. 20.566 (1) (h). Annually on or before November 1, the department shall review its costs incurred during the previous fiscal year in administering state agency setoffs and reductions and shall adjust its subsequent charges to each state agency to reflect that experience.

***−0305/3.7* SECTION 1443.** 71.93 (6) of the statutes is amended to read:

71.93 **(6)** WRITTEN AGREEMENT AND AUTHORITY OF DEPARTMENT. Any state agency wishing to certify debts to the department shall enter into a written agreement with the department prior to any certification of debt. Any certification of debts by a state

agency or changes to certified debts shall be in a manner and form prescribed by the department. The secretary of revenue shall be the final authority in the resolution of any interagency disputes in regard to certification of debts. If a refund or disbursement is adjusted after a setoff or reduction, the department may readjust any erroneous settlement with a certifying state agency.

***−0305/3.8* SECTION 1444.** 71.93 (7) of the statutes is amended to read:

71.93 **(7)** EXCHANGE OF INFORMATION. Information relative to changes to any debt certified shall be exchanged promptly by each agency ~~and the department setoff~~. Setoff of refunds and reduction of disbursements against debts certified by agencies, and any ~~reports~~ report of the setoff or reduction to ~~certifying~~ state agencies, is not a violation of ss. 71.78, 72.06, 77.61 (5), 78.80 (3), and 139.38 (6).

***−0305/3.9* SECTION 1445.** 71.935 (1) (cm) of the statutes is created to read:

71.935 **(1)** (cm) "Disbursement" means any payment to a person who provides goods and services to the state under subch. IV or V of ch. 16 or under ch. 84.

***−0299/2.2* SECTION 1446.** 71.935 (2) of the statutes is amended to read:

71.935 **(2)** A municipality or county may certify to the department any debt owed to it. Not later than 5 days after certification, the municipality or county shall notify the debtor in writing of its certification of the debt to the department, of the basis of the certification and of the debtor's right to appeal and, in the case of parking citations, of the debtor's right to contest the citation. At the time of certification, the municipality or county shall furnish to the department the name and social security number or operator's license number of each individual debtor and the name and federal employer identification number of each other debtor.

***−0305/3.10* SECTION 1447.** 71.935 (3) of the statutes is renumbered 71.935 (3) (a) and amended to read:

71.935 **(3)** (a) If the debt remains uncollected and, in the case of a parking citation, if the debtor has not contested the citation within 20 days after the notice under sub. (2), the department shall set off the debt against any refund that is owed to the debtor after the setoff under s. 71.93. Any legal action contesting a setoff shall be brought against the municipality or county that certified the debt under sub. (2).

***−0305/3.11* SECTION 1448.** 71.935 (3) (b) of the statutes is created to read:

71.935 **(3)** (b) The department shall provide the information obtained under sub. (2) to the department of administration. Before reducing any disbursement as provided under this paragraph, the department of administration shall contact the department to verify whether a certified debt that is the basis of the reduction has been collected by other means and, in the case of a parking citation, whether the debtor has contested the citation within 20 days after the notice under sub. (2). If the certified debt remains uncollected and, in the case of a parking citation, the citation has not been contested within 20 days after the notice under sub. (2), the department of administration shall, after any reduction under s. 71.93, reduce the disbursement by the amount of the debtor's certified debt under sub. (2), notify the department of such reduction and disbursement, and remit the amount of the reduction to the department in the manner prescribed by the department. If more than one debt certified under sub. (2) exists for any debtor, the disbursement shall be reduced first by the earliest debt certified. Any legal action contesting a reduction under this paragraph shall be brought against the municipality or county that certified the debt under sub. (2).

***−0305/3.12* SECTION 1449.** 71.935 (4) of the statutes is amended to read:

71.935 **(4)** Within 30 days after the end of each calendar quarter, the department shall settle with each municipality and county for the amounts ~~that the~~

~~department setoff~~ set off or reduced against certified debts for the municipality or county during that calendar quarter.

***−0305/3.13* SECTION 1450.** 71.935 (5) of the statutes is amended to read:

71.935 **(5)** At the time of each settlement, each municipality and county shall be charged for administration expenses, and the amounts charged shall be credited to the appropriation account under s. 20.566 (1) (h). Annually on or before November 1, the department shall review its costs incurred during the previous fiscal year in administering setoffs and reductions under this section and shall adjust its subsequent charges to each municipality and county to reflect that experience.

***−0955/10.5* SECTION 1451.** 73.01 (4) (b) of the statutes is amended to read:

73.01 **(4)** (b) Any matter required to be heard by the commission may be heard by any member of the commission or ~~its~~ a hearing examiner and reported to the commission, and hearings of matters pending before it shall be assigned to members of the commission or ~~its~~ the hearing examiner by the chairperson. Cases other than small claims cases shall be decided by the full commission, except that if one or more members of the commission are unavailable, cases other than small claims cases shall be decided by the member or members assigned by the chairperson prior to the hearing. If the parties have agreed to an oral decision, the member or members conducting the hearing may render an oral decision. Hearings shall be open to the public and all proceedings shall be conducted in accordance with rules of practice and procedure prescribed by the commission. Small claims cases shall be decided by one commissioner assigned by the chairperson prior to the hearing.

***−0955/10.6* SECTION 1452.** 73.01 (4m) (b) of the statutes is amended to read:

73.01 **(4m)** (b) No member of the commission, including the chairperson, or ~~its~~ a hearing examiner may receive any salary unless he or she first executes an

affidavit at the end of each salary period stating that he or she has complied with the deadlines in par. (a). The affidavit shall be presented to and filed with every official who certifies, in whole or in part, the salary.

***−0955/10.7* SECTION 1453.** 73.01 (4m) (c) of the statutes is amended to read:

73.01 **(4m)** (c) If a member of the commission, including the chairperson, or ~~its~~ a hearing examiner is unable to comply with the deadline under par. (a), that person shall so certify in the record, and the period is then extended for one additional period not to exceed 90 days.

***−0303/4.5* SECTION 1454.** 73.03 (50) (d) of the statutes is amended to read:

73.03 **(50)** (d) In the case of a sole proprietor, signs the form or, in the case of other persons, has an individual who is authorized to act on behalf of the person sign the form, or, in the case of a single−owner entity that is disregarded as a separate entity under section 7701 of the Internal Revenue Code, the person is the owner. Any person who may register under this subsection may designate an agent, as defined in s. 77.524 (1) (ag), to register with the department under this subsection in the manner prescribed by the department. In this paragraph, "sign" has the meaning given in s. 77.51 (17r).

***−0303/4.6* SECTION 1455.** 73.03 (50b) of the statutes is created to read:

73.03 **(50b)** To waive the fee established under sub. (50) for applying for and renewing the business tax registration certificate, if the person who is applying for or renewing the certificate is not required for purposes of ch. 77 to hold such a certificate.

***−0303/4.7* SECTION 1456.** 73.03 (61) of the statutes is created to read:

73.03 **(61)** To do all of the following related to the Uniform Sales and Use Tax Administration Act:

(a) Certify compliance with the agreement, as defined in s. 77.65 (2) (a).

(b) Pursuant to the agreement, as defined in s. 77.65 (2) (a), certify certified service providers, as defined in s. 77.51 (1g), and certified automated systems, as defined in s. 77.524 (1) (am).

(c) Consistent with the agreement, as defined in s. 77.65 (2) (a), establish performance standards and eligibility criteria for a seller that sells tangible personal property or taxable services in at least 5 states that are signatories to the agreement, as defined in s. 77.65 (2) (a); that has total annual sales revenue of at least $500,000,000; that has a proprietary system that calculates the amount of tax owed to each taxing jurisdiction in which the seller sells tangible personal property or taxable services; and that has entered into a performance agreement with the states that are signatories to the agreement, as defined in s. 77.65 (2) (a). For purposes of this paragraph, "seller" includes an affiliated group of sellers using the same proprietary system to calculate the amount of tax owed in each taxing jurisdiction in which the sellers sell tangible personal property or taxable services.

(d) Issue a tax identification number to a person who claims an exemption under subch. III or V of ch. 77 and who is not required to register with the department for the purposes of subch. III or V of ch. 77 and establish procedures for the registration of such a person.

(e) Maintain a database that is accessible to sellers and certified service providers, as defined in s. 77.51 (1g), that indicates whether items defined in accordance with the Uniform Sales and Use Tax Administration Act are taxable or nontaxable.

(f) Maintain a database that is accessible to sellers and certified service providers, as defined in s. 77.51 (1g), that indicates tax rates, taxing jurisdiction

boundaries, and zip code or address assignments related to the administration of taxes imposed under subchs. III and V of ch. 77.

(g) Set forth the information that the seller shall provide to the department for tax exemptions claimed by purchasers and establish the manner in which a seller shall provide such information to the department.

(h) Provide monetary allowances, in addition to the retailer's discount provided under s. 77.61 (4) (c), to certified service providers, as defined in s. 77.51 (1g), and sellers that use certified automated systems, as defined in s. 77.524 (1) (am), or proprietary systems, pursuant to the agreement as defined in s. 77.65 (2) (a).

***−0404/4.111* SECTION 1457.** 73.0301 (1) (d) 2. of the statutes is amended to read:

73.0301 **(1)** (d) 2. A license issued by the department of health and family services under s. 48.66 (1) (a) to a child welfare agency, group home, <u>or</u> shelter care facility ~~or day care center~~, as required by s. 48.60, 48.625, ~~48.65~~ or 938.22 (7).

***−0404/4.112* SECTION 1458.** 73.0301 (1) (d) 2m. of the statutes is created to read:

73.0301 **(1)** (d) 2m. A license issued by the department of workforce development under s. 49.984 (1) day care center, as required by s. 49.98.

***−0347/2.3* SECTION 1459.** 73.0301 (1) (d) 3. of the statutes is amended to read:

73.0301 **(1)** (d) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3) or (3m), 146.50 (5) (a) or (b), (6g) (a), (7) or (8) (a) or (f), ~~250.05 (5),~~ 252.23 (2), 252.24 (2), 254.176, 254.20 (3), 255.08 (2) (a) or 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

***−0300/4.1* SECTION 1460.** 73.0301 (2) (b) 1. a. of the statutes is amended to read:

73.0301 **(2)** (b) 1. a. If, after a request is made under par. (a) 1. or 2., the department of revenue certifies that the license holder or applicant for a license or license renewal or continuation is liable for delinquent taxes, revoke the license or deny the application for the license or license renewal or continuation. The department of transportation may suspend licenses described in sub. (1) (d) 7. in lieu of revoking those licenses. A suspension, revocation or denial under this subd. 1. a. is not subject to administrative review or, except as provided in subd. 2. <u>and sub. (5) (am)</u>, judicial review. With respect to a license granted by a credentialing board, the department of regulation and licensing shall make a revocation or denial under this subd. 1. a. <u>With respect to a license to practice law, the department of revenue shall not submit a certification under this subd. 1. a. to the supreme court until after the license holder or applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed to make use of such remedies.</u>

***−0300/4.2* SECTION 1461.** 73.0301 (2) (b) 1. b. of the statutes is amended to read:

73.0301 **(2)** (b) 1. b. Mail a notice of suspension, revocation or denial under subd. 1. a. to the license holder or applicant. The notice shall include a statement of the facts that warrant the suspension, revocation or denial and a statement that the license holder or applicant may, within 30 days after the date on which the notice of denial, suspension or revocation is mailed, file a written request with the department of revenue to have the certification of tax delinquency on which the suspension, revocation or denial is based reviewed at a hearing under sub. (5) (a). With respect to a license granted by a credentialing board, the department of

regulation and licensing shall mail a notice under this subd. 1. b. With respect to a license to practice law, the department of revenue shall mail a notice under this subd. 1. b. and the notice shall indicate that the license holder or applicant may request a hearing under sub. (5) (a) and (am) and that the department of revenue shall submit a certificate of delinquency to suspend, revoke, or deny a license to practice law to the supreme court after the license holder or applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed to make use of such remedies. A notice sent to a person who holds a license to practice law or who is an applicant for a license to practice law shall also indicate that the department of revenue may not submit a certificate of delinquency to the supreme court if the license holder or applicant pays the delinquent tax in full or enters into an agreement with the department of revenue to satisfy the delinquency.

***−0300/4.3* SECTION 1462.** 73.0301 (2) (b) 2. of the statutes is amended to read:

73.0301 **(2)** (b) 2. ~~If~~ Except as provided in subd. 2m., if notified by the department of revenue that the department of revenue has affirmed a certification of tax delinquency after a hearing under sub. (5) (a), affirm a suspension, revocation or denial under subd. 1. a. A license holder or applicant may seek judicial review under ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane County, of an affirmation of a revocation or denial under this subdivision. With respect to a license granted by a credentialing board, the department of regulation and licensing shall make an affirmation under this subdivision.

***−0300/4.4* SECTION 1463.** 73.0301 (2) (b) 2m. of the statutes is created to read:

73.0301 **(2)** (b) 2m. With respect to a license to practice law, if notified by the department of revenue that the department of revenue has affirmed a certification

of tax delinquency after any requested review under sub. (5) (a) and (am), decide whether to suspend, revoke, or deny a license to practice law.

***−0299/2.3* SECTION 1464.** 73.0301 (2) (c) 2. of the statutes is amended to read:

73.0301 **(2)** (c) 2. A licensing department may not disclose any information received under subd. 1. a. or b. to any person except to the department of revenue for the ~~sole~~ purpose of requesting certifications under par. (b) 2. in accordance with the memorandum of understanding under sub. (4) and administering state taxes or to the department of workforce development for the purpose of administering s. 49.22.

***−0300/4.5* SECTION 1465.** 73.0301 (5) (a) of the statutes is amended to read:

73.0301 **(5)** (a) The department of revenue shall conduct a hearing requested by a license holder or applicant for a license or license renewal or continuation under sub. (2) (b) 1. b. or by an applicant for certification or recertification or a certificate holder under s. 73.03 (50) or 73.09 (7m) (b) to review a certification or determination of tax delinquency that is the basis of a denial or revocation of a license in accordance with this section or of a certificate, certification or recertification under s. 73.03 (50) or 73.09 (7m). A hearing under this paragraph is limited to questions of mistaken identity of the license or certificate holder or applicant and of prior payment of the delinquent taxes for which the department of revenue certified or determined the license or certificate holder or applicant is liable. At a hearing under this paragraph, any statement filed by the department of revenue, the licensing department or the supreme court, if the supreme court agrees, may be admitted into evidence and is prima facie evidence of the facts that it contains. Notwithstanding ch. 227, a person entitled to a hearing under this paragraph is not entitled to any other notice, hearing or review, except as provided in par. (am) and sub. (2) (b) 2.

***−0300/4.6* SECTION 1466.** 73.0301 (5) (am) of the statutes is created to read:

73.0301 **(5)** (am) If a person who holds a license to practice law or who is an applicant for a license to practice law receives a hearing under par. (a) to review a certification or determination of tax delinquency that is the basis for a denial or revocation of a license to practice law and such certification or determination is affirmed as a result of the hearing under par. (a), the person may seek judicial review of the certification or determination of tax delinquency under ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane County.

***−0300/4.7* SECTION 1467.** 73.0301 (5) (b) (intro.) of the statutes is amended to read:

73.0301 **(5)** (b) (intro.) After a hearing conducted under par. (a) <u>or, in the case of a determination related to a license to practice law, after a hearing under par. (a) or, if the hearing is appealed, after judicial review under par. (am)</u>, the department of revenue shall do one of the following:

***−0305/4.14*SECTION 1468.** 73.12 (1) (b) of the statutes is amended to read:

73.12 **(1)** (b) "Vendor" means a person providing goods or services to this state under subch. IV or V of ch. 16 or under ch. 84 ~~if the value of the contract for those goods or services is at least $500~~.

***−0303/4.8* SECTION 1469.** 76.07 (4g) (b) 8. of the statutes is amended to read:

76.07 **(4g)** (b) 8. Determine transport−related revenue by adding public service revenue allocated to this state on the basis of routes for which the company is authorized to receive subsidy payments, mutual aid allocated to this state on the basis of the ratio of transport revenues allocated to this state to transport revenues everywhere in the previous year, in−flight sales allocated to this state as they are allocated under s. ~~77.51 (14r)~~ <u>77.522</u> and all other transport−related revenues from sales made in this state.

***−0945/2.3* SECTION 1470.** 76.16 of the statutes is amended to read:

76.16 Separate valuation of repair facilities, docks, piers, wharves, ore yards, elevators, car ferries and oil pipeline terminal facilities. After the property of a company is first valued as a whole, if any repair facilities, docks, ore yards, piers, wharves, grain elevators or car ferries used in transferring freight or passengers between cars and vessels or transfer of freight cars located on car ferries, or if any oil pipeline terminal ~~storage~~ facilities~~, docks, pipelines and pumping equipment used in transferring oil from pipelines to vessels~~ shall be included in such valuation, then for the purpose of accounting to the proper taxation districts, the department shall make a separate valuation of each such repair facility, dock, ore yard, pier, wharf, grain elevator, including the approaches thereto, or car ferries and of each ~~such~~ oil pipeline terminal ~~storage~~ facility~~, dock, pipeline and pumping equipment~~. As used herein, an approach shall be an immediate access facility commencing at the switching point which leads primarily to the terminal facility. For the purpose of defining the oil pipeline terminal facilities affected by this section, such facilities shall begin where the incoming pipeline enters the terminal storage facility site ~~used in the transfer of oil to vessels~~.

***−0945/2.4* SECTION 1471.** 76.24 (2) (a) of the statutes is amended to read:

76.24 **(2)** (a) All taxes paid by any railroad company derived from or apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators, and their approaches, or car ferries ~~or terminal storage facilities, docks, pipelines and pumping equipment used in transferring oil from pipelines to vessels~~ on the basis of the separate valuation provided for in s. 76.16, shall be distributed annually from the transportation fund to the towns, villages and cities in which they are

located, pursuant to certification made by the department of revenue on or before August 15.

***−0945/2.5* SECTION 1472.** 76.24 (2) (am) of the statutes is created to read:

76.24 **(2)** (am) All taxes paid by any pipeline company derived from or apportionable to oil pipeline terminal facilities on the basis of the separate valuation under s. 76.16 shall be distributed annually from the appropriation under s. 20.855 (4) (bm) to the towns, villages, and cities in which the facilities are located, pursuant to certification made by the department of revenue no later than November 1.

***−0945/2.6* SECTION 1473.** 76.24 (2) (bm) of the statutes is created to read:

76.24 **(2)** (bm) If the state is compelled to refund in whole or in part any of the taxes which have been distributed to municipalities under par. (am), the municipalities shall repay to the state, for deposit in the general fund, the amount of such tax received by them, and the department of administration shall certify the amounts to be repaid to the state to the county clerks of the counties in which the municipalities are located for levy and collection from the municipalities as other state taxes are levied and collected.

***−0375/2.3* SECTION 1474.** 76.30 (2) (i) of the statutes is created to read:

76.30 **(2)** (i) The secretary of revenue and employees of that department for the purposes of preparing and maintaining the list of persons with unpaid tax obligations as described in s. 71.91 (8) so that the list of such persons is available for public inspection.

***−1693/1.1* SECTION 1475.** 77.24 of the statutes is amended to read:

77.24 Division of fee. Twenty percent of all fees collected under this subchapter shall be retained by the county and the balance shall be transmitted to the state<u>, except that the fees retained by the county that are collected in conjunction</u>

with the transfer of real estate in a 1st class city shall be transmitted to the 1st class city. Remittances shall be made monthly by the county treasurers to the department of revenue or the 1st class city, as appropriate, by the 15th day of the month following the close of the month in which the fee was collected. The remittance to the department shall be accompanied by the returns executed under s. 77.22.

***−1796/3.1* SECTION 1476.** 77.51 (1) of the statutes is renumbered 77.51 (1d).

***−0303/4.9* SECTION 1477.** 77.51 (1b) of the statutes is created to read:

77.51 **(1b)** "Alcohol beverage" means a beverage that is suitable for human consumption and that contains 0.5 percent or more of alcohol by volume.

***−1796/3.2* SECTION 1478.** 77.51 (1bk) of the statutes is created to read:

77.51 **(1bk)** "Audio works" means works that result from the fixation of a series of musical, spoken, or other sounds, including prerecorded or live music, prerecorded or live readings of books or other written materials, prerecorded or live speeches, and digitized sound files that are downloaded to a telephone handset. "Audio works" does not include broadcast radio services or sounds accompanying an audiovisual work.

***−1796/3.3* SECTION 1479.** 77.51 (1bm) of the statutes is created to read:

77.51 **(1bm)** "Audiovisual works" means a series of related images that, when shown in succession, impart an impression of motion, together with sound, including motion pictures, musical videos, and live events. "Audiovisual works" does not include broadcast television services or cable television system services.

***−0303/4.10* SECTION 1480.** 77.51 (1e) of the statutes is created to read:

77.51 **(1e)** "Candy" means a preparation of sugar, honey, or other natural or artificial sweetener combined with chocolate, fruit, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include a preparation that contains flour or that requires refrigeration.

***−0303/4.11* SECTION 1481.** 77.51 (1n) of the statutes is created to read:

77.51 **(1n)** "Computer" means an electronic device that accepts information in digital or similar form and that manipulates such information to achieve a result based on a sequence of instructions.

***−0303/4.12* SECTION 1482.** 77.51 (1p) of the statutes is created to read:

77.51 **(1p)** "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

***−0303/4.13* SECTION 1483.** 77.51 (2k) of the statutes is created to read:

77.51 **(2k)** "Delivered electronically" means delivered to a purchaser by means other than by tangible storage media.

***−0303/4.14* SECTION 1484.** 77.51 (2m) of the statutes is created to read:

77.51 **(2m)** "Delivery charges" means charges by a seller to prepare and deliver tangible personal property or services to a location designated by the purchaser of the tangible personal property or services, including charges for transportation, shipping, postage, handling, crating, and packing.

***−0303/4.15* SECTION 1485.** 77.51 (3p) of the statutes is created to read:

77.51 **(3p)** "Dietary supplement" means a product, other than tobacco, that is intended to supplement a person's diet, if all of the following apply:

(a) The product contains any of the following ingredients or any combination of any of the following ingredients:

1. A vitamin.

2. A mineral.

3. An herb or other botanical.

4. An amino acid.

5. A dietary substance that is intended for human consumption to supplement the diet by increasing total dietary intake.

6. A concentrate, metabolite, constituent, or extract.

(b) The product is intended for ingestion in tablet, capsule, powder, soft−gel, gel−cap, or liquid form, or, if not intended for ingestion in such forms, is not represented as conventional food and is not represented for use as the sole item of a meal or diet.

(c) The product is required to be labeled as a dietary supplement as required under 21 CFR 101.36.

***−0303/4.16* SECTION 1486.** 77.51 (3pd) of the statutes is created to read:

77.51 **(3pd)** "Direct mail" means printed material that is delivered by the U.S. postal service or other delivery service to a mass audience or to addressees on a mailing list provided by or at the direction of the purchaser of the printed material, if the cost of the printed material or any tangible personal property included with the printed material is not billed directly to the recipients of the printed material. "Direct mail" includes any tangible personal property provided directly or indirectly by the purchaser of the printed material to the seller of the printed material for inclusion in any package containing printed material. "Direct mail" does not include multiple items of printed material delivered to a single address.

***−0303/4.17* SECTION 1487.** 77.51 (3pj) of the statutes is created to read:

77.51 **(3pj)** "Drug" means a compound, substance, or preparation, or any component of them, other than food and food ingredients, dietary supplements, or alcoholic beverages, to which any of the following applies:

(a) It is listed in the United States Pharmacopoeia, Homeopathic Pharmacopoeia of the United States, or National Formulary, or any supplement to any of them.

(b) It is intended for use in diagnosing, curing, mitigating, treating, or preventing a disease.

(c) It is intended to affect a function or structure of the body.

***−0303/4.18* SECTION 1488.** 77.51 (3pm) of the statutes is created to read:

77.51 **(3pm)** "Durable medical equipment" means equipment, including the repair parts and replacement parts for the equipment that is primarily and customarily used for a medical purpose related to a person; that can withstand repeated use; that is not generally useful to a person who is not ill or injured; and that is not placed in or worn on the body. "Durable medical equipment" does not include mobility−enhancing equipment.

***−0303/4.19* SECTION 1489.** 77.51 (3pp) of the statutes is created to read:

77.51 **(3pp)** "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

***−1796/3.4* SECTION 1490.** 77.51 (3s) of the statutes is created to read:

77.51 **(3s)** "Finished artwork" means the final art used for actual reproduction by photomechanical or other processes or for display purposes. "Finished artwork" also includes all of the following items regardless of whether such items are reproduced:

(a) Drawings.

(b) Paintings.

(c) Designs.

(d) Photographs.

(e) Lettering.

(f) Paste−ups.

(g) Mechanicals.

(h) Assemblies.

(i) Charts.

(j) Graphs.

(k) Illustrative materials.

***−0303/4.20* SECTION 1491.** 77.51 (3t) of the statutes is created to read:

77.51 **(3t)** "Food and food ingredient" means a substance in liquid, concentrated, solid, frozen, dried, or dehydrated form, that is sold for ingestion, or for chewing, by humans and that is ingested or chewed for its taste or nutritional value. "Food and food ingredient" does not include alcohol beverages or tobacco.

***−0303/4.21* SECTION 1492.** 77.51 (4) of the statutes is repealed.

***−0303/4.22* SECTION 1493.** 77.51 (5) of the statutes is amended to read:

77.51 **(5)** For purposes of subs. (13) (e) and (f) and ~~(14) (L)~~ (15a) and s. 77.52 (2m), "incidental" means depending upon or appertaining to something else as primary; something necessary, appertaining to, or depending upon another which is termed the principal; something incidental to the main purpose of the service. Tangible personal property transferred by a service provider is incidental to the service if the purchaser's main purpose or objective is to obtain the service rather than the property, even though the property may be necessary or essential to providing the service.

***−0303/4.23* SECTION 1494.** 77.51 (7) of the statutes is repealed and recreated to read:

77.51 **(7)** (a) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term and for consideration and includes:

1. A transfer that includes future options to purchase or extend.

2. Agreements related to the transfer of possession or control of motor vehicles or trailers, if the amount of any consideration may be increased or decreased by reference to the amount realized on the sale or other disposition of such motor vehicles or trailers, consistent with section 7701 (h) (1) of the Internal Revenue Code.

(b) "Lease or rental" does not include any of the following:

1. A transfer of possession or control of tangible personal property under a security agreement or deferred payment plan, if such agreement or plan requires transferring title to the tangible personal property after making all required payments.

2. A transfer of possession or control of tangible personal property under any agreement that requires transferring title to the tangible personal property after making all required payments and after paying an option price that does not exceed the greater of $100 or 1 percent of the total amount of the required payments.

3. Providing tangible personal property along with an operator, if the operator is necessary for the tangible personal property to perform in the manner for which it is designed and if the operator does more than maintain, inspect, or set up the tangible personal property.

(c) 1. Transfers described under par. (a) are considered a lease or rental, regardless of whether such transfer is considered a lease or rental under generally accepted accounting principles, or any provision of federal or local law, or any other provision of state law.

2. Transfers described under par. (b) are not considered a lease or rental, regardless of whether such transfer is considered a lease or rental under generally accepted accounting principles, or any provision of federal or local law, or any other provision of state law.

***−1796/3.5* SECTION 1495.** 77.51 (7d) of the statutes is created to read:

77.51 **(7d)** "Literary works" means works, not including audiovisual works, audio works, and computer software that are expressed in words, numbers, or other verbal or numerical symbols or indicia, including books and periodicals.

***−0303/4.24* SECTION 1496.** 77.51 (7m) of the statutes is created to read:

77.51 **(7m)** "Mobility−enhancing equipment" means equipment, including the repair parts and replacement parts for the equipment, that is primarily and customarily used to provide or increase the ability of a person to move from one place to another; that may be used in a home or motor vehicle; and that is generally not used by a person who has normal mobility. "Mobility−enhancing equipment" does not include a motor vehicle or any equipment on a motor vehicle that is generally provided by a motor vehicle manufacturer.

***−0303/4.25* SECTION 1497.** 77.51 (10m) of the statutes is created to read:

77.51 **(10m)** (a) "Prepared food" means:

1. Food and food ingredients sold in a heated state.

2. Food and food ingredients heated by the retailer, except as provided in par. (b).

3. Food and food ingredients sold with eating utensils that are provided by the retailer of the food and food ingredients, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. In this subdivision, "plate" does not include a container or packaging used to transport food and food ingredients.

4. Except as provided in par. (b), 2 or more food ingredients mixed or combined by a retailer for sale as a single item.

(b) "Prepared food" under par. (a) 2. and 4. does not include:

1. Two or more food ingredients mixed or combined by a retailer for sale as a single item, if the retailer's primary classification in the 1997 North American Industry Classification System, published by the federal office of management and budget, is manufacturing under sectors 31 to 33, not including bakeries and tortilla manufacturing under industry group number 3118.

2. Two or more food ingredients mixed or combined by a retailer for sale as a single item, sold unheated, and sold by volume or weight.

3. Bakery items made by a retailer, including breads, rolls, pastries, buns, biscuits, bagels, croissants, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas.

4. Food and food ingredients that are only sliced, repackaged, or pasteurized by a retailer.

5. Eggs, fish, meat, and poultry, and foods containing any of them in raw form, that require cooking by the consumer, as recommended by the food and drug administration in chapter 3, part 401.11 of its food code to prevent food−borne illnesses.

***−0303/4.26* SECTION 1498.** 77.51 (10n) of the statutes is created to read:

77.51 **(10n)** "Prescription" means an order, formula, or recipe that is issued by any oral, written, electronic, or other means of transmission and by a person who is authorized by the laws of this state to issue such an order, formula, or recipe.

***−0303/4.27* SECTION 1499.** 77.51 (10r) of the statutes is created to read:

77.51 **(10r)** "Prewritten computer software" means any of the following:

(a) Computer software that is not designed and developed by the author or creator of the software according to a specific purchaser's specifications.

(b) Computer software upgrades that are not designed and developed by the author or creator of the software according to a specific purchaser's specifications.

(c) Computer software that is designed and developed by the author or creator of the software according to a specific purchaser's specifications and that is sold to another purchaser.

(d) Any combination of computer software under pars. (a) to (c), including any combination with any portion of such software.

(e) Computer software as described under pars. (a) to (d), and any portion of such software, that is modified or enhanced by any degree to a specific purchaser's specifications, except such modification or enhancement that is reasonably and separately indicated on an invoice, or other statement of the price, provided to the purchaser.

***−0303/4.28* SECTION 1500.** 77.51 (11m) of the statutes is created to read:

77.51 **(11m)** "Prosthetic device" means a device, including the repair parts and replacement parts for the device, that is placed in or worn on the body to artificially replace a missing portion of the body; to prevent or correct a physical deformity or malfunction; or to support a weak or deformed portion of the body.

***−0303/4.29* SECTION 1501.** 77.51 (12m) of the statutes is created to read:

77.51 **(12m)** (a) "Purchase price" means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property or services are sold, leased, or rented, valued in money, whether paid in money or otherwise, without any deduction for the following:

1. The seller's cost of the property sold.

2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller.

3. Charges by the seller for any services necessary to complete a sale, not including delivery and installation charges.

4. a. Delivery charges, except as provided in par. (b) 4.

b. If a shipment includes property that is subject to tax under this subchapter and property that is not subject to tax under this subchapter, the amount of the delivery charge allocated to the property that is subject to tax under this subchapter based on the total purchase price of the property that is subject to tax under this subchapter as compared to the total purchase price of all the property or on the total weight of the property that is subject to tax under this subchapter as compared to the total weight of all the property.

5. Installation charges.

6. The value of exempt tangible personal property, if the exempt tangible personal property is bundled with taxable tangible personal property and sold by the seller as a single product or piece of merchandise.

(b) "Purchase price" does not include:

1. Discounts, including cash, terms, or coupons, that are not reimbursed by a 3rd party; that are allowed by a seller; and that are taken by a purchaser on a sale.

2. Interest, financing, and carrying charges from credit that is extended on a sale of personal property or services, if the amount of the interest, financing, or carrying charges is separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser.

3. Any taxes legally imposed directly on the purchaser that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser.

4. Delivery charges for direct mail.

5. In all transactions in which an article of tangible personal property is traded toward the purchase of an article of greater value, the amount of the purchase price that represents the amount allowed for the article traded, except that this subdivision does not apply to any transaction to which subd. 7. or 8. applies.

6. If a person who purchases a motor vehicle presents a statement issued under s. 218.0171 (2) (cq) to the seller at the time of purchase, and the person presents the statement to the seller within 60 days from the date of receiving a refund under s. 218.0171 (2) (b) 2. b., the trade−in amount specified in the statement issued under s. 218.0171 (2) (cq), but not to exceed the purchase price from the sale of the motor vehicle. This subdivision applies only to the first motor vehicle purchased by a person after receiving a refund under s. 218.0171 (2) (b) 2. b.

7. Thirty−five percent of the purchase price, excluding trade−ins, of a new mobile home, as defined in s. 340.01 (29), that is a primary housing unit or of a new mobile home, as defined in s. 340.01 (29), that is transported in 2 unattached sections if the total size of the combined sections, not including additions and attachments, is at least 984 square feet measured when the sections are ready for transport. This subdivision does not apply to a lease or rental.

8. At the retailer's option; except that after the retailer chooses an option the retailer may not use the other option for other sales without the department's written approval; either 35 percent of the purchase price of a manufactured building, as defined in s. 101.71 (6), or an amount equal to the purchase price of the manufactured

building minus the cost of materials that become an ingredient or component part of the building.

***−0303/4.30* SECTION 1502.** 77.51 (12p) of the statutes is created to read:

77.51 **(12p)** "Purchaser" means a person to whom a sale of tangible personal property is made or to whom a service is furnished.

***−0297/3.1* SECTION 1503.** 77.51 (13) (a) of the statutes is amended to read:

77.51 **(13)** (a) Every seller who makes any sale, regardless of whether the sale is mercantile in nature, of tangible personal property or ~~taxable~~ a service specified under s. 77.52 (2) (a).

***−1796/3.6* SECTION 1504.** 77.51 (13) (e) of the statutes is amended to read:

77.51 **(13)** (e) A person selling tangible personal property, audiovisual works, finished artwork, literary works, or audio works to a service provider who transfers the property, audiovisual work, finished artwork, literary work, or audio work in conjunction with the selling, performing or furnishing of any service and the property, audiovisual work, finished artwork, literary work, or audio work is incidental to the service, unless the service provider is selling, performing or furnishing services under s. 77.52 (2) (a) 7., 10., 11. and 20. This subsection does not apply to sub. (2).

***−1796/3.7* SECTION 1505.** 77.51 (13) (f) of the statutes is amended to read:

77.51 **(13)** (f) A service provider who transfers tangible personal property, audiovisual works, finished artwork, literary works, or audio works in conjunction with but not incidental to the selling, performing or furnishing of any service and a service provider selling, performing or furnishing services under s. 77.52 (2) (a) 7., 10., 11. and 20. This subsection does not apply to sub. (2).

***−0303/4.31* SECTION 1506.** 77.51 (13) (o) of the statutes is amended to read:

77.51 **(13)** (o) A person selling ~~medicine~~ drugs for animals to a veterinarian. As used in this paragraph, "animal" includes livestock, pets and poultry.

***−0303/4.32* SECTION 1507.** 77.51 (13g) (intro.) of the statutes is amended to read:

77.51 **(13g)** (intro.) Except as provided in sub. (13h), "retailer engaged in business in this state", ~~unless otherwise limited by federal statute,~~ for purposes of the use tax, means any of the following:

***−0303/4.33* SECTION 1508.** 77.51 (13g) (c) of the statutes is created to read:

77.51 **(13g)** (c) Any retailer selling tangible personal property or taxable services for storage, use, or other consumption in this state, unless otherwise limited by federal law.

***−0303/4.34* SECTION 1509.** 77.51 (13s) of the statutes is created to read:

77.51 **(13s)** "Retail sale" or "sale at retail" means any sale, lease, or rental for any purpose other than resale, sublease, or subrent.

***−0303/4.35* SECTION 1510.** 77.51 (14) (intro.) of the statutes is amended to read:

77.51 **(14)** (intro.) "Sale"~~, "sale, lease or rental", "retail sale", "sale at retail", or equivalent terms include~~ includes any ~~one or all~~ of the following: the transfer of the ownership of, title to, possession of, or enjoyment of tangible personal property or services for use or consumption but not for resale as tangible personal property or services and includes:

***−0303/4.36* SECTION 1511.** 77.51 (14) (a) of the statutes is amended to read:

77.51 **(14)** (a) Any sale at an auction in respect to tangible personal property which is sold to a successful bidder~~. The proceeds from~~, except the sale of property sold at auction which is bid in by the seller and on which title does not pass to a new

purchaser ~~shall be deducted from the gross proceeds of the sale and the tax paid only on the net proceeds~~.

***−0303/4.37* SECTION 1512.** 77.51 (14) (d) of the statutes is repealed.

***−0303/4.38* SECTION 1513.** 77.51 (14) (g) of the statutes is renumbered 77.51 (15a) (b) 4.

***−0303/4.39* SECTION 1514.** 77.51 (14) (i) of the statutes is repealed.

***−0303/4.40* SECTION 1515.** 77.51 (14) (j) of the statutes is amended to read:

77.51 **(14)** (j) The granting of possession of tangible personal property by a lessor to a lessee, or to another person at the direction of the lessee. Such a transaction is deemed a continuing sale in this state ~~by the lessor for the duration of the lease as respects any period of time the leased property is situated in this state, irrespective of the time or place of delivery of the property to the lessee or such other person~~.

***−0303/4.41* SECTION 1516.** 77.51 (14) (k) of the statutes is repealed.

***−1796/3.8* SECTION 1517.** 77.51 (14) (L) of the statutes is amended to read:

77.51 **(14)** (L) Transfers by a service provider of tangible personal property, audiovisual works, finished artwork, literary works, or audio works in conjunction with but not incidental to the selling, performing or furnishing of any service, and transfers by a service provider selling, performing or furnishing services under s. 77.52 (2) (a) 7., 10., 11. and 20. This subsection does not apply to sub. (2).

***−0303/4.42* SECTION 1518.** 77.51 (14) (L) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is repealed.

***−0303/4.43* SECTION 1519.** 77.51 (14r) of the statutes is repealed.

***−0303/4.44* SECTION 1520.** 77.51 (15) of the statutes is repealed.

***−0303/4.45* SECTION 1521.** 77.51 (15a) of the statutes is created to read:

77.51 **(15a)** (a) "Sales, lease, or rental for resale, sublease, or subrent" includes transfers of tangible personal property, audiovisual works, finished artwork, literary works, and audio works to a service provider that the service provider transfers in conjunction with but not incidental to the selling, performing, or furnishing of any service, and transfers of tangible personal property, audiovisual works, finished artwork, literary works, and audio works to a service provider that the service provider physically transfers in conjunction with the selling, performing, or furnishing services under s. 77.52 (2) (a) 7., 10., 11., or 20. This paragraph does not apply to sub. (2).

(b) "Sales, lease, or rental for resale, sublease, or subrent" does not include any of the following:

1. The sale of building materials, supplies, and equipment to owners, contractors, subcontractors, or builders for use in real property construction activities or the alteration, repair, or improvement of real property, regardless of the quantity of such materials, supplies, and equipment sold.

2. Any sale of tangible personal property to a purchaser even though such property may be used or consumed by some other person to whom such purchaser transfers the tangible personal property without valuable consideration, such as gifts, and advertising specialties distributed gratis apart from the sale of other tangible personal property or service.

3. Transfers of tangible personal property, audiovisual works, finished artwork, literary works, and audio works to a service provider that the service provider transfers in conjunction with the selling, performing, or furnishing of any service, if the tangible personal property, audiovisual work, finished artwork,

literary work, and audio work is incidental to the service, unless the service provider is selling, performing, or furnishing services under s. 77.52 (2) (a) 7., 10., 11., or 20.

***−0303/4.46* SECTION 1522.** 77.51 (15b) of the statutes is created to read:

77.51 **(15b)** (a) "Sales price" means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

1. The seller's cost of the property sold.

2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller.

3. Charges by the seller for any services necessary to complete a sale, not including delivery and installation charges.

4. a. Delivery charges, except as provided in par. (b) 4.

b. If a shipment includes property that is subject to tax under this subchapter and property that is not subject to tax under this subchapter, the amount of the delivery charge allocated to the property that is subject to tax under this subchapter based on the total sales price of the property that is subject to tax under this subchapter as compared to the total sales price of all the property or on the total weight of the property that is subject to tax under this subchapter as compared to the total weight of all the property.

5. Installation charges.

6. The value of exempt tangible personal property, if the exempt tangible personal property is bundled with taxable tangible personal property and sold by the seller as a single product or piece of merchandise.

(b) "Sales price" does not include:

1. Discounts, including cash, terms, or coupons, that are not reimbursed by a 3rd party; that are allowed by a seller; and that are taken by a purchaser on a sale.

2. Interest, financing, and carrying charges from credit that is extended on a sale of tangible personal property or services, if the amount of the interest, financing, or carrying charges is separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser.

3. Any taxes legally imposed directly on the purchaser that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser.

4. Delivery charges for direct mail.

5. In all transactions in which an article of tangible personal property is traded toward the purchase of an article of greater value, the amount of the sales price that represents the amount allowed for the article traded, except that this subdivision does not apply to any transaction to which subd. 7. or 8. applies.

6. If a person who purchases a motor vehicle presents a statement issued under s. 218.0171 (2) (cq) to the seller at the time of purchase, and the person presents the statement to the seller within 60 days from the date of receiving a refund under s. 218.0171 (2) (b) 2. b., the trade−in amount specified in the statement issued under s. 218.0171 (2) (cq), but not to exceed the sales price from the sale of the motor vehicle. This subdivision applies only to the first motor vehicle purchased by a person after receiving a refund under s. 218.0171 (2) (b) 2. b.

7. Thirty−five percent of the sales price, excluding trade−ins, of a new mobile home, as defined in s. 340.01 (29), that is a primary housing unit or of a new mobile home, as defined in s. 340.01 (29), that is transported in 2 unattached sections if the

total size of the combined sections, not including additions and attachments, is at least 984 square feet measured when the sections are ready for transport. This subdivision does not apply to a lease or rental.

8. At the retailer's option; except that after the retailer chooses an option the retailer may not use the other option for other sales without the department's written approval; either 35 percent of the sales price of a manufactured building, as defined in s. 101.71 (6), or an amount equal to the sales price of the manufactured building minus the cost of materials that become an ingredient or component part of the building.

***−0303/4.47* SECTION 1523.** 77.51 (17) of the statutes is amended to read:

77.51 **(17)** "Seller" includes every person selling, leasing or renting tangible personal property or selling, performing or furnishing services of a kind the ~~gross receipts~~ sales price from the sale, lease, rental, performance or furnishing of which ~~are~~ is required to be included in the measure of the sales tax.

***−0303/4.48* SECTION 1524.** 77.51 (17m) of the statutes is repealed and recreated to read:

77.51 **(17m)** "Service address" means any of the following:

(a) The location of the telecommunications equipment to which a customer's telecommunications service is charged and from which the telecommunications service originates or terminates, regardless of where the telecommunications service is billed or paid.

(b) If the location described under par. (a) is not known by the seller who sells the telecommunications service, the location where the signal of the telecommunications service originates, as identified by the seller's telecommunications system or, if the signal is not transmitted by the seller's

telecommunications system, by information that the seller received from the seller's service provider.

(c) If the locations described under pars. (a) and (b) are not known by the seller who sells the telecommunications service, the customer's place of primary use.

***−0303/4.49* SECTION 1525.** 77.51 (17w) of the statutes is created to read:

77.51 **(17w)** "Soft drink" means a beverage that contains less than 0.5 percent of alcohol and that contains natural or artificial sweeteners. "Soft drink" does not include a beverage that contains milk or milk products; soy, rice, or similar milk substitutes; or more than 50 percent vegetable or fruit juice by volume.

***−0303/4.50* SECTION 1526.** 77.51 (20) of the statutes is amended to read:

77.51 **(20)** "Tangible personal property" means ~~all tangible~~ personal property ~~of every kind and description~~ that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses, and includes electricity, ~~natural~~ gas, steam ~~and~~, water, and ~~also leased property affixed to realty if the lessor has the right to remove the property upon breach or termination of the lease agreement, unless the lessor of the property is also the lessor of the realty to which the property is affixed. "Tangible personal property" also includes coins and stamps of the United States sold or traded as collectors' items above their face value and computer programs except custom~~ prewritten computer ~~programs~~ software.

***−0303/4.51* SECTION 1527.** 77.51 (21) of the statutes is amended to read:

77.51 **(21)** "Taxpayer" means the person who is required to pay, collect, or account for or who is otherwise directly interested in the taxes imposed by this subchapter, including a certified service provider.

***−0303/4.52* SECTION 1528.** 77.51 (21p) of the statutes is created to read:

77.51 **(21p)** "Tobacco" means cigarettes, cigars, chewing tobacco, pipe tobacco, and any other item that contains tobacco.

***−0303/4.53* SECTION 1529.** 77.51 (22) (bm) of the statutes is created to read:

77.51 **(22)** (bm) In this subsection, "exercise of any right or power over tangible personal property or taxable services" includes distributing, selecting recipients, determining mailing schedules, or otherwise directing the distribution, dissemination, or disposal of tangible personal property or taxable services, regardless of whether the purchaser of such property or services owns or physically possesses, in this state, the property or services.

***−1796/3.9* SECTION 1530.** 77.52 (1) of the statutes is renumbered 77.52 (1) (a).

***−0303/4.54* SECTION 1531.** 77.52 (1) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

77.52 **(1)** (a) For the privilege of selling, licensing, leasing or renting tangible personal property, including accessories, components, attachments, parts, supplies and materials, at retail a tax is imposed upon all retailers at the rate of 5% of the ~~gross receipts~~ sales price from the sale, license, lease or rental of tangible personal property, including accessories, components, attachments, parts, supplies and materials, sold, leased or rented at retail in this state.

***−1796/3.10* SECTION 1532.** 77.52 (1) (b) of the statutes is created to read:

77.52 **(1)** (b) For the privilege of selling, licensing, leasing, or renting audiovisual works, finished artwork, literary works, and audio works that are delivered electronically to a purchaser, a tax is imposed on all retailers at the rate of 5 percent of the gross receipts from the sale, license, lease, or rental of the audiovisual works, finished artwork, literary works, and audio works.

***−1796/3.11* SECTION 1533.** 77.52 (1) (b) of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed and recreated to read:

77.52 **(1)** (b) For the privilege of selling, licensing, leasing, or renting audiovisual works, finished artwork, literary works, and audio works that are delivered electronically to a purchaser, a tax is imposed on all retailers at the rate of 5 percent of the sales price from the sale, license, lease, or rental of the audiovisual works, finished artwork, literary works, and audio works.

***−0303/4.55* SECTION 1534.** 77.52 (1) (c) of the statutes is created to read:

77.52 **(1)** (c) For the privilege of selling at retail coins and stamps of the United States that are sold or traded as collectors' items above their face value, a tax is imposed on all retailers at the rate of 5 percent of the sales price from the sale of such coins and stamps.

***−0303/4.56* SECTION 1535.** 77.52 (1) (d) of the statutes is created to read:

77.52 **(1)** (d) For the privilege of leasing property that is affixed to real property, a tax is imposed on all retailers at the rate of 5 percent of the sales price from the lease of such property, if the lessor has the right to remove the leased property upon breach or termination of the lease agreement, unless the lessor of the leased property is also the lessor of the real property to which the leased property is affixed.

***−0303/4.57* SECTION 1536.** 77.52 (2) (intro.) of the statutes is amended to read:

77.52 **(2)** (intro.) For the privilege of selling, licensing, performing or furnishing the services described under par. (a) at retail in this state to consumers or users, a tax is imposed upon all persons selling, licensing, performing or furnishing the services at the rate of 5% of the ~~gross receipts~~ sales price from the sale, license, performance or furnishing of the services.

***−0303/4.58* SECTION 1537.** 77.52 (2) (a) 5. a. of the statutes is amended to read:

77.52 **(2)** (a) 5. a. The sale of telecommunications services, except services subject to 4 USC 116 to 126, as amended by P.L. 106−252, that either originate or terminate in this state; except services that are obtained by means of a toll−free number, that originate outside this state and that terminate in this state; and are charged to a service address in this state, regardless of the location where that charge is billed or paid; and the sale of ~~the rights to purchase telecommunications services, including purchasing reauthorization numbers, by paying in advance and by using an access number and authorization code~~ a prepaid calling service as defined in s. 77.522 (3) (a) 11., except sales that are subject to subd. 5. b.

***−0303/4.59* SECTION 1538.** 77.52 (2) (a) 10. of the statutes is amended to read:

77.52 **(2)** (a) 10. Except for installing or applying tangible personal property which, when installed or applied, will constitute an addition or capital improvement of real property, the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, and maintenance of all items of tangible personal property unless, at the time of such repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance, a sale in this state of the type of property repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or maintained would have been exempt to the customer from sales taxation under this subchapter, other than the exempt sale of a motor vehicle or truck body to a nonresident under s. 77.54 (5) (a) and other than nontaxable sales outside this state under s. ~~77.51 (14r)~~ 77.522 or unless the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance is provided under a contract that is subject to tax under subd. 13m. For purposes of this paragraph, the following

items shall be considered to have retained their character as tangible personal property, regardless of the extent to which any such item is fastened to, connected with, or built into real property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers, water pumps, water heaters, water conditioners and softeners, clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and radio antennas, incinerators, television receivers and antennas, record players, tape players, jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs, bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps, electronic dust collectors, grills and rotisseries, bar equipment, intercoms, recreational, sporting, gymnasium and athletic goods and equipment including by way of illustration but not of limitation bowling alleys, golf practice equipment, pool tables, punching bags, ski tows, and swimming pools; equipment in offices, business facilities, schools, and hospitals but not in residential facilities including personal residences, apartments, long−term care facilities, as defined under s. 16.009 (1) (em), state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional facilities, as defined in s. 938.02 (19), or similar facilities including, by way of illustration but not of limitation, lamps, chandeliers, and fans, venetian blinds, canvas awnings, office and business machines, ice and milk dispensers, beverage−making equipment, vending machines, soda fountains, steam warmers and tables, compressors, condensing units and evaporative condensers, pneumatic conveying systems; laundry, dry cleaning, and pressing machines, power tools, burglar alarm and fire alarm fixtures, electric clocks and electric signs. “Service” does not include services performed by veterinarians. The tax imposed under this subsection applies to the repair, service, alteration, fitting, cleaning,

painting, coating, towing, inspection, or maintenance of items listed in this subdivision, regardless of whether the installation or application of tangible personal property related to the items is an addition to or a capital improvement of real property, except that the tax imposed under this subsection does not apply to the original installation or the complete replacement of an item listed in this subdivision, if such installation or replacement is a real property construction activity under s. 77.51 (2).

***−0303/5.60* SECTION 1539.** 77.52 (2) (a) 13m. of the statutes is created to read:

77.52 **(2)** (a) 13m. The sale of contracts, including service contracts, maintenance agreements, and warranties, that provide, in whole or in part, for the future performance of or payment for the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance of tangible personal property, unless the sale, lease, or rental in this state of the property to which the contract relates is or was exempt, to the purchaser of the contract, from taxation under this subchapter.

***−1796/3.12* SECTION 1540.** 77.52 (2m) (a) of the statutes is amended to read:

77.52 **(2m)** (a) With respect to the services subject to tax under sub. (2), no part of the charge for the service may be deemed a sale or rental of tangible personal property, audiovisual works, finished artwork, literary works, or audio works if the property, audiovisual work, finished artwork, literary work, or audio work transferred by the service provider is incidental to the selling, performing or furnishing of the service, except as provided in par. (b).

***−1796/3.13* SECTION 1541.** 77.52 (2m) (b) of the statutes is amended to read:

77.52 **(2m)** (b) With respect to the services subject to tax under sub. (2) (a) 7., 10., 11. and 20., all property, audiovisual works, finished artwork, literary works, or

audio works physically transferred to the customer in conjunction with the selling, performing or furnishing of the service is a sale of tangible personal property, audiovisual works, finished artwork, literary works, or audio works separate from the selling, performing or furnishing of the service.

***−0303/4.60* SECTION 1542.** 77.52 (3m) of the statutes is repealed.

***−0303/4.61* SECTION 1543.** 77.52 (6) of the statutes is repealed.

***−0303/4.62* SECTION 1544.** 77.52 (7) of the statutes is amended to read:

77.52 **(7)** Every person desiring to operate as a seller within this state who holds a valid certificate under s. 73.03 (50) shall file with the department an application for a permit for each place of operations. Every application for a permit shall be made upon a form prescribed by the department and shall set forth the name under which the applicant intends to operate, the location of the applicant's place of operations, and the other information that the department requires. ~~The~~ Except as provided in sub. (7b), the application shall be signed by the owner if a sole proprietor; in the case of sellers other than sole proprietors, the application shall be signed by the person authorized to act on behalf of such sellers. A nonprofit organization that has ~~gross receipts~~ a sales price taxable under s. 77.54 (7m) shall obtain a seller's permit and pay taxes under this subchapter on all taxable ~~gross receipts~~ sales prices received after it is required to obtain that permit. If that organization becomes eligible later for the exemption under s. 77.54 (7m) except for its possession of a seller's permit, it may surrender that permit.

***−0303/4.63* SECTION 1545.** 77.52 (7b) of the statutes is created to read:

77.52 **(7b)** Any person who may register under sub. (7) may designate an agent, as defined in s. 77.524 (1) (ag), to register with the department under sub. (7), in the manner prescribed by the department.

***−0303/4.64* SECTION 1546.** 77.52 (13) of the statutes is amended to read:

77.52 **(13)** For the purpose of the proper administration of this section and to prevent evasion of the sales tax it shall be presumed that all receipts are subject to the tax until the contrary is established. The burden of proving that a sale of tangible personal property or services is not a taxable sale at retail is upon the person who makes the sale unless that person takes from the purchaser ~~a~~ an electronic or paper certificate, in a manner prescribed by the department, to the effect that the property or service is purchased for resale or is otherwise exempt~~;~~, except that no certificate is required for ~~sales of cattle, sheep, goats, and pigs that are sold at an animal market, as defined in s. 95.68 (1) (ag), and no certificate is required for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a warehouse in or from which the commodity is deliverable on a contract for future delivery subject to the rules of a commodity market regulated by the U.S. commodity futures trading commission if upon the sale the commodity is not removed from the warehouse~~ the sale of tangible personal property that is exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (14b), (15), (17), (20n), (21), (22b), (30), (31), (32), (35), (36), (37), (42), (44), (45), and (46), except as provided in s. 77.54 (30) (e) and (f).

***−0303/4.65* SECTION 1547.** 77.52 (14) (a) (intro.) and 1. and (b) of the statutes are consolidated, renumbered 77.52 (14) and amended to read:

77.52 **(14)** The certificate referred to in sub. (13) relieves the seller from the burden of proof only if ~~any of the following is true: 1. The~~ the certificate is taken ~~in good faith~~ from a person ~~who is engaged as a seller of tangible personal property or taxable services and who holds the permit provided for in sub. (9) and who,~~ at the time ~~of purchasing~~ that the person purchases the tangible personal property or services~~, intends to sell it in the regular course of operations or is unable to ascertain~~

~~at the time of purchase whether the property or service will be sold or will be used for some other purpose. (b)~~. The certificate under sub. (13) shall not relieve the seller of the burden of proof if the sale is sourced to this state under s. 77.522 (1) (b) 1. and the claimed exemption is not provided for under this subchapter or if the seller fraudulently fails to collect sales tax or solicits the purchaser to claim an unlawful exemption. The certificate referred to in sub. (13) shall ~~be signed by and bear the name and address of~~ provide information that identifies the purchaser~~,~~ and shall indicate ~~the general character of the tangible personal property or service sold by the purchaser and~~ the basis for the claimed exemption and a paper certificate shall be signed by the purchaser. The certificate shall be in such form as the department prescribes by rule.

***−0303/4.66* SECTION 1548.** 77.52 (14) (a) 2. of the statutes is repealed.

***−0303/4.67* SECTION 1549.** 77.52 (15) of the statutes is amended to read:

77.52 **(15)** If a purchaser who ~~gives a resale certificate~~ purchases tangible personal property or taxable services without paying a sales tax or use tax on such purchase because such property or services were for resale makes any use of the property or services other than retention, demonstration or display while holding ~~it~~ the property or services for sale, lease or rental in the regular course of the purchaser's operations, the use shall be taxable to the purchaser under s. 77.53 as of the time that the property ~~is~~ or services are first used by the purchaser, and the ~~sales~~ purchase price of the property or services to the purchaser shall be the measure of the tax. ~~Only when there is an unsatisfied use tax liability on this basis because the seller has provided incorrect information about that transaction to the department shall the seller be liable for sales tax with respect to the sale of the property to the purchaser.~~

***−0303/4.68* SECTION 1550.** 77.522 of the statutes is created to read:

77.522 Sourcing. (1) GENERAL. (a) In this section:

1. "Direct mail form" means a form for direct mail prescribed by the department.

2. "Multiple−points−of−use exemption form" means the multiple−points−of−use exemption form, as prescribed by the department.

3. "Product" includes tangible personal property, digital goods, and services.

4. "Receive" means taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. "Receive" does not include a shipping company taking possession of tangible personal property on a purchaser's behalf.

5. "Transportation equipment" means all of the following:

a. Locomotives and railcars that are used to carry persons or property in interstate commerce.

b. Trucks and truck tractors that have a gross vehicle weight rating of 10,001 pounds or greater, trailers, semitrailers, and passenger buses, if such vehicles are registered under the International Registration Plan and operated under the authority of a carrier that is authorized by the federal government to carry persons or property in interstate commerce.

c. Aircraft that is operated by air carriers that are authorized by the federal government or a foreign authority to carry persons or property in interstate or foreign commerce.

d. Containers that are designed for use on the vehicles described in subd. 5. a. to c. and component parts attached to or secured on such vehicles.

(b) Except as provided in pars. (c) to (d) and subs. (2), (3), and (4), the location of a sale is determined as follows:

1. If a purchaser receives the product at a seller's business location, the sale occurs at that business location.

2. If a purchaser does not receive the product at a seller's business location, the sale occurs at the location where the purchaser, or the purchaser's designated donee, receives the product, including the location indicated by the instructions known to the seller for delivery to the purchaser or the purchaser's designated donee.

3. If the location of a sale of a product cannot be determined under subds. 1. and 2., the sale occurs at the purchaser's address as indicated by the seller's business records, if the records are maintained in the ordinary course of the seller's business and if using that address to establish the location of a sale is not in bad faith.

4. If the location of a sale of a product cannot be determined under subds. 1. to 3., the sale occurs at the purchaser's address as obtained during the consummation of the sale, including the address indicated on the purchaser's payment instrument, if no other address is available and if using that address is not in bad faith.

5. If the location of a sale of a product cannot be determined under subds. 1. to 4., the location of the sale is determined as follows:

a. If the item sold is tangible personal property, the sale occurs at the location from which the tangible personal property is shipped.

b. If the item sold is a digital good, or computer software delivered electronically, the sale occurs at the location from which the digital good or computer software was first available for transmission by the seller.

c. If a service is sold, the sale occurs at the location from which the service was provided.

(c) The sale of direct mail occurs at the location from which the direct mail is shipped, if the purchaser does not provide to the seller a direct pay permit, a direct mail form, or other information that indicates the appropriate taxing jurisdiction to which the direct mail is delivered to the ultimate recipients. If the purchaser provides a direct mail form or direct payment to the seller, the purchaser shall pay or remit, as appropriate, to the department the tax imposed under s. 77.53 (1) on all purchases for which the tax is due and the seller is relieved from liability for collecting such tax. A direct mail form provided to a seller under this paragraph shall remain effective for all sales by the seller who received the form to the purchaser who provided the form, unless the purchaser revokes the form in writing and provides such revocation to the seller.

(d) 1. A business purchaser who purchases a service, digital good, or computer software that is delivered electronically, who does not hold a direct pay permit under s. 77.52 (17m), and who knows at the time of purchase that the service, good, or software will be concurrently available for use in more than one taxing jurisdiction shall provide a multiple−points−of−use exemption form to the seller, in conjunction with the purchase, and shall pay or remit, as appropriate, to the department the tax imposed under s. 77.53 (1) on all purchases for which the tax is due.

2. To apportion the amount of the tax due multiple taxing jurisdictions, a purchaser who provides an exemption form under subd. 1. shall use any reasonable, consistent, and uniform apportionment method supported by the purchaser's business records that exist at the time of the sale.

3. An exemption form provided under subd. 1. shall remain effective for all sales by the seller who received the form to the purchaser who provided the form, unless

the purchaser revokes the form in writing and provides such a revocation to the seller.

4. A business purchaser who purchases a service, digital good, or computer software that is delivered electronically, who holds a direct pay permit under s. 77.52 (17m), and who knows at the time of purchase that the service, good, or software will be concurrently available for use in more than one taxing jurisdiction is not required to provide a multiple−points−of−use exemption form to the seller, but shall collect, pay, or remit, as appropriate, to the department the tax imposed under s. 77.53 (1) and shall use the apportionment method described under subd. 2. to apportion the tax due multiple taxing jurisdictions.

5. A seller who receives a multiple−points−of−use exemption form under this paragraph is relieved from liability for collecting the tax imposed under s. 77.53 (1) on purchases related to the multiple−points−of−use exemption form.

(2) LEASE OR RENTAL. (a) Except as provided in pars. (b) and (c), with regards to the first or only payment on the lease or rental, the lease or rental of tangible personal property occurs at the location determined under sub. (1) (b). If the property is moved from the place where the property was initially delivered, the subsequent periodic payments on the lease or rental occur at the property's primary location as indicated by an address for the property that is provided by the lessee and that is available to the lessor in records that the lessor maintains in the ordinary course of the lessor's business, if the use of such an address does not constitute bad faith. The location of a lease or rental as determined under this paragraph shall not be altered by any intermittent use of the property at different locations.

(b) The lease or rental of motor vehicles, trailers, semitrailers, and aircraft, that are not transportation equipment, occurs at the primary location of such motor

vehicles, trailers, semitrailers, or aircraft as indicated by an address for the property that is provided by the lessee and that is available to the lessor in records that the lessor maintains in the ordinary course of the lessor's business, if the use of such an address does not constitute bad faith, except that a lease or rental under this paragraph that requires only one payment occurs at the location determined under sub. (1) (b). The location of a lease or rental as determined under this paragraph shall not be altered by any intermittent use of the property at different locations.

(c) The lease or rental of transportation equipment occurs at the location determined under sub. (1) (b).

(d) A license of tangible personal property shall be treated as a lease or rental of tangible personal property under this subsection.

(3) TELECOMMUNICATIONS. (a) In this subsection:

1. "Air−to−ground radiotelephone service" means a radio service in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

2. "Call−by−call basis" means any method of charging for telecommunications services by which the price of such services is measured by individual calls.

3. "Communications channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

4. "Customer" means a person who enters into a contract with a seller of telecommunications services or, in any transaction for which the end user is not the person who entered into a contract with the seller of telecommunications services, the end user of the telecommunications services. "Customer" does not include a person who resells telecommunications services or, for mobile telecommunications

services, a serving carrier under an agreement to serve a customer outside the home service provider's licensed service area.

5. "Customer channel termination point" means the location where a customer inputs or receives communications.

6. "End user" means an individual who uses a telecommunications service.

7. "Home service provider" means a home service provider under section 124 (5) of P.L. 106−252.

8. "Mobile telecommunications service" means a mobile telecommunications service under 4 USC 116 to 126, as amended by P.L. 106−252.

9. "Place of primary use" means place of primary use, as determined under 4 USC 116 to 126, as amended by P.L. 106−252.

10. "Postpaid calling service" means a telecommunications service that is obtained by paying for it on a call−by−call basis using a bankcard, travel card, credit card, debit card, or similar method, or by charging it to a telephone number that is not associated with the location where the telecommunications service originates or terminates. "Postpaid calling service" includes a service that would otherwise be a prepaid calling service except that the service provided to the customer is not exclusively a telecommunications service.

11. "Prepaid calling service" means the right to access services that are exclusively telecommunications services, if that right is paid for in advance of providing such services, requires using an access number or authorization code to originate calls, and is sold in predetermined units or dollars that decrease with use in a known amount.

12. "Private communication service" means a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or

group of communications channels, regardless of the manner in which the communications channel or group of communications channels is connected, and includes switching capacity, extension lines, stations, and other associated services that are provided in connection with the use of such channel or channels.

13. "Radio service" means a communication service provided by the use of radio, including radiotelephone, radiotelegraph, paging, and facsimile service.

14. "Radiotelegraph service" means transmitting messages from one place to another by means of radio.

15. "Radiotelephone service" means transmitting sound from one place to another by means of radio.

(b) Except as provided in pars. (d) to (g), the sale of a telecommunications service that is sold on a call−by−call basis occurs in the taxing jurisdiction for sales and use tax purposes where the call originates and terminates, in the case of a call that originates and terminates in the same such jurisdiction, or the taxing jurisdiction for sales and use tax purposes where the call originates or terminates and where the service address is located.

(c) Except as provided in pars. (d) to (g), the sale of a telecommunications service that is sold on a basis other than a call−by−call basis occurs at the customer's place of primary use.

(d) The sale of a mobile telecommunications service, except an air−to−ground radiotelephone service and a prepaid calling service, occurs at the customer's place of primary use.

(e) The sale of a postpaid calling service occurs at the location where the signal of the telecommunications service originates, as first identified by the seller's telecommunications system or, if the signal is not transmitted by the seller's

telecommunications system, by information that the seller received from the seller's service provider.

(f) The sale of a prepaid calling service occurs at the location determined under sub. (1) (b), except that, if the service is a mobile telecommunications service and the location cannot be determined under sub. (1) (b) 1. to 4., the prepaid calling service occurs at the location determined under sub. (1) (b) 5. c. or at the location associated with the mobile telephone number, as determined by the seller.

(g) 1. The sale of a private communication service for a separate charge related to a customer channel termination point occurs at the location of the customer channel termination point.

2. The sale of a private communication service in which all customer channel termination points are located entirely in one taxing jurisdiction for sales and use tax purposes occurs in the taxing jurisdiction in which the customer channel termination points are located.

3. If the segments are charged separately, the sale of a private communication service that represents segments of a communications channel between 2 customer channel termination points that are located in different taxing jurisdictions for sales and use tax purposes occurs in an equal percentage in both such jurisdictions.

4. If the segments are not charged separately, the sale of a private communication service for segments of a communications channel that is located in more than one taxing jurisdiction for sales and use tax purposes occurs in each such jurisdiction in a percentage determined by dividing the number of customer channel termination points in that jurisdiction by the number of customer channel termination points in all jurisdictions where segments of the communications channel are located.

(4) FLORISTS. (a) For purposes of this subsection, "retail florist" means a person engaged in the business of selling cut flowers, floral arrangements, and potted plants and who prepares such flowers, floral arrangements, and potted plants. "Retail florist" does not include a person who sells cut flowers, floral arrangements, and potted plants primarily by mail or via the Internet.

(b) The sale of tangible personal property by a retail florist who takes an order from a purchaser occurs at the location where the retail florist takes the order, if the retail florist forwards the order to another retail florist who is at a location other than the location of the florist who takes the order and who transfers the tangible personal property to a person identified by the purchaser.

(c) This subsection does not apply to sales occurring on or after January 1, 2006.

***−0303/4.69* SECTION 1551.** 77.523 (title) of the statutes is repealed.

***−0303/4.70* SECTION 1552.** 77.523 of the statutes is renumbered 77.59 (9p) (a) and amended to read:

77.59 **(9p)** (a) If a customer purchases a service that is subject to 4 USC 116 to 126, as amended by P.L. 106−252, and if the customer believes that the amount of the tax assessed for the service under this subchapter or the place of primary use or taxing jurisdiction assigned to the service is erroneous, the customer may request that the service provider correct the alleged error by sending a written notice to the service provider. The notice shall include a description of the alleged error, the street address for the customer's place of primary use of the service, the account name and number of the service for which the customer seeks a correction, and any other information that the service provider reasonably requires to process the request. Within 60 days from the date that a service provider receives a request under this ~~section~~ paragraph, the service provider shall review its records to determine the

customer's taxing jurisdiction. If the review indicates that there is no error as alleged, the service provider shall explain the findings of the review in writing to the customer. If the review indicates that there is an error as alleged, the service provider shall correct the error and shall refund or credit the amount of any tax collected erroneously, along with the related interest, as a result of the error from the customer in the previous 48 months, consistent with s. 77.59 (4). A customer may take no other action, or commence any action, to correct an alleged error in the amount of the tax assessed under this subchapter on a service that is subject to 4 USC 116 to 126, as amended by P.L. 106−252, or to correct an alleged error in the assigned place of primary use or taxing jurisdiction, unless the customer has exhausted his or her remedies under this ~~section~~ paragraph.

***−0303/4.71* SECTION 1553.** 77.524 (1) (a) of the statutes is renumbered 77.524 (1) (am).

***−0303/4.72* SECTION 1554.** 77.524 (1) (ag) of the statutes is created to read:

77.524 **(1)** (ag) "Agent" means a person appointed by a seller to represent the seller before the states that are signatories to the agreement, as defined in 77.65 (2) (a).

***−0303/4.73* SECTION 1555.** 77.524 (1) (b) of the statutes is renumbered 77.51 (1g).

***−1796/3.14* SECTION 1556.** 77.53 (1) of the statutes is amended to read:

77.53 **(1)** Except as provided in sub. (1m), an excise tax is levied and imposed on the use or consumption in this state of taxable services under s. 77.52 purchased from any retailer, at the rate of 5% of the sales price of those services; on the storage, use or other consumption in this state of tangible personal property purchased from any retailer, at the rate of 5% of the sales price of that property; on the storage, use,

or other consumption of audiovisual works, finished artwork, literary works, and audio works purchased from any retailer and delivered electronically to the purchaser, at the rate of 5% of the sales price of such items; and on the storage, use or other consumption of tangible personal property manufactured, processed or otherwise altered, in or outside this state, by the person who stores, uses or consumes it, from material purchased from any retailer, at the rate of 5% of the sales price of that material.

***−0303/4.74* SECTION 1557.** 77.53 (1) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is repealed and recreated to read:

77.53 **(1)** Except as provided in sub. (1m), an excise tax is levied and imposed on the use or consumption in this state of coins, stamps, leased property, and taxable services under s. 77.52 purchased from any retailer, at the rate of 5% of the purchase price of such coins, stamps, leased property, and services; on the storage, use or other consumption in this state of tangible personal property purchased from any retailer, at the rate of 5% of the purchase price of that property; on the storage, use, or other consumption of audiovisual works, finished artwork, literary works, and audio works purchased from any retailer and delivered electronically to the purchaser, at the rate of 5% of the purchase price of such items; and on the storage, use or other consumption of tangible personal property manufactured, processed or otherwise altered, in or outside this state, by the person who stores, uses or consumes it, from material purchased from any retailer, at the rate of 5% of the purchase price of that material.

***−0303/4.75* SECTION 1558.** 77.53 (3) of the statutes is amended to read:

77.53 **(3)** Every retailer engaged in business in this state and making sales of tangible personal property or taxable services ~~for delivery into this state or with~~

~~knowledge directly or indirectly that the property or service is intended for storage, use or other consumption in~~ that are sourced to this state under s. 77.522, shall, at the time of making the sales ~~or, if the storage, use or other consumption of the tangible personal property or taxable service is not then taxable under this section, at the time the storage, use or other consumption becomes taxable~~, collect the tax from the purchaser and give to the purchaser a receipt in the manner and form prescribed by the department.

***−0303/4.76* SECTION 1559.** 77.53 (4) of the statutes is repealed.

***−0303/4.77* SECTION 1560.** 77.53 (9) of the statutes is amended to read:

77.53 **(9)** Every retailer selling tangible personal property or taxable services for storage, use or other consumption in this state shall register with the department and obtain a certificate under s. 73.03 (50) and give the name and address of all agents operating in this state, the location of all distribution or sales houses or offices or other places of business in this state, the standard industrial code classification of each place of business in this state and the other information that the department requires. Any person who may register under this subsection may designate an agent, as defined in s. 77.524 (1) (ag), to register with the department under this subsection, in the manner prescribed by the department.

***−0303/4.78* SECTION 1561.** 77.53 (9m) of the statutes is renumbered 77.53 (9m) (a).

***−0303/4.79* SECTION 1562.** 77.53 (9m) (b) of the statutes is created to read:

77.53 **(9m)** (b) Any person who may register under par. (a) may designate an agent, as defined in s. 77.524 (1) (ag), to register with the department under par. (a), in the manner prescribed by the department.

***−0303/4.80* SECTION 1563.** 77.53 (9m) (c) of the statutes is created to read:

77.53 **(9m)** (c) The registration under par. (a) by a person who is not otherwise required to collect any tax imposed by this subchapter shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

***−0303/4.81* SECTION 1564.** 77.53 (10) of the statutes is amended to read:

77.53 **(10)** For the purpose of the proper administration of this section and to prevent evasion of the use tax and the duty to collect the use tax, it is presumed that tangible personal property or taxable services sold by any person for delivery in this state is sold for storage, use, or other consumption in this state until the contrary is established. The burden of proving the contrary is upon the person who makes the sale unless that person takes from the purchaser ~~a~~ an electronic or paper certificate, in a manner prescribed by department, to the effect that the property or taxable service is purchased for resale, or otherwise exempt from the tax~~;~~, except that no certificate is required for ~~sales of cattle, sheep, goats, and pigs that are sold at an animal market, as defined in s. 95.68 (1) (ag), and no certificate is required for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a warehouse in or from which the commodity is deliverable on a contract for future delivery subject to the rules of a commodity market regulated by the U.S. commodity futures trading commission if upon the sale the commodity is not removed from the warehouse~~ the sale of tangible personal property that is exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (14b), (15), (17), (20n), (21), (22b), (30), (31), (32), (35), (36), (37), (42), (44), (45), and (46), except as provided in s. 77.54 (30) (e) and (f).

***−0303/4.82* SECTION 1565.** 77.53 (11) of the statutes is amended to read:

77.53 **(11)** The certificate referred to in sub. (10) relieves the person selling the property or service from the burden of proof only if taken ~~in good faith~~ from a person ~~who is engaged as a seller of tangible personal property or taxable services and who~~

~~holds the permit provided for by s. 77.52 (9) and who,~~ at the time ~~of purchasing~~ that the person purchases the tangible personal property or taxable service~~, intends to sell it in the regular course of operations or is unable to ascertain at the time of purchase whether the property or service will be sold or will be used for some other purpose, or if taken in good faith from a person claiming exemption~~. The certificate under sub. (10) shall not relieve the seller of the burden of proof if the sale is sourced to this state under s. 77.522 (1) (b) 1. and the claimed exemption is not provided for under this subchapter or if the seller fraudulently fails to collect sales tax or solicit the purchaser to claim an unlawful exemption. The certificate shall ~~be signed by and bear the name and address of~~ provide information that identifies the purchaser and shall indicate ~~the number of the permit issued to the purchaser, the general character of tangible personal property or taxable service sold by the purchaser and~~ the basis for the claimed exemption and a paper certificate shall be signed by the purchaser. The certificate shall be substantially in the form that the department prescribes by rule.

***−0303/4.83* SECTION 1566.** 77.53 (16) of the statutes is amended to read:

77.53 **(16)** If the purchase, rental or lease of tangible personal property or service subject to the tax imposed by this section was subject to a sales tax by another state in which the purchase was made, the amount of sales tax paid the other state shall be applied as a credit against and deducted from the tax, to the extent thereof, imposed by this section, except no credit may be applied against and deducted from a sales tax paid on the purchase of direct mail, if the direct mail purchaser did not provide to the seller a direct pay permit, a direct mail form, or other information that indicates the appropriate taxing jurisdiction to which the direct mail is delivered to the ultimate recipients. In this subsection "sales tax" includes a use or excise tax

imposed on the use of tangible personal property or taxable service by the state in which the sale occurred and "state" includes the District of Columbia but does not include the commonwealth of Puerto Rico or the several territories organized by congress.

***−0303/4.84* SECTION 1567.** 77.53 (17) of the statutes is amended to read:

77.53 **(17)** This section does not apply to tangible personal property purchased outside this state, as determined under s. 77.522, other than motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all−terrain vehicles and airplanes registered or titled or required to be registered or titled in this state, which is brought into this state by a nondomiciliary for the person's own storage, use or other consumption while temporarily within this state when such property is not stored, used or otherwise consumed in this state in the conduct of a trade, occupation, business or profession or in the performance of personal services for wages or fees.

***−0303/4.85* SECTION 1568.** 77.53 (17m) of the statutes is amended to read:

77.53 **(17m)** This section does not apply to a boat purchased in a state contiguous to this state, as determined under s. 77.522, by a person domiciled in that state if the boat is berthed in this state's boundary waters adjacent to the state of the domicile of the purchaser and if the transaction was an exempt occasional sale under the laws of the state in which the purchase was made.

***−0303/4.86* SECTION 1569.** 77.53 (17r) (a) of the statutes is amended to read:

77.53 **(17r)** (a) It is purchased in another state, as determined under s. 77.522.

***−0303/4.87* SECTION 1570.** 77.53 (18) of the statutes is amended to read:

77.53 **(18)** This section does not apply to the storage, use or other consumption in this state of household goods for personal use or to aircraft, motor vehicles, boats,

snowmobiles, mobile homes, trailers, semitrailers and all−terrain vehicles, for personal use, purchased by a nondomiciliary of this state outside this state, as determined under s. 77.522, 90 days or more before bringing the goods or property into this state in connection with a change of domicile to this state.

***−0303/4.88* SECTION 1571.** 77.54 (1) of the statutes is amended to read:

77.54 **(1)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption in this state of tangible personal property and services the ~~gross receipts~~ sales price from the sale of which, or the storage, use or other consumption of which, this state is prohibited from taxing under the constitution or laws of the United States or under the constitution of this state.

***−0303/4.89* SECTION 1572.** 77.54 (2) of the statutes is amended to read:

77.54 **(2)** The ~~gross receipts~~ sales price from sales of and the storage, use or other consumption of tangible personal property becoming an ingredient or component part of an article of tangible personal property or which is consumed or destroyed or loses its identity in the manufacture of tangible personal property in any form destined for sale, except as provided in sub. (30) (a) 6.

***−0303/4.90* SECTION 1573.** 77.54 (2m) of the statutes is amended to read:

77.54 **(2m)** The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption of tangible personal property or services that become an ingredient or component of shoppers guides, newspapers or periodicals or that are consumed or lose their identity in the manufacture of shoppers guides, newspapers or periodicals, whether or not the shoppers guides, newspapers or periodicals are transferred without charge to the recipient. In this subsection, “shoppers guides”, “newspapers” and “periodicals” have the meanings under sub. (15). The exemption

under this subdivision does not apply to advertising supplements that are not newspapers.

***−0303/4.91* SECTION 1574.** 77.54 (3) (a) of the statutes is amended to read:

77.54 **(3)** (a) The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption of tractors and machines, including accessories, attachments and parts therefor, used exclusively and directly in the business of farming, including dairy farming, agriculture, horticulture, floriculture and custom farming services, but excluding automobiles, trucks, and other motor vehicles for highway use; excluding personal property that is attached to, fastened to, connected to or built into real property or that becomes an addition to, component of or capital improvement of real property and excluding tangible personal property used or consumed in the erection of buildings or in the alteration, repair or improvement of real property, regardless of any contribution that ~~that~~ the personal property makes to the production process in that building or real property and regardless of the extent to which that personal property functions as a machine.

***−0303/4.92* SECTION 1575.** 77.54 (3m) (intro.) of the statutes is amended to read:

77.54 **(3m)** (intro.) The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of the following items if they are used exclusively by the purchaser or user in the business of farming; including dairy farming, agriculture, horticulture, floriculture and custom farming services:

***−0303/4.93* SECTION 1576.** 77.54 (4) of the statutes is amended to read:

77.54 **(4)** ~~Gross receipts~~ The sales price from the sale of tangible personal property, and the storage, use or other consumption in this state of tangible personal property which is the subject of any such sale, by any elementary school or secondary

school, exempted as such from payment of income or franchise tax under ch. 71, whether public or private.

***−0303/4.94* SECTION 1577.** 77.54 (5) (intro.) of the statutes is amended to read:

77.54 **(5)** (intro.) The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of:

***−0303/4.95* SECTION 1578.** 77.54 (6) (intro.) of the statutes is amended to read:

77.54 **(6)** (intro.) The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of:

***−0297/3.2* SECTION 1579.** 77.54 (7m) of the statutes is amended to read:

77.54 **(7m)** Occasional sales of tangible personal property or services, including ~~but not limited to~~ admissions or tickets to an event; by a neighborhood association, church, civic group, garden club, social club or similar nonprofit organization; not involving entertainment for which payment in the aggregate exceeds ~~$300~~ $500 for performing or as reimbursement of expenses unless access to the event may be obtained without payment of a direct or indirect admission fee; conducted by the organization if the organization is not engaged in a trade or business and is not required to have a seller's permit. For purposes of this subsection, an organization is engaged in a trade or business and is required to have a seller's permit if its sales of tangible personal property and services, not including sales of tickets to events, and its events occur on more than 20 days during the year, unless its receipts do not exceed ~~$15,000~~ $25,000 during the year. The exemption under this subsection does not apply to gross receipts from the sale of bingo supplies to players or to the sale, rental or use of regular bingo cards, extra regular cards and special bingo cards.

***−0303/4.96* SECTION 1580.** 77.54 (8) of the statutes is amended to read:

77.54 **(8)** Charges for ~~interest, financing or~~ insurance, not including contracts under s. 77.52 (2) (a) 13m., where such charges are separately set forth upon the invoice given by the seller to the purchaser.

***−0303/4.97* SECTION 1581.** 77.54 (9) of the statutes is amended to read:

77.54 **(9)** The ~~gross receipts~~ sales price from sales of tickets or admissions to public and private elementary and secondary school activities, where the entire net proceeds therefrom are expended for educational, religious or charitable purposes.

***−0303/4.98* SECTION 1582.** 77.54 (9a) (intro.) of the statutes is amended to read:

77.54 **(9a)** (intro.) The ~~gross receipts~~ sales price from sales to, and the storage by, use by or other consumption of tangible personal property and taxable services by:

***−0303/4.99* SECTION 1583.** 77.54 (10) of the statutes is amended to read:

77.54 **(10)** The ~~gross receipts~~ sales price from the sale of all admission fees, admission stickers or camping fees under s. 27.01 (7) to (11) and all admission fees to any museum operated by a nonprofit corporation under a lease agreement with the state historical society.

***−0303/4.100* SECTION 1584.** 77.54 (11) of the statutes is amended to read:

77.54 **(11)** The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption in this state of motor vehicle fuel, general aviation fuel or alternate fuel, subject to taxation under ch. 78, unless the motor vehicle fuel or alternate fuel tax is refunded under s. 78.75 because the buyer does not use the fuel in operating a motor vehicle upon the public highways.

***−0303/4.101* SECTION 1585.** 77.54 (12) of the statutes is amended to read:

77.54 **(12)** The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption in this state of rail freight or passenger cars, locomotives or other rolling stock used in railroad operations, or accessories, attachments, parts, lubricants or fuel therefor.

***−0303/4.102* SECTION 1586.** 77.54 (13) of the statutes is amended to read:

77.54 **(13)** The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption in this state of commercial vessels and barges of 50−ton burden or over primarily engaged in interstate or foreign commerce or commercial fishing, and the accessories, attachments, parts and fuel therefor.

***−0303/4.103* SECTION 1587.** 77.54 (14) (intro.) of the statutes is amended to read:

77.54 **(14)** (intro.) The ~~gross receipts~~ sales price from the sales of and the storage, use, or other consumption in this state of ~~medicines~~ drugs that are any of the following:

***−0303/4.104* SECTION 1588.** 77.54 (14) (a) of the statutes is amended to read:

77.54 **(14)** (a) Prescribed for the treatment of a human being by a person authorized to prescribe the ~~medicines~~ drugs, and dispensed on prescription filled by a registered pharmacist in accordance with law.

***−0303/4.105* SECTION 1589.** 77.54 (14) (b) of the statutes is amended to read:

77.54 **(14)** (b) Furnished by a licensed physician, surgeon, podiatrist, or dentist to a patient who is a human being for treatment of the patient.

***−0303/4.106* SECTION 1590.** 77.54 (14) (f) of the statutes is amended to read:

77.54 **(14)** (f) Furnished without charge to a physician, surgeon, nurse anesthetist, advanced practice nurse, osteopath, dentist who is licensed under ch.

447, podiatrist who is licensed under ch. 448, or optometrist who is licensed under ch. 449 if the ~~medicine~~ drug may not be dispensed without a prescription.

***−0303/4.107* SECTION 1591.** 77.54 (14b) of the statutes is created to read:

77.54 **(14b)** The sales price from the sales of and the storage, use, or other consumption of bandages, dressings, syringes, and similar items that are bundled together with drugs that are exempt under sub. (14) for sale by the seller as a single product or piece of merchandise.

***−0303/4.108* SECTION 1592.** 77.54 (14g) of the statutes is repealed.

***−0303/4.109* SECTION 1593.** 77.54 (14s) of the statutes is repealed.

***−0303/4.110* SECTION 1594.** 77.54 (15) of the statutes is amended to read:

77.54 **(15)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of all newspapers, of periodicals sold by subscription and regularly issued at average intervals not exceeding 3 months, or issued at average intervals not exceeding 6 months by an educational association or corporation sales to which are exempt under sub. (9a) (f), of controlled circulation publications sold to commercial publishers for distribution without charge or mainly without charge or regularly distributed by or on behalf of publishers without charge or mainly without charge to the recipient and of shoppers guides which distribute no less than 48 issues in a 12−month period. In this subsection, "shoppers guide" means a community publication delivered, or attempted to be delivered, to most of the households in its coverage area without a required subscription fee, which advertises a broad range of products and services offered by several types of businesses and individuals. In this subsection, "controlled circulation publication" means a publication that has at least 24 pages, is issued at regular intervals not exceeding 3 months, that devotes not more than 75% of its pages to advertising and that is not conducted as an

auxiliary to, and essentially for the advancement of, the main business or calling of the person that owns and controls it.

***−0303/4.111* SECTION 1595.** 77.54 (16) of the statutes is amended to read:

77.54 **(16)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of fire trucks and fire fighting equipment, including accessories, attachments, parts and supplies therefor, sold to volunteer fire departments.

***−0303/4.112* SECTION 1596.** 77.54 (17) of the statutes is amended to read:

77.54 **(17)** The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption of water, that is not food and food ingredient, when delivered through mains.

***−0303/4.113* SECTION 1597.** 77.54 (18) of the statutes is amended to read:

77.54 **(18)** When the sale, lease or rental of a service or property that was previously exempt or not taxable under this subchapter becomes taxable, and the service or property is furnished under a written contract by which the seller is unconditionally obligated to provide the service or property for the amount fixed under the contract, the seller is exempt from sales or use tax on the ~~gross receipts~~ sales price for services or property provided until the contract is terminated, extended, renewed or modified. However, from the time the service or property becomes taxable until the contract is terminated, extended, renewed or modified the user is subject to use tax, measured by the ~~sales~~ purchase price, on the service or property purchased under the contract.

***−0303/4.114* SECTION 1598.** 77.54 (20) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is repealed.

***−0404/4.113* SECTION 1599.** 77.54 (20) (c) 4. of the statutes is amended to read:

77.54 **(20)** (c) 4. Taxable sales do not include meals, food, food products, or beverages sold by hospitals, sanatoriums, nursing homes, retirement homes, community−based residential facilities, as defined in s. 50.01 (1g), or day care centers ~~registered~~ licensed under ch. ~~48~~ 49 and served at a hospital, sanatorium, nursing home, retirement home, community−based residential facility, or day care center. In this subdivision "retirement home" means a nonprofit residential facility where 3 or more unrelated adults or their spouses have their principal residence and where support services, including meals from a common kitchen, are available to residents. Taxable sales do not include meals, food, food products, or beverages sold to the elderly or handicapped by persons providing "mobile meals on wheels".

***−0303/4.115* SECTION 1600.** 77.54 (20m) of the statutes is repealed.

***−0303/4.116* SECTION 1601.** 77.54 (20n) of the statutes is created to read:

77.54 **(20n)** (a) The sales price from the sale of and the storage, use, or other consumption of food and food ingredients, except candy, soft drinks, dietary supplements, and prepared food.

(b) The sales price from the sale of and the storage, use, or other consumption of food and food ingredients, except soft drinks, sold by hospitals, sanatoriums, nursing homes, retirement homes, community−based residential facilities, as defined in s. 50.01 (1g), or day care centers registered under ch. 48, including prepared food that is sold to the elderly or handicapped by persons providing mobile meals on wheels. In this paragraph, "retirement home" means a nonprofit residential facility where 3 or more unrelated adults or their spouses have their

principal residence and where support services, including meals from a common kitchen, are available to residents.

(c) The sales price from the sale of and the storage, use, or other consumption of food and food ingredients, furnished in accordance with any contract or agreement or paid for to such institution through the use of an account of such institution, by a public or private institution of higher education to any of the following:

1. An undergraduate student, a graduate student, or a student enrolled in a professional school if the student is enrolled for credit at the public or private institution of higher education and if the food and food ingredients are consumed by the student.

2. A national football league team.

***−0303/4.117* SECTION 1602.** 77.54 (20r) of the statutes is created to read:

77.54 **(20r)** The sales price from the sales of and the storage, use, or other consumption of candy, soft drinks, dietary supplements, and prepared foods, and disposable products that are transferred with such items, furnished for no consideration by a restaurant to the restaurant's employee during the employee's work hours.

***−0303/4.118* SECTION 1603.** 77.54 (21) of the statutes is amended to read:

77.54 **(21)** The ~~gross receipts~~ <u>sales price</u> from the sales of and the storage, use or other consumption of caskets and burial vaults for human remains.

***−0303/4.119* SECTION 1604.** 77.54 (22) of the statutes is repealed.

***−0303/4.120* SECTION 1605.** 77.54 (22b) of the statutes is created to read:

77.54 **(22b)** The sales price from the sale of and the storage, use, or other consumption of durable medical equipment that is for use in a person's home,

mobility−enhancing equipment, and prosthetic devices, and accessories for such equipment or devices, if the equipment or devices are used for a human being.

***−0303/4.121* SECTION 1606.** 77.54 (23m) of the statutes is amended to read:

77.54 **(23m)** The ~~gross receipts~~ sales price from the sale, lease or rental of or the storage, use or other consumption of motion picture film or tape, and advertising materials related thereto, sold, leased or rented to a motion picture theater or radio or television station.

***−0303/4.122* SECTION 1607.** 77.54 (25) of the statutes is amended to read:

77.54 **(25)** The ~~gross receipts~~ sales price from the sale of and the storage of printed material which is designed to advertise and promote the sale of merchandise, or to advertise the services of individual business firms, which printed material is purchased and stored for the purpose of subsequently transporting it outside the state by the purchaser for use thereafter solely outside the state.

***−0303/4.123* SECTION 1608.** 77.54 (26) of the statutes is amended to read:

77.54 **(26)** The ~~gross receipts~~ sales price from the sales of and the storage, use, or other consumption of tangible personal property which becomes a component part of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or tangible personal property which becomes a component part of a waste treatment facility of this state or any agency thereof, or any political subdivision of the state or agency thereof as provided in s. 40.02 (28). The exemption includes replacement parts therefor, and also applies to chemicals and supplies used or consumed in operating a waste treatment facility and to purchases of tangible personal property made by construction contractors who transfer such property to their customers in fulfillment of a real property construction activity. This exemption does not apply

to tangible personal property installed in fulfillment of a written construction contract entered into, or a formal written bid made, prior to July 31, 1975.

***−0303/4.124* SECTION 1609.** 77.54 (26m) of the statutes is amended to read:

77.54 **(26m)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of waste reduction or recycling machinery and equipment, including parts therefor, exclusively and directly used for waste reduction or recycling activities which reduce the amount of solid waste generated, reuse solid waste, recycle solid waste, compost solid waste or recover energy from solid waste. The exemption applies even though an economically useful end product results from the use of the machinery and equipment. For the purposes of this subsection, "solid waste" means garbage, refuse, sludge or other materials or articles, whether these materials or articles are discarded or purchased, including solid, semisolid, liquid or contained gaseous materials or articles resulting from industrial, commercial, mining or agricultural operations or from domestic use or from public service activities.

***−0303/4.125* SECTION 1610.** 77.54 (27) of the statutes is amended to read:

77.54 **(27)** The ~~gross receipts~~ sales price from the sale of semen used for artificial insemination of livestock.

***−0303/4.126* SECTION 1611.** 77.54 (28) of the statutes is amended to read:

77.54 **(28)** The gross receipts from the sale of and the storage, use or other consumption to or by the ultimate consumer of ~~apparatus or equipment for the injection of insulin or the treatment of diabetes and~~ supplies used to determine blood sugar level.

***−0303/4.127* SECTION 1612.** 77.54 (29) of the statutes is amended to read:

77.54 **(29)** The ~~gross receipts~~ sales price from the sales of and the storage, use or other consumption of equipment used in the production of maple syrup.

***−0303/4.128* SECTION 1613.** 77.54 (30) (a) (intro.) of the statutes is amended to read:

77.54 **(30)** (a) (intro.) The ~~gross receipts~~ sales price from the sale of:

***−0303/4.129* SECTION 1614.** 77.54 (30) (c) of the statutes is amended to read:

77.54 **(30)** (c) If fuel or electricity is sold partly for a use exempt under this subsection and partly for a use which is not exempt under this subsection, no tax shall be collected on that percentage of the ~~gross receipts~~ sales price equal to the percentage of the fuel or electricity which is used for an exempt use, as specified in an exemption certificate provided by the purchaser to the seller.

***−0303/4.130* SECTION 1615.** 77.54 (31) of the statutes is amended to read:

77.54 **(31)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption in this state, but not the lease or rental, of used mobile homes that are primary housing units under s. 340.01 (29).

***−0303/4.131* SECTION 1616.** 77.54 (32) of the statutes is amended to read:

77.54 **(32)** The ~~gross receipts~~ sales price from charges, including charges for a search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record that a person may examine and use under s. 16.61 (12) or for copies of a record under s. 19.35 (1).

***−0303/4.132* SECTION 1617.** 77.54 (33) of the statutes is amended to read:

77.54 **(33)** The ~~gross receipts~~ sales price from sales of and the storage, use or other consumption of ~~medicines~~ drugs used on farm livestock, not including workstock.

***−0303/4.133* SECTION 1618.** 77.54 (34) of the statutes is amended to read:

77.54 **(34)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of milk house supplies used exclusively in producing and handling milk on dairy farms.

***−0303/4.134* SECTION 1619.** 77.54 (35) of the statutes is amended to read:

77.54 **(35)** The ~~gross receipts~~ sales price from the sales of tangible personal property, tickets or admissions by any baseball team affiliated with the Wisconsin Department of American Legion baseball.

***−0303/4.135* SECTION 1620.** 77.54 (36) of the statutes is amended to read:

77.54 **(36)** The ~~gross receipts~~ sales price from the rental for a continuous period of one month or more of a mobile home, as defined in s. 66.0435 (1) (d), that is used as a residence. In this subsection, "one month" means a calendar month or 30 days, whichever is less, counting the first day of the rental and not counting the last day of the rental.

***−0303/4.136* SECTION 1621.** 77.54 (37) of the statutes is amended to read:

77.54 **(37)** The ~~gross receipts~~ sales price from revenues collected under s. 146.70 (3) and the surcharge established by rule by the public service commission under s. 146.70 (3m) (f) for customers of wireless providers, as defined in s. 146.70 (3m) (a) 6.

***−0303/4.137* SECTION 1622.** 77.54 (38) of the statutes is amended to read:

77.54 **(38)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of snowmobile trail groomers and attachments for them that are purchased, stored, used or consumed by a snowmobile club that meets at least 3 times a year, that has at least 10 members, that promotes snowmobiling and that participates in the department of natural resources' snowmobile program under s. 350.12 (4) (b).

***−0303/4.138* SECTION 1623.** 77.54 (39) of the statutes is amended to read:

77.54 **(39)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of off−highway, heavy mechanical equipment such as feller bunchers, slashers, delimbers, chippers, hydraulic loaders, loaders, skidder−forwarders, skidders, timber wagons and tractors used exclusively and directly in the harvesting or processing of raw timber products in the field by a person in the logging business. In this subsection, "heavy mechanical equipment" does not include hand tools such as axes, chains, chain saws and wedges.

***−0303/4.139* SECTION 1624.** 77.54 (40) of the statutes is repealed.

***−0303/4.140* SECTION 1625.** 77.54 (41) of the statutes is amended to read:

77.54 **(41)** The ~~gross receipts~~ sales price from the sale of building materials, supplies and equipment to; and the storage, use or other consumption of those kinds of property by; owners, contractors, subcontractors or builders if that property is acquired solely for or used solely in, the construction, renovation or development of property that would be exempt under s. 70.11 (36).

***−0303/4.141* SECTION 1626.** 77.54 (42) of the statutes is amended to read:

77.54 **(42)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of animal identification tags provided under s. 93.06 (1h) and standard samples provided under s. 93.06 (1s).

***−0303/4.142* SECTION 1627.** 77.54 (43) of the statutes is amended to read:

77.54 **(43)** The ~~gross receipts~~ sales price from the sale of and the storage, use or other consumption of raw materials used for the processing, fabricating or manufacturing of, or the attaching to or incorporating into, printed materials that are transported and used solely outside this state.

***−0303/4.143* SECTION 1628.** 77.54 (44) of the statutes is amended to read:

77.54 **(44)** The ~~gross receipts~~ sales price from the collection of public benefits fees that are charged under s. 16.957 (4) (a) or (5) (a).

***−0303/4.144* SECTION 1629.** 77.54 (45) of the statutes is amended to read:

77.54 **(45)** The ~~gross receipts~~ sales price from the sale of and the use or other consumption of a onetime license or similar right to purchase admission to professional football games at a football stadium, as defined in s. 229.821 (6), that is granted by a municipality; a local professional football stadium district; or a professional football team or related party, as defined in s. 229.821 (12); if the person who buys the license or right is entitled, at the time the license or right is transferred to the person, to purchase admission to at least 3 professional football games in this state during one football season.

***−0303/4.145* SECTION 1630.** 77.54 (46) of the statutes is amended to read:

77.54 **(46)** The ~~gross receipts~~ sales price from the sale of and the storage, use, or other consumption of the U.S. flag or the state flag. This subsection does not apply to a representation of the U.S. flag or the state flag.

***−0303/4.146* SECTION 1631.** 77.54 (46m) of the statutes is amended to read:

77.54 **(46m)** The ~~gross receipts~~ sales price from the sale of and the storage, use, or other consumption of telecommunications services, if the telecommunications services are obtained by using the rights to purchase telecommunications services, including purchasing reauthorization numbers, by paying in advance and by using an access number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was previously paid on the sale or purchase of such rights.

***−1796/3.15* SECTION 1632.** 77.54 (48) of the statutes is created to read:

77.54 **(48)** The gross receipts from the sale of and the storage, use, or other consumption of audiovisual works, finished artwork, literary works, and audio

works that are delivered electronically to the purchaser, if the sale of and the storage, use, or other consumption of such items sold in a tangible form is exempt from taxation under this subchapter.

***−0303/4.147* SECTION 1633.** 77.55 (1) (intro.) of the statutes is amended to read:

77.55 **(1)** (intro.) There ~~are~~ is exempted from the computation of the amount of the sales tax the ~~gross receipts~~ sales price from the sale of any tangible personal property or services to:

***−0303/4.148* SECTION 1634.** 77.55 (2) of the statutes is amended to read:

77.55 **(2)** There ~~are~~ is exempted from the computation of the amount of the sales tax the ~~gross receipts~~ sales price from sales of tangible personal property to a common or contract carrier, shipped by the seller via the purchasing carrier under a bill of lading whether the freight is paid in advance, or the shipment is made freight charges collect, to a point outside this state and the property is actually transported to the out−of−state destination for use by the carrier in the conduct of its business as a carrier.

***−0303/4.149* SECTION 1635.** 77.55 (2m) of the statutes is amended to read:

77.55 **(2m)** There ~~are~~ is exempted from the computation of the amount of sales tax the ~~gross receipts~~ sales price from sales of railroad crossties to a common or contract carrier, shipped wholly or in part by way of the purchasing carrier under a bill of lading, whether the freight is paid in advance or the shipment is made freight charges collect, to a point outside this state if the property is transported to the out−of−state destination for use by the carrier in the conduct of its business as a carrier. Interruption of the shipment for storage, drying, processing or creosoting of

the railroad crossties in this state does not invalidate the exemption under this subsection.

***−0303/4.150* SECTION 1636.** 77.55 (3) of the statutes is amended to read:

77.55 **(3)** There ~~are~~ is exempted from the computation of the amount of the sales tax the ~~gross receipts~~ sales price from sales of tangible personal property purchased for use solely outside this state and delivered to a forwarding agent, export packer, or other person engaged in the business of preparing goods for export or arranging for their exportation, and actually delivered to a port outside the continental limits of the United States prior to making any use thereof.

***−0303/4.151* SECTION 1637.** 77.56 (1) of the statutes is amended to read:

77.56 **(1)** The storage, use or other consumption in this state of property, the ~~gross receipts~~ sales price from the sale of which ~~are~~ is reported to the department in the measure of the sales tax, is exempted from the use tax.

***−0303/4.152* SECTION 1638.** 77.57 of the statutes is amended to read:

77.57 Liability of purchaser. If a purchaser certifies in writing to a seller that the property purchased will be used in a manner or for a purpose entitling the seller to regard the ~~gross receipts~~ sales price from the sale as exempted by this subchapter from the computation of the amount of the sales tax and uses the property in some other manner or for some other purpose, the purchaser is liable for payment of the sales tax. The tax shall be measured by the sales price of the property to the purchaser~~, but if the taxable use first occurs more than 6 months after the sale to the purchaser, the purchaser may use as the measure of the tax either that sales price or the fair market value of the property at the time the taxable use first occurs~~.

***−0303/4.153* SECTION 1639.** 77.58 (3) (b) of the statutes is amended to read:

77.58 **(3)** (b) ~~For purposes of the sales tax the return shall show the gross receipts of the seller during the preceding reporting period. For purposes of the use tax, in case of a return filed by a retailer, the return shall show the total sales price of the property or taxable services sold, the storage, use or consumption of which became subject to the use tax during the preceding reporting period. In case of a sales or use tax return filed by a purchaser, the return shall show the total sales price of the property and taxable services purchased, the storage, use or consumption of which became subject to the use tax during the preceding reporting period.~~ The return shall ~~also~~ show the amount of the taxes for the period covered by the return and such other information as the department deems necessary for the proper administration of this subchapter.

***−0303/4.154* SECTION 1640.** 77.58 (6) of the statutes is amended to read:

77.58 **(6)** For the purposes of the sales tax ~~gross receipts~~, the sales price from rentals or leases of tangible personal property shall be reported and the tax paid in accordance with such rules as the department prescribes.

***−0303/4.155* SECTION 1641.** 77.58 (6m) of the statutes is created to read:

77.58 **(6m)** (a) The department may, in cases where it is satisfied that an undue hardship would otherwise result, permit the reporting of a sales price or purchase price on some basis other than the accrual basis.

(b) The entire sales price of credit transactions shall be reported in the period in which the sale is made without reduction in the amount of tax payable by the retailer by reason of the retailer's transfer at a discount the open account, note, conditional sales contract, lease contract, or other evidence of indebtedness.

***−0303/4.156* SECTION 1642.** 77.58 (9a) of the statutes is created to read:

77.58 **(9a)** In addition to filing a return as provided in this section, a person described under s. 77.524 (3), (4), or (5) shall provide to the department any information that the department considers necessary for the administration of this subchapter, in the manner prescribed by the department, except that the department may not require that the person provide such information to the department more than once every 180 days.

***−0303/4.157* SECTION 1643.** 77.585 of the statutes is created to read:

77.585 Return adjustments. (1) (a) In this subsection, "bad debt" means the portion of the sales price or purchase price that the seller has reported as taxable under this subchapter and that the seller may claim as a deduction under section 166 of the Internal Revenue Code. "Bad debt" does not include financing charges or interest, sales or use taxes imposed on the sales price or purchase price, uncollectible amounts on property that remains in the seller's possession until the full sales price or purchase price is paid, expenses incurred in attempting to collect any debt, debts sold or assigned to 3rd parties for collection, and repossessed property.

(b) A seller may claim as a deduction on a return under s. 77.58 the amount of any bad debt that the seller writes off as uncollectible in the seller's books and records and that is eligible to be deducted as bad debt for federal income tax purposes, regardless of whether the seller is required to file a federal income tax return. A seller who claims a deduction under this paragraph shall claim the deduction on the return under s. 77.58 that is submitted for the period in which the seller writes off the amount of the deduction as uncollectible in the seller's books and records and in which such amount is eligible to be deducted as bad debt for federal income tax purposes. If the seller subsequently collects in whole or in part any bad debt for which a deduction is claimed under this paragraph, the seller shall include the

amount collected in the return filed for the period in which the amount is collected and shall pay the tax with the return.

(c) For purposes of computing a bad debt deduction or reporting a payment received on a previously claimed bad debt, any payment made on a debt or on an account is applied first to the price of the property or service sold, and the proportionate share of the sales tax on that property or service, and then to interest, service charges, and other charges related to the sale.

(d) A seller may obtain a refund of the tax collected on any bad debt amount deducted under par. (b) that exceeds the amount of the seller's taxable sales as provided under s. 77.59 (4), except that the period for making a claim as determined under s. 77.59 (4) begins on the date on which the return on which the bad debt could be claimed would have been required to be submitted to the department under s. 77.58.

(e) If a seller is using a certified service provider, the certified service provider may claim a bad debt deduction under this subsection on the seller's behalf if the seller has not claimed and will not claim the same deduction. A certified service provider who receives a bad debt deduction under this subsection shall credit that deduction to the seller and a certified service provider who receives a refund under this subsection shall submit that refund to the seller.

(f) If a bad debt relates to the retail sales of tangible personal property or taxable services that occurred in this state and in one or more other states, as determined under s. 77.522, the total amount of such bad debt shall be apportioned among the states in which the underlying sales occurred in a manner prescribed by the department to arrive at the amount of the deduction under par. (b).

(2) If a lessor of tangible personal property has reimbursed the vendor for the sales tax on the sale of the property by the vendor to the lessor, the tax due from the lessor on the rental receipts may be offset by a credit equal to the tax otherwise due on the rental receipts from the property for the reporting period. The credit shall expire when the cumulative rental receipts equal the sales price upon which the vendor paid sales taxes to this state.

(3) If a purchaser of tangible personal property has reimbursed the vendor of the property for the sales tax on the sale and subsequently, before making any use of the property other than retention, demonstration, or display while holding it for sale or rental, makes a taxable sale of the property, the tax due on the taxable sale may be offset by the tax reimbursed.

(4) A seller may claim a deduction on any part of the sales price or purchase price that the seller refunds in cash or credit as a result of returned property or adjustments in the sales price or purchase price after the sale has been completed, if the seller has included the refunded price in a prior return made by the seller and has paid the tax on such price, and if the seller has returned to the purchaser in cash or in credit all tax previously paid by the purchaser on the amount of the refund at the time of the purchase. A deduction under this subsection shall be claimed on the return for the period in which the refund is paid.

(5) No reduction in the amount of tax payable by the retailer is allowable in the event property sold on credit is repossessed except where the entire consideration paid by the purchaser is refunded to the purchaser or where a credit for a worthless account is allowable under sub. (1).

(6) A purchaser who is subject to the use tax on the storage, use, or other consumption of fuel may claim a deduction from the purchase price that is subject

to the use tax for fuel taxes refunded by this state or the United States to the purchaser that is included in the purchase price of the fuel.

(7) For sales tax purposes, if a retailer establishes to the department's satisfaction that the sales tax has been added to the total amount of the sales price and has not been absorbed by the retailer, the total amount of the sales price shall be the amount received exclusive of the sales tax imposed.

(8) A sale or purchase involving transfer of ownership of property is completed at the time when possession is transferred by the seller or the seller's agent to the purchaser or the purchaser's agent, except that for purposes of sub. (1) a common carrier or the U.S. postal service shall be considered the agent of the seller, regardless of any f.o.b. point and regardless of the method by which freight or postage is paid.

***−0303/4.158* SECTION 1644.** 77.59 (2m) of the statutes is created to read:

77.59 **(2m)** The department may audit, or may authorize others to audit, sellers and certified service providers who are registered with the department pursuant to the agreement, as defined in s. 77.65 (2) (a).

***−0303/4.159* SECTION 1645.** 77.59 (9) of the statutes is amended to read:

77.59 **(9)** If any person fails to file a return, the department shall make an estimate of the amount of the ~~gross receipts~~ sales price of the ~~person~~ person's sales, or, as the case may be, of the amount of the total ~~sales~~ purchase price of tangible personal property or taxable service sold or purchased by the person, the sale by or the storage, use or other consumption of which in this state is subject to sales or use tax. The estimate shall be made for the period in respect to which the person failed to make a return and shall be based upon any information which is in the department's possession or may come into its possession. Upon the basis of this estimate the department shall compute and determine the amount required to be

paid to the state, adding to the sum thus arrived at a penalty equal to 25% thereof. One or more such determinations may be made for one or for more than one period. When a business is discontinued a determination may be made at any time thereafter, within the periods specified in sub. (3), as to liability arising out of that business.

***−0303/4.160* SECTION 1646.** 77.59 (9n) of the statutes is created to read:

77.59 **(9n)** No seller or certified service provider is liable for any deficiency or refund under this subchapter that is the result of the seller or certified service provider relying on erroneous information contained in a database maintained under s. 73.03 (61) (e) or (f).

***−0303/4.161* SECTION 1647.** 77.59 (9p) (b) of the statutes is created to read:

77.59 **(9p)** (b) If a customer purchases a service that is not subject to 4 USC 116 to 126, as amended by P.L. 106−252, or tangible personal property, and if the customer believes that the amount of the tax assessed for the sale of the service or property under this subchapter is erroneous, the customer may request that the seller correct the alleged error by sending a written notice to the seller. The notice shall include a description of the alleged error and any other information that the seller reasonably requires to process the request. Within 60 days from the date that a seller receives a request under this paragraph, the seller shall review its records to determine the validity of the customer's claim. If the review indicates that there is no error as alleged, the seller shall explain the findings of the review in writing to the customer. If the review indicates that there is an error as alleged, the seller shall correct the error and shall refund the amount of any tax collected erroneously, along with the related interest, as a result of the error from the customer, consistent with s. 77.59 (4). A customer may take no other action, or commence any action, to correct

an alleged error in the amount of the tax assessed under this subchapter on a service that is not subject to 4 USC 116 to 126, as amended by P.L. 106−252, or tangible personal property, unless the customer has exhausted his or her remedies under this paragraph.

***−0303/4.162* SECTION 1648.** 77.59 (9r) of the statutes is created to read:

77.59 **(9r)** With regard to a purchaser's request for a refund under this section, a seller is presumed to have reasonable business practices if the seller uses a certified service provider, a certified automated system, as defined in s. 77.524 (1) (am), or a proprietary system certified by the department to collect the taxes imposed under this subchapter and if the seller has remitted to the department all taxes collected under this subchapter, less any deductions, credits, or allowances.

***−0303/4.163* SECTION 1649.** 77.60 (13) of the statutes is created to read:

77.60 **(13)** A person who uses any of the following documents in a manner that is prohibited by or inconsistent with this subchapter, or provides incorrect information to a seller or certified service provider related to the use of such documents or regarding an exemption to the taxes imposed under this subchapter, shall pay a penalty of $250 for each invoice or bill of sale related to the prohibited or inconsistent use or incorrect information:

(a) An exemption certificate described under ss. 77.52 (13) and 77.53 (10).

(b) A direct pay permit under s. 77.52 (17m).

(c) A direct mail form, as defined in s. 77.522 (1) (a) 1.

(d) A multiple−points−of−use exemption form, as defined in s. 77.522 (1) (a) 2.

***−0303/4.164* SECTION 1650.** 77.61 (1) (b) of the statutes is amended to read:

77.61 **(1)** (b) In the case of ~~a motor vehicle~~ motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all−terrain

vehicles, or aircraft purchased from a ~~licensed Wisconsin motor vehicle dealer~~ retailer, the registrant shall present proof that the tax has been paid to such ~~dealer~~ retailer.

***−0303/4.165* SECTION 1651.** 77.61 (1) (c) of the statutes is amended to read:

77.61 **(1)** (c) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all−terrain vehicles or aircraft registered or titled, or required to be registered or titled, in this state purchased from persons who are not ~~Wisconsin boat, trailer or semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin snowmobile or all−terrain vehicle dealers~~ retailers, the purchaser shall file a sales tax return and pay the tax prior to registering or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all−terrain vehicle or aircraft in this state.

***−0303/4.166* SECTION 1652.** 77.61 (2) of the statutes is renumbered 77.61 (2) (intro.) and amended to read:

77.61 **(2)** (intro.) In order to protect the revenue of the state:

(a) Except as provided in par. (b), the department may require any person who is or will be liable to it for the tax imposed by this subchapter to place with it, before or after a permit is issued, the security, not in excess of $15,000, that the department determines. In determining the amount of security to require under this subsection, the department may consider the person's payment of other taxes administered by the department and any other relevant facts. If any taxpayer fails or refuses to place that security, the department may refuse or revoke the permit. If any taxpayer is delinquent in the payment of the taxes imposed by this subchapter, the department may, upon 10 days' notice, recover the taxes, interest, costs and penalties from the

security placed with the department by the taxpayer in the following order: costs, penalties, delinquent interest, delinquent tax. No interest may be paid or allowed by the state to any person for the deposit of security. Any security deposited under this subsection shall be returned to the taxpayer if the taxpayer has, for 24 consecutive months, complied with all the requirements of this subchapter.

***−0303/4.167* SECTION 1653.** 77.61 (2) (b) of the statutes is created to read:

77.61 **(2)** (b) A certified service provider who has contracted with a seller, and filed an application, to collect and remit sales and use taxes imposed under this subchapter on behalf of the seller shall submit a surety bond to the department to guarantee the payment of sales and use taxes, including any penalty and interest on such payment. The department shall approve the form and contents of a bond submitted under this paragraph and shall determine the amount of such bond. The surety bond shall be submitted to the department within 60 days after the date on which the department notifies the certified service provider that the certified service provider is registered to collect sales and use taxes imposed under this subchapter. If the department determines, with regards to any one certified service provider, that no bond is necessary to protect the tax revenues of this state, the secretary of revenue or the secretary's designee may waive the requirements under this paragraph with regard to that certified service provider. Any bond submitted under this paragraph shall remain in force until the secretary of revenue or the secretary's designee releases the liability under the bond.

***−0303/4.168* SECTION 1654.** 77.61 (3) of the statutes is repealed.

***−0303/4.169* SECTION 1655.** 77.61 (3m) of the statutes is created to read:

77.61 **(3m)** A retailer shall use a straight mathematical computation to determine the amount of the tax that the retailer may collect from the retailer's

customers. The retailer shall calculate the tax amount by combining the applicable tax rates under this subchapter and subch. V and multiplying the combined tax rate by the sales price or purchase price of each item or invoice, as appropriate. The retailer shall calculate the tax amount to the 3rd decimal place, disregard tax amounts of less than 0.5 cent, and consider tax amounts of at least 0.5 cent but less than 1 cent to be an additional cent. The use of a straight mathematical computation, as provided in this subsection, shall not relieve the retailer from liability for payment of the full amount of the tax levied under this subchapter.

***−0303/4.170* SECTION 1656.** 77.61 (4) (c) of the statutes is amended to read:

77.61 **(4)** (c) For reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected with it, retailers, not including certified service providers, may deduct 0.5% of those taxes payable or $10 for that reporting period required under s. 77.58 (1), whichever is greater, but not more than the amount of the sales taxes or use taxes that is payable under ss. 77.52 (1) and 77.53 (3) for that reporting period required under s. 77.58 (1), as administration expenses if the payment of the taxes is not delinquent. For purposes of calculating the retailer's discount under this paragraph, the taxes on retail sales reported by retailers under subch. V, including taxes collected and remitted as required under s. 77.785, shall be included if the payment of those taxes is not delinquent.

***−0375/2.4* SECTION 1657.** 77.61 (5) (b) 12. of the statutes is created to read:

77.61 **(5)** (b) 12. The secretary of revenue and employees of that department for the purposes of preparing and maintaining the list of persons with unpaid tax obligations as described in s. 71.91 (8) so that the list of such persons is available for public inspection.

***−0303/4.171* SECTION 1658.** 77.61 (5m) of the statutes is created to read:

77.61 **(5m)** (a) In this subsection, "personally identifiable information" means any information that identifies a person.

(b) A certified service provider may use personally identifiable information as necessary only for the administration of its system to perform a seller's sales and use tax functions and shall provide consumers clear and conspicuous notice of its practice regarding such information, including how it collects the information, how it uses the information, and under what circumstances it discloses the information.

(c) A certified service provider may retain personally identifiable information only to verify exemption claims, to investigate fraud, and to ensure its system's reliability. A certified service provider who retains an individual's personally identifiable information shall provide reasonable notice of such retention to the individual and shall provide the individual reasonable access to the information and an opportunity to correct inaccurate information. If any person, other than a state that is a signatory to the agreement, as defined in s. 77.65 (2) (a), requests access to an individual's personally identifiable information, the certified service provider shall make a reasonable and timely effort to notify the individual of the request.

(d) A certified service provider shall provide sufficient technical, physical, and administrative safeguards to protect personally identifiable information from unauthorized access and disclosure.

***−1598/7.1* SECTION 1659.** 77.61 (11) of the statutes is amended to read:

77.61 **(11)** Any city, village or town clerk or other official whose duty it is to issue licenses or permits to engage in a business involving the sale at retail of tangible personal property subject to tax under this subchapter, or the furnishing of services so subject to tax, shall, before issuing such license or permit, require proof that the

person to whom such license or permit is to be issued is the holder of a seller's permit ~~as required by~~ or is registered to collect, report, and remit use tax under this subchapter or has been informed by an employee of the department that the department will issue a seller's permit to that person or register that person to collect, report, and remit use tax.

***−0303/4.172* SECTION 1660.** 77.61 (16) of the statutes is created to read:

77.61 **(16)** Any person who remits taxes and files returns under this subchapter may designate an agent, as defined in s. 77.524 (1) (ag), to remit such taxes and file such returns with the department in a manner prescribed by the department.

***−0303/4.173* SECTION 1661.** 77.63 of the statutes is repealed and recreated to read:

77.63 Collection compensation. The following persons may retain a portion of sales and use taxes collected on retail sales under this subchapter and subch. V in an amount determined by the department and by contracts that the department enters into pursuant to the agreement, as defined in s. 77.65 (2) (a):

(1) A certified service provider.

(2) A seller that uses a certified automated system, as defined in s. 77.524 (1) (am).

(3) A seller that sells tangible personal property or taxable services in at least 5 states that are signatories to the agreement, as defined in s. 77.65 (2) (a); that has total annual sales revenue of at least $500,000,000; that has a proprietary system that calculates the amount of tax owed to each taxing jurisdiction in which the seller sells tangible personal property or taxable services; and that has entered into a performance agreement with the states that are signatories to the agreement, as defined in s. 77.65 (2) (a). For purposes of this subsection, "seller" includes an

affiliated group of sellers using the same proprietary system to calculate the amount of tax owed in each taxing jurisdiction in which the sellers sell tangible personal property or taxable services.

***−0303/4.174* SECTION 1662.** 77.65 (2) (c) of the statutes is repealed.

***−0303/4.175* SECTION 1663.** 77.65 (2) (e) of the statutes is amended to read:

77.65 **(2)** (e) "Seller" means any person who sells, leases, or rents tangible personal property or services.

***−0303/4.176* SECTION 1664.** 77.67 of the statutes is created to read:

77.67 Amnesty for new registrants. (1) A seller is not liable for uncollected and unpaid taxes, including penalties and interest, imposed under this subchapter and subch. V on sales made to purchasers in this state before the seller registers under par. (a), if all of the following apply:

(a) The seller registers with the department, in a manner that the department prescribes, to collect and remit the taxes imposed under this subchapter and subch. V on sales to purchasers in this state in accordance with the agreement, as defined in s. 77.65 (2) (a).

(b) The seller registers under par. (a) no later than 365 days after the effective date of this state's participation in the agreement under s. 77.65 (2) (a) .... [revisor inserts date].

(c) The seller was not registered to collect and remit the taxes imposed under this subchapter and subch. V during the 365 consecutive days immediately before the effective date of this state's participation in the agreement under s. 77.65 (2) (a) .... [revisor inserts date].

(d) The seller has not received a notice of the commencement of an audit from the department or, if the seller has received a notice of the commencement of an audit

from the department, the audit has not been resolved by any means, including any related administrative and judicial processes, at the time that the seller registers under par. (a).

(e) The seller has not committed or been involved in a fraud or an intentional misrepresentation of a material fact.

(f) The seller collects and remits the taxes imposed under this subchapter and subch. V on sales to purchasers in this state for at least 3 consecutive years after the date on which the seller registers under par. (a).

(2) Subsection (1) does not apply to taxes imposed under this subchapter and subch. V that are due from the seller for purchases made by the seller.

***−0303/4.177* SECTION 1665.** 77.70 of the statutes is amended to read:

77.70 Adoption by county ordinance. Any county desiring to impose county sales and use taxes under this subchapter may do so by the adoption of an ordinance, stating its purpose and referring to this subchapter. The county sales and use taxes may be imposed only for the purpose of directly reducing the property tax levy and only in their entirety as provided in this subchapter. That ordinance shall be effective on the first day of January, the first day of April, the first day of July or the first day of October. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least ~~60~~ 120 days before the effective date of the repeal.

***−0303/4.178* SECTION 1666.** 77.705 of the statutes is amended to read:

77.705 Adoption by resolution; baseball park district. A local professional baseball park district created under subch. III of ch. 229, by resolution

under s. 229.68 (15), may impose a sales tax and a use tax under this subchapter at a rate of no more than 0.1% of the gross receipts or sales price. Those taxes may be imposed only in their entirety. The resolution shall be effective on the first ~~day of the first month~~ January 1, April 1, July 1, or October 1 that begins at least ~~30~~ 120 days after the adoption of the resolution.

***−0303/4.179* SECTION 1667.** 77.706 of the statutes is amended to read:

77.706 Adoption by resolution; football stadium district. A local professional football stadium district created under subch. IV of ch. 229, by resolution under s. 229.824 (15), may impose a sales tax and a use tax under this subchapter at a rate of 0.5% of the gross receipts or sales price. Those taxes may be imposed only in their entirety. The imposition of the taxes under this section shall be effective on the first ~~day of the first month~~ January 1, April 1, July 1, or October 1 that begins at least ~~30~~ 120 days after the certification of the approval of the resolution by the electors in the district's jurisdiction under s. 229.824 (15).

***−0303/4.180* SECTION 1668.** 77.707 (1) of the statutes is amended to read:

77.707 **(1)** Retailers and the department of revenue may not collect a tax under s. 77.705 for any local professional baseball park district created under subch. III of ch. 229 after the last day of the calendar quarter ~~during~~ that is at least 120 days from the date on which the local professional baseball park district board makes a certification to the department of revenue under s. 229.685 (2), except that the department of revenue may collect from retailers taxes that accrued before the day after the last day of that calendar quarter and fees, interest and penalties that relate to those taxes.

***−0303/4.181* SECTION 1669.** 77.707 (2) of the statutes is amended to read:

77.707 **(2)** Retailers and the department of revenue may not collect a tax under s. 77.706 for any local professional football stadium district created under subch. IV of ch. 229 after the last day of the calendar quarter ~~during~~ that is at least 120 days from the date on which the local professional football stadium district board makes all of the certifications to the department of revenue under s. 229.825 (3), except that the department of revenue may collect from retailers taxes that accrued before the day after the last day of that calendar quarter and fees, interest and penalties that relate to those taxes.

***−0303/4.182* SECTION 1670.** 77.71 (1) of the statutes is amended to read:

77.71 **(1)** For the privilege of selling, licensing, leasing or renting tangible personal property and for the privilege of selling, licensing, performing or furnishing services a sales tax is imposed upon retailers at the rate of 0.5% in the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~gross receipts~~ sales price from the sale, licensing, lease or rental of tangible personal property, except property taxed under sub. (4), sold, licensed, leased or rented at retail in the county or special district or from selling, licensing, performing or furnishing services described under s. 77.52 (2) in the county or special district.

***−0303/4.183* SECTION 1671.** 77.71 (2) of the statutes is amended to read:

77.71 **(2)** An excise tax is imposed at the rate of 0.5% in the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~sales~~ purchase price upon every person storing, using or otherwise consuming in the county or special district tangible personal property or services if the property or service is subject to the state use tax under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3) or (4) has been paid relieves the buyer of liability for the tax under this subsection and except that if the buyer has paid a similar local tax

in another state on a purchase of the same property or services that tax shall be credited against the tax under this subsection and except that for motor vehicles that are used for a purpose in addition to retention, demonstration or display while held for sale in the regular course of business by a dealer the tax under this subsection is imposed not on the ~~sales~~ purchase price but on the amount under s. 77.53 (1m).

***−0303/4.184* SECTION 1672.** 77.71 (3) of the statutes is amended to read:

77.71 **(3)** An excise tax is imposed upon a contractor engaged in construction activities within the county or special district, at the rate of 0.5% in the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~sales~~ purchase price of tangible personal property that is used in constructing, altering, repairing or improving real property and that becomes a component part of real property in that county or special district, except that if the contractor has paid the sales tax of a county in the case of a county tax or of a special district in the case of a special district tax in this state on that property, or has paid a similar local sales tax in another state on a purchase of the same property, that tax shall be credited against the tax under this subsection.

***−0303/4.185* SECTION 1673.** 77.71 (4) of the statutes is amended to read:

77.71 **(4)** An excise tax is imposed at the rate of 0.5% in the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~sales~~ purchase price upon every person storing, using or otherwise consuming a motor vehicle, boat, ~~snowmobile,~~ mobile home not exceeding 45 feet in length, ~~trailer, semitrailer, all−terrain vehicle~~ or aircraft, if that property must be registered or titled with this state and if that property is to be customarily kept in a county that has in effect an ordinance under s. 77.70 or in a special district that has in effect a resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local

sales tax in another state on a purchase of the same property that tax shall be credited against the tax under this subsection.

***−0303/4.186* SECTION 1674.** 77.72 (title) of the statutes is repealed.

***−0303/4.187* SECTION 1675.** 77.72 (1) of the statutes is renumbered 77.72 and amended to read:

77.72 General rule ~~for property.~~ For the purposes of this subchapter, all retail sales of tangible personal property ~~are completed at the time when, and the place where, the seller or the seller's agent transfers possession to the buyer or the buyer's agent. In this subsection, a common carrier or the U.S. postal service is the agent of the seller, regardless of any f.o.b. point and regardless of the method by which freight or postage is paid. Rentals and leases of property, except property under sub. (2), have a situs at the location of that property~~ and taxable services occur as provided in s. 77.522.

***−0303/4.188* SECTION 1676.** 77.72 (2) and (3) of the statutes are repealed.

***−0303/4.189* SECTION 1677.** 77.73 (2) of the statutes is amended to read:

77.73 **(2)** Counties and special districts do not have jurisdiction to impose the tax under s. 77.71 (2) in regard to tangible personal property, except snowmobiles, trailers, semitrailers, and all−terrain vehicles, purchased in a sale that is consummated in another county or special district in this state that does not have in effect an ordinance or resolution imposing the taxes under this subchapter and later brought by the buyer into the county or special district that has imposed a tax under s. 77.71 (2).

***−0303/4.190* SECTION 1678.** 77.73 (3) of the statutes is created to read:

77.73 **(3)** Counties and special districts have jurisdiction to impose the taxes under this subchapter on retailers who register under s. 77.53 (9m). A retailer who

registers under s. 77.53 (9m) shall collect, report, and remit to the department the taxes imposed under this subchapter for all counties and special districts that have an ordinance or resolution imposing the taxes under this subchapter.

***−0303/4.191* SECTION 1679.** 77.75 of the statutes is amended to read:

77.75 Reports. Every person subject to county or special district sales and use taxes shall, for each reporting period, record that person's sales made in the county or special district that has imposed those taxes separately from sales made elsewhere in this state and file a report ~~of the measure of the county or special district sales and use taxes and the tax due thereon separately~~ as prescribed by the department of revenue.

***−0303/4.192* SECTION 1680.** 77.77 (1) of the statutes is renumbered 77.77 (1) (a) and amended to read:

77.77 **(1)** (a) The ~~gross receipts~~ sales price from services subject to the tax under s. 77.52 (2) ~~are not~~ or the lease, rental, or license of tangible personal property is subject to the taxes under this subchapter, and the incremental amount of tax caused by a rate increase applicable to those services, leases, rentals, or licenses is ~~not~~ due, ~~if those services are billed to the customer and paid for before~~ beginning with the first billing period starting on or after the effective date of the county ordinance, special district resolution, or rate increase, regardless of whether the service is furnished or the property is leased, rented, or licensed to the customer before or after that date.

***−0303/4.193* SECTION 1681.** 77.77 (1) (b) of the statutes is created to read:

77.77 **(1)** (b) The sales price from services subject to the tax under s. 77.52 (2) or the lease, rental, or license of tangible personal property is not subject to the taxes under this subchapter, and a decrease in the tax rate imposed under this subchapter on those services first applies, beginning with bills rendered on or after the effective

date of the repeal or sunset of a county ordinance or special district resolution imposing the tax or other rate decrease, regardless of whether the service is furnished or the property is leased, rented, or licensed to the customer before or after that date.

***−0303/4.194* SECTION 1682.** 77.77 (2) of the statutes is repealed.

***−0303/4.195* SECTION 1683.** 77.785 (1) of the statutes is amended to read:

77.785 **(1)** All retailers shall collect and report the taxes under this subchapter on the ~~gross receipts~~ sales price from leases and rentals of property under s. 77.71 (4).

***−0303/4.196* SECTION 1684.** 77.785 (2) of the statutes is amended to read:

77.785 **(2)** Prior to registration or titling, a retailer of a boat, ~~all−terrain vehicle, trailer and semi−trailer dealers and licensed~~ aircraft, motor vehicle, or mobile home ~~and snowmobile dealers~~ shall collect the taxes under this subchapter on sales of items under s. 77.71 (4). The ~~dealer~~ retailer shall remit those taxes to the department of revenue along with payments of the taxes under subch. III.

***−0519/3.4* SECTION 1685.** 77.89 (2) (b) of the statutes is amended to read:

77.89 **(2)** (b) The municipal treasurer shall pay all amounts received under s. 77.84 (2) (b) and (bm) to the county treasurer, as provided under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each year, pay all amounts received under this paragraph to the department. All amounts received by the department shall be credited to the conservation fund and shall be reserved for land acquisition ~~and resource management activities~~ grants under s. 77.895.

***−0519/3.5* SECTION 1686.** 77.895 of the statutes is created to read:

77.895 Grants for land acquisitions for outdoor activities. (1) DEFINITIONS. In this section:

(a) "Board" means the managed forest land board.

(b) "Land" means land in fee simple, conservation easements, and other easements in land.

(c) "Local governmental unit" means a city, town, or county.

(d) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

(2) PROGRAM. The board shall establish a program to award grants from the appropriation under s. 20.370 (5) (bz) to local governmental units, the department, and nonprofit conservation organizations to acquire land to be used for hunting, fishing, hiking, sight−seeing, and cross−country skiing.

(3) REQUIREMENTS. The board shall promulgate rules establishing requirements for awarding grants under this section. The rules promulgated under this subsection shall include all of the following:

(a) A requirement that the board give higher priority to counties over other grant applicants in awarding grants under this section.

(b) A requirement that, in awarding grants to counties under this section, the board give higher priority to counties that have higher numbers of acres that are designated as closed under s. 77.83.

(c) A requirement that, in awarding grants to towns under this section, the board give higher priority to towns that have higher numbers of acres that are designated as closed under s. 77.83.

(d) A requirement that no grant may be awarded under this section without it being approved by the board of each county in which the land to be acquired is located.

(e) Requirements concerning the use of sound forestry practices on land acquired under this section.

(4) USE OF LAND. Land acquired under this section may be used for purposes in addition to those specified in sub. (2) if the additional uses are compatible with the purposes specified in sub. (2).

***−0303/4.197* SECTION 1687.** 77.98 of the statutes is amended to read:

77.98 Imposition. A local exposition district under subch. II of ch. 229 may impose a tax on the retail sale, except sales for resale, within the district's jurisdiction under s. 229.43 of ~~products that are subject to a tax under s. 77.54 (20) (c) 1. to 3. and not~~ candy, as defined in s. 77.51 (1e), prepared food, as defined in s. 77.51 (10m), and soft drinks, as defined in s. 77.51 (17w), unless exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), (9a) ~~or (20) (c) 5.~~, (20n) (b) and (c), and (20r).

***−0303/4.198* SECTION 1688.** 77.981 of the statutes is amended to read:

77.981 Rate. The tax under s. 77.98 is imposed on the sale of taxable products at the rate of 0.25% of the ~~gross receipts~~ sales price, except that the district, by a vote of a majority of the authorized members of its board of directors, may impose the tax at the rate of 0.5% of the ~~gross receipts~~ sales price. A majority of the authorized members of the district's board may vote that, if the balance in a special debt service reserve fund of the district is less than the requirement under s. 229.50 (5), the tax rate under this subchapter is 0.5%. The 0.5% rate shall be effective on the next January 1, April 1, July 1 or October 1, and this tax is irrepealable if any bonds issued by the district and secured by the special debt service reserve fund are outstanding.

***−0303/4.199* SECTION 1689.** 77.982 (2) of the statutes is amended to read:

77.982 **(2)** Sections 77.51 ~~(4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d)~~ (12m), (14) ~~(a) to (f), (j) and (k) and~~, (14g), (15a), and (15b), 77.52 (3), ~~(6),~~ (3m), (4), (13), (14), (18) and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9) ~~and~~, (12) to (14), and (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. ~~Sections 77.72 (1) and~~ Section 77.73, as ~~they apply~~ it applies to the taxes under subch. V, ~~apply~~ applies to the tax under this subchapter.

***−0303/4.200* SECTION 1690.** 77.99 of the statutes is amended to read:

77.99 Imposition. A local exposition district under subch. II of ch. 229 may impose a tax at the rate of 3% of the ~~gross receipts~~ sales price on the rental, but not for rerental and not for rental as a service or repair replacement vehicle, within the district's jurisdiction under s. 229.43, of Type 1 automobiles, as defined in s. 340.01 (4) (a), by establishments primarily engaged in short−term rental of passenger cars without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9) or (9a). If the state makes a payment under s. 229.50 (7) to a district's special debt service reserve fund, a majority of the district's authorized board of directors may vote to increase the tax rate under this subchapter to 4%.

***−0303/4.201* SECTION 1691.** 77.991 (2) of the statutes is amended to read:

77.991 **(2)** Sections 77.51 ~~(4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and~~ (12m), (14) ~~(a) to (f), (j) and (k)~~, (14g), (15a), and (15b), 77.52 (3), (3m), (4), ~~(6),~~ (13), (14) ~~and~~, (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9) ~~and~~, (12) to (14), and (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. ~~Sections 77.72 (1) and (2) (a) and~~ Section 77.73, as ~~they apply~~ it applies to the taxes under subch. V, ~~apply~~ applies to

the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

***−0303/4.202* SECTION 1692.** 77.994 (1) (intro.) of the statutes is amended to read:

77.994 **(1)** (intro.) Except as provided in sub. (2), a municipality or a county all of which is included in a premier resort area under s. 66.1113 may, by ordinance, impose a tax at a rate of 0.5% of the ~~gross receipts~~ sales price from the sale, license, lease, or rental in the municipality or county of goods or services that are taxable under subch. III made by businesses that are classified in the standard industrial classification manual, 1987 edition, published by the U.S. office of management and budget, under the following industry numbers:

***−0303/4.203* SECTION 1693.** 77.9941 (4) of the statutes is amended to read:

77.9941 **(4)** Sections 77.72 ~~(1), (2) (a) and (3) (a)~~, 77.73, 77.74, 77.75, 77.76 (1), (2), and (4), 77.77 (1) ~~and (2)~~, 77.785 (1), and 77.79, as they apply to the taxes under subch. V, apply to the tax under this subchapter.

***−1046/P1.1* SECTION 1694.** 77.995 (2) of the statutes is amended to read:

77.995 **(2)** There is imposed a fee at the rate of ~~3%, or~~ 5% ~~for the rental of limousines,~~ of the gross receipts on the rental, but not for rerental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short−term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate of 5% of the gross receipts on the rental of limousines.

***−0303/4.204* SECTION 1695.** 77.995 (2) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is repealed and recreated to read:

77.995 **(2)** There is imposed a fee at the rate of 5% of the sales price on the rental, but not for rerental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short−term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate of 5% of the sales price on the rental of limousines.

***−0303/4.205* SECTION 1696.** 77.9951 (2) of the statutes is amended to read:

77.9951 **(2)** Sections 77.51 ~~(4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and~~ (12m), (14) ~~(a) to (f), (j) and (k)~~, (15a), and (15b), 77.52 (3m), (4), ~~(6),~~ (13), (14) ~~and~~, (18), and (19), 77.522 (2), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9) ~~and~~, (12) to (14), and (15), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the vehicle is rented.

***−0303/4.206* SECTION 1697.** 77.996 (6) of the statutes is amended to read:

77.996 **(6)** "Gross receipts" ~~has the meaning given in s. 77.51 (4) (a), (b) 1. and 5., (c) 1. to 4., and (d)~~ means the sales price, as defined in s. 77.51 (15b), of tangible personal property and taxable services sold by a dry cleaning facility. "Gross receipts" does not include the license fee imposed under ~~s. 77.9661 (1m)~~ s. 77.9961 (1m) that is passed on to customers.

***−0302/4.63* SECTION 1698.** 78.005 (14) of the statutes is amended to read:

78.005 **(14)** "Supplier" includes a person who imports, or acquires immediately upon import, motor vehicle fuel by pipeline or marine vessel from a state, territory or possession of the United States or from a foreign country into a terminal and who is registered under 26 USC 4101 for tax−free transactions in gasoline. "Supplier" also includes a person who produces in this state; or imports into a terminal or bulk plant; or acquires immediately upon import by truck, railcar or barge into a terminal; alcohol or alcohol derivative substances. "Supplier" also includes a person who produces, manufactures or refines motor vehicle fuel in this state. "Supplier" also includes a person who acquires motor vehicle fuel pursuant to an industry terminal exchange agreement <u>or by a 2−party exchange under section 4105 of the Internal Revenue Code</u>. "Supplier" does not include a retail dealer or wholesaler who merely blends alcohol with gasoline before the sale or distribution of the product. "Supplier" does not include a terminal operator who merely handles in a terminal motor vehicle fuel consigned to the terminal operator.

***−1229/6.4* SECTION 1699.** 79.01 (1) of the statutes is amended to read:

79.01 **(1)** There is established an account in the general fund entitled the "Expenditure Restraint Program Account." There shall be appropriated to that account $25,000,000 in 1991, in 1992, and in 1993; $42,000,000 in 1994; $48,000,000 in each year beginning in 1995 and ending in 1999; $57,000,000 in the year 2000 and in the year 2001; $57,570,000 in 2002; and $58,145,700 in 2003 and in each year thereafter<u>, ending in 2006</u>.

***−1231/7.3* SECTION 1700.** 79.01 (5) of the statutes is created to read:

79.01 **(5)** There is established an account in the general fund entitled the "County Levy Restraint Payment Account." There shall be appropriated to that account $25,000,000 in 2007 and in each year thereafter.

***−1229/6.5* SECTION 1701.** 79.01 (5b) of the statutes is created to read:

79.01 **(5b)** There is established an account in the general fund entitled the "Municipal Levy Restraint Payment Account." There shall be appropriated to that account $58,145,700 in 2007 and in each year thereafter.

***−1231/7.4* SECTION 1702.** 79.01 (6) of the statutes is created to read:

79.01 **(6)** There is established an account in the general fund entitled the "County Levy Restraint Bonus Payment Account." There shall be appropriated to that account $10,000,000 in 2007 and in each year thereafter.

***−1229/6.6* SECTION 1703.** 79.01 (6b) of the statutes is created to read:

79.01 **(6b)** There is established an account in the general fund entitled the "Municipal Levy Restraint Bonus Payment Account." There shall be appropriated to that account $10,000,000 in 2007 and in each year thereafter.

***−1231/7.5* SECTION 1704.** 79.015 of the statutes is amended to read:

79.015 Statement of estimated payments. The department of revenue, on or before September 15 of each year, shall provide to each municipality and county a statement of estimated payments to be made in the next calendar year to the municipality or county under ss. 79.03, 79.035, 79.04, 79.05, 79.051, 79.052, 79.058, and 79.06.

***−1231/7.6* SECTION 1705.** 79.02 (2) (b) of the statutes is amended to read:

79.02 **(2)** (b) Subject to ss. 59.605 (4) and 70.995 (14) (b), payments in July shall equal 15% of the municipality's or county's estimated payments under ss. 79.03, 79.035, 79.04, 79.058, and 79.06 and 100% of the municipality's or county's estimated payments under ~~s.~~ ss. 79.05, 79.051, and 79.052.

***−1233/1.1* SECTION 1706.** 79.043 (4) of the statutes is amended to read:

79.043 **(4)** Except as provided under s. 79.02 (3) (e), beginning in 2004 the total amount to be distributed each year to municipalities from the aid account is ~~$703,102,200~~ $702,483,300.

***−1229/6.7* SECTION 1707.** 79.05 (7) of the statutes is created to read:

79.05 **(7)** Beginning in 2007, no municipality may receive a payment under this section.

***−1229/6.8* SECTION 1708.** 79.051 of the statutes is created to read:

79.051 Municipal levy restraint program. (1) DEFINITIONS. In this section:

(ad) "Debt service" includes debt service on debt issued or reissued to fund or refund outstanding municipal obligations, interest on outstanding municipal obligations, and related issuance costs and redemption premiums.

(am) "Inflation factor" means a percentage equal to the average annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months ending on June 30 of the year before the statement under s. 79.015.

(b) "Maximum allowable levy" means the municipal tax levy for the year before the statement under s. 79.015, as adjusted under sub. (5), multiplied by the sum of one plus 85 percent of the inflation factor and 85 percent of the valuation factor, rounded to the nearest 0.01 percent.

(c) "Municipal tax levy" means the amounts reported as the total taxes levied for each town, village, or city on the statement of taxes filed with the department of revenue under s. 73.10, not including the incremental levy for municipal tax incremental financing districts and the incremental levy for county environmental tax financing districts.

(d) "Municipal tax rate" means the municipal tax levy divided by the taxable value.

(e) "Region" means any of the following areas to which a municipality is assigned, for purposes of determining the eligibility for and the amount of the payments under this subsection, according to the county in which the municipality is located, except that if the municipality is located in more than one county, the municipality is considered, for purposes of determining the eligibility for and the amount of the payments under this subsection, to be located in the county that has the greater taxable value:

1. Region 1, consisting of the counties of Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto, and Sheboygan.

2. Region 2, consisting of the counties of Calumet, Fond du Lac, Green Lake, Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara, and Winnebago.

3. Region 3, consisting of the counties of Buffalo, Crawford, Jackson, La Crosse, Monroe, Pepin, Pierce, Trempealeau, and Vernon.

4. Region 4, consisting of the counties of Adams, Forest, Juneau, Langlade, Lincoln, Marathon, Oneida, Portage, Vilas, and Wood.

5. Region 5, consisting of the counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, and Washburn.

6. Region 6, consisting of the counties of Columbia, Dane, Dodge, Jefferson, Rock, and Sauk.

7. Region 7, consisting of the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha.

8. Region 8, consisting of the counties of Grant, Green, Iowa, Lafayette, and Richland.

9. Region 9, consisting of the counties of Barron, Chippewa, Clark, Dunn, Eau Claire, Polk, and St. Croix.

(f) "Taxable value" means, for a municipality, the equalized assessed value of all property located in the municipality, as determined under s. 70.57, excluding the value of any tax increments under s. 66.1105, and, for a county, the equalized assessed value of all property located in the county, as determined under s. 70.57, excluding the value of any tax increments under s. 66.1105.

(g) "Valuation factor" means a percentage equal to 60 percent of the percentage change in the region's equalized value under s. 70.57 due to new construction less improvements removed between the year before the statement under s. 79.015 and the previous year, but not less than zero nor greater than 2.

(2) ELIGIBILITY. A municipality is eligible to receive a payment under sub. (4) if it fulfills all of the following requirements:

(a) The municipality's municipal tax rate for the year before the statement under s. 79.015 is greater than 5 mills.

(b) The municipality's municipal tax levy for the year of the statement under s. 79.015 is no greater than the municipality's maximum allowable levy.

(3) CONSUMER PRICE INDEX. Annually, on August 1, the department of revenue shall certify to the joint committee on finance the appropriate percentage change in the consumer price index that is to be used to determine the inflation factor.

(4) PAYMENTS. (a) Beginning in 2007, each municipality that is eligible under sub. (2) shall receive a payment calculated by the department of revenue as follows:

1. Subtract 5 mills from the municipality's municipal tax rate.

2. Multiply the amount determined under subd. 1. by the municipality's taxable value.

3. Divide the amount determined under subd. 2. by the total of the amounts under subd. 2. for all municipalities that are eligible for a payment under sub. (2).

4. Multiply the amount determined under subd. 3. by $58,145,700.

(b) Each municipality that is eligible under sub. (2) shall receive an additional payment calculated by the department of revenue as follows:

1. Subtract the municipal tax levy, as determined under par. (a) 1., from the municipality's maximum allowable levy.

2. Divide the amount determined under subd. 1. by the total of the amounts under subd. 1. for all municipalities that are eligible for a payment under sub. (2).

3. Multiply the amount determined under subd. 2. by $10,000,000.

(5) ADJUSTMENTS. For purposes of determining eligibility for and the amount of the payments under this section:

(a) If a municipality transfers to another governmental unit responsibility for providing any service that the municipality provided in the preceding year, its municipal tax levy for the preceding year shall be decreased to reflect the amount that the municipality levied to provide that service, as determined by the department of revenue.

(b) If a municipality increases the services that it provides by adding responsibility for providing a service transferred to it from another governmental unit in any year, its municipal tax levy for the preceding year shall be increased to reflect the cost of that service, as determined by the department of revenue.

(c) If in any year a municipality's distribution under s. 79.043 (5) is less than the municipality's distribution under s. 79.043 (5) in the previous year, the

municipality's maximum allowable levy shall be increased to reflect the reduction in the distribution.

(d) The maximum allowable levy otherwise applicable under this section does not apply to amounts levied by a municipality for the payment of any general obligation debt service, including debt service on debt issued or reissued to fund or refund outstanding obligations of the municipality, interest on outstanding obligations of the municipality, or the payment of related issuance costs or redemption premiums, secured by the full faith and credit of the municipality.

***−1231/7.7* SECTION 1709.** 79.052 of the statutes is created to read:

79.052 County levy restraint program. (1) DEFINITIONS. In this section:

(a) "County tax levy" means the sum for all municipalities in the county of the amounts reported as total county taxes levied on the statement of taxes filed with the department of revenue under s. 73.10, not including any taxes levied under s. 115.817 (9).

(b) "County tax rate" means the county tax levy divided by the equalized assessed value of all property located in the county, as determined under s. 70.57, excluding the value of any tax increments under s. 66.1105.

(bm) "Debt service" includes debt service on debt issued or reissued to fund or refund outstanding county obligations, interest on outstanding county obligations, and related issuance costs and redemption premiums.

(c) "Inflation factor" means a percentage equal to the average annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months ending on June 30 of the year before the statement under s. 79.015.

(d) "Maximum allowable levy" means the county tax levy for the year before the statement under s. 79.015, as adjusted under sub. (5), multiplied by the sum of one plus 85 percent of the inflation factor and 85 percent of the valuation factor, rounded to the nearest 0.01 percent.

(e) "Valuation factor" means a percentage equal to 60 percent of the percentage change in the county's equalized value under s. 70.57 due to new construction less improvements removed between the year before the statement under s. 79.015 and the previous year, but not less than zero nor greater than 2.

(2) ELIGIBILITY. A county is eligible to receive a payment under sub. (4) if the county's county tax levy for the year of the statement under s. 79.015 is no greater than the county's maximum allowable levy.

(3) CONSUMER PRICE INDEX. Annually, on August 1, the department of revenue shall certify to the joint committee on finance the appropriate percentage change in the consumer price index that is to be used to determine the inflation factor.

(4) PAYMENTS. (a) Beginning in 2007, each county that is eligible under sub. (2) shall receive a payment calculated by the department of revenue as follows:

1. Determine the county tax levy for the county.

2. Divide the amount determined under subd. 1. by the total of the amounts under subd. 1. for all counties that are eligible for a payment under sub. (2).

3. Multiply the amount determined under subd. 2. by $25,000,000.

(b) Beginning in 2007, each county that is eligible under sub. (2) shall receive an additional payment calculated by the department of revenue as follows:

1. Subtract the county tax levy, as determined under par. (a) 1., from the county's maximum allowable levy.

2. Divide the amount determined under subd. 1. by the total of the amounts under subd. 1. for all counties that are eligible for a payment under sub. (2).

3. Multiply the amount determined under subd. 2. by $10,000,000.

(5) ADJUSTMENTS. For purposes of determining eligibility for and the amount of the payments under this section:

(a) If a county transfers to another governmental unit responsibility for providing any service that the county provided in the preceding year, its county tax levy for the preceding year shall be decreased to reflect the amount that the county levied to provide that service, as determined by the department of revenue.

(b) If a county increases the services that it provides by adding responsibility for providing a service transferred to it from another governmental unit in any year, its county tax levy for the preceding year shall be increased to reflect the cost of that service, as determined by the department of revenue.

(c) If in any year a county's distribution under s. 79.043 (5) is less than the county's distribution under s. 79.043 (5) in the previous year, the county's maximum allowable levy shall be increased to reflect the reduction in the distribution.

(d) The maximum allowable levy otherwise applicable under this section does not apply to amounts levied by a county for the payment of any general obligation debt service, including debt service on debt issued or reissued to fund or refund outstanding obligations of the county, interest on outstanding obligations of the county, or the payment of related issuance costs or redemption premiums, secured by the full faith and credit of the county.

***−1456/5.1* SECTION 1710.** 79.095 (4) of the statutes is amended to read:

79.095 **(4)** PAYMENT. The department shall calculate the payments due each taxing jurisdiction under this section by multiplying the full value as of the January

1 of the preceding year of the property that is exempt under s. 70.11 (39) and (39m) and that is located in the jurisdiction by the full−value gross tax rate of the jurisdiction for the preceding year. The department shall certify the amount of the payment due each taxing jurisdiction to the department of administration, which shall make the payments on or before the first Monday in May except that, beginning in 2007, the department of administration shall make the payments on or before the 4th Monday in July. For purposes of ch. 121, school districts shall treat the payments made in July under this subsection as if they had been received in the previous school year.

***−1886/2.3* SECTION 1711.** 79.10 (2) of the statutes is amended to read:

79.10 **(2)** NOTICE TO MUNICIPALITIES. On or before December 1 of the year preceding the ~~distribution~~ distributions under sub. (7m) (a), the department of revenue shall notify the clerk of each town, village and city of the estimated fair market value, as determined under sub. (11), to be used to calculate the lottery and gaming credit under sub. (5) and of the ~~amount~~ amounts to be distributed to it under sub. (7m) (a) ~~on~~ in the following ~~4th Monday in July~~ year. The anticipated receipt of such ~~distribution~~ distributions shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits.

***−1886/2.4* SECTION 1712.** 79.10 (4) of the statutes is amended to read:

79.10 **(4)** SCHOOL LEVY TAX CREDIT. The amount appropriated under s. 20.835 (3) (b) shall be distributed to municipalities in proportion to their share of the sum of average school tax levies for all municipalities, ~~as adjusted under sub. (7)~~ except that $150,000,000 of the amount appropriated shall be distributed to municipalities in proportion to their share of general school aids paid under s. 20.255 (2) (ac), (af), and (r) in the year of notification, as determined by the department of revenue.

***−1886/2.5* SECTION 1713.** 79.10 (7m) (a) 1. of the statutes is renumbered 79.10 (7m) (a) 1. a. and amended to read:

79.10 **(7m)** (a) 1. a. ~~The~~ Except as provided in subd. 1. b., the amount determined under sub. (4) shall be distributed by the department of administration on the 4th Monday in July.

SECTION 1714. 79.10 (7m) (a) 1. b. of the statutes is created to read:

79.10 **(7m)** (a) 1. b. No later than September 15, 2006, the department of administration shall determine whether general fund revenue during the 2005−07 biennium will exceed the amount of general fund revenue estimated under the 2005−07 biennial budget, plus any amount expended under s. 20.255 (2) (af). An amount equal to the amount of any excess determined under this subd. 1. b., not to exceed $150,000,000, but reduced by the amount transferred to the health care quality improvement fund under s. 16.518 (4), shall be distributed by the department of administration on June 15, 2007, and on each June 15 thereafter an identical amount shall be distributed, and the balance of the amount determined under sub. (4) shall be distributed on the 4th Monday in July 2007, and on each 4th Monday in July thereafter.

***−1886/2.7* SECTION 1715.** 79.10 (7m) (a) 2. of the statutes is amended to read:

79.10 **(7m)** (a) 2. The town, village or city treasurer shall settle for the amounts distributed under this paragraph ~~on the 4th Monday in July~~ with the appropriate county treasurer not later than August 15. Failure to settle timely under this subdivision subjects the town, village or city treasurer to the penalties under s. 74.31. On or before August 20, the county treasurer shall settle with each taxing jurisdiction, including towns, villages and cities except 1st class cities, in the county.

***−1886/2.8* SECTION 1716.** 79.10 (9) (b) of the statutes is amended to read:

79.10 **(9)** (b) *Property tax relief credit.* Except as provided in ss. 79.175 and 79.18, every property taxpayer of the municipality having assessed property shall receive a tax credit in an amount determined by applying the percentage of the amount of the value of property assessed to the taxpayer to the amount of the ~~distribution~~ distributions to be made to the municipality under sub. (7m) (a), as stated in the December 1 notification from the department of revenue, except that no taxpayer may receive a credit larger than the total amount of property taxes to be paid on each parcel for which tax is levied for that year by that taxpayer.

***−1886/2.9* SECTION 1717.** 79.14 of the statutes is amended to read:

79.14 School levy tax credit. The appropriation under s. 20.835 (3) (b) is $319,305,000 in 1994, 1995, and 1996 ~~and is~~; $469,305,000 beginning in 1997 and ending in 2006; and $619,305,000 in 2007 and in each year thereafter.

***−1219/2.8* SECTION 1718.** 84.01 (13) of the statutes is amended to read:

84.01 **(13)** ENGINEERING SERVICES. The department may engage such engineering, consulting, surveying, or other specialized services as it deems advisable. Any engagement of services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.77, 16.78 to 16.82 ~~and~~, 16.85 to 16.87, and 16.875 to 16.89, but ss. 16.528, 16.752 ~~and~~, 16.771, 16.871, and 16.754 apply to such engagement. Any engagement involving an expenditure of $3,000 or more shall be by formal contract approved by the governor.

***−1889/2.5* SECTION 1719.** 84.014 (2) of the statutes is amended to read:

84.014 **(2)** Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project and projects that involve adding one or more lanes 5 miles or more in length to the

existing freeway, may be funded only from the appropriations under ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2) (uum) and (uup).

***−1219/2.9* SECTION 1720.** 84.06 (2) (a) of the statutes is amended to read:

84.06 **(2)** (a) All such highway improvements shall be executed by contract based on bids unless the department finds that another method as provided in sub. (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the department. Except as provided in s. 84.075, the contract shall be awarded to the lowest competent and responsible bidder as determined by the department. If the bid of the lowest competent bidder is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. Except as provided in par. (b), the secretary shall enter into the contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.77, 16.78 to 16.82, 16.87 and 16.89, but ss. 16.528, 16.752 ~~and~~, 16.771, 16.871, and 16.754 apply to the contract. Any such contract involving an expenditure of $1,000 or more shall not be valid until approved by the governor. The secretary may require the attorney general to examine any contract and any bond submitted in connection with the contract and report on its sufficiency of form and execution. The bond required by s. 779.14 (1m) is exempt from approval by the governor and shall be subject to approval by the secretary. This subsection also applies to contracts with private contractors based on bids for maintenance under s. 84.07.

***−1219/2.10* SECTION 1721.** 84.06 (3) of the statutes is amended to read:

84.06 **(3)** CONTRACTS WITH COUNTY OR MUNICIPALITY; DIRECT LABOR; MATERIALS. If the department finds that it would be more feasible and advantageous to have the improvement performed by the county in which the proposed improvement is located and without bids, the department may, by arrangement with the county highway committee of the county, enter into a contract satisfactory to the department to have the work done by the county forces and equipment. In such contract the department may authorize the county to purchase, deliver, and store materials and may fix the rental rates of small tools and equipment. The contract shall be between the county and the state and shall not be based on bids, and may be entered into on behalf of the county by the county highway committee and on behalf of the state by the secretary. Such contract is exempted from s. 779.14 and from all provisions of chs. 16 and 230, except ~~s.~~ ss. 16.754, 16.771, and 16.871. If the total estimated indebtedness to be incurred exceeds $5,000 the contract shall not be valid until approved by the governor. The provisions of this subsection relating to agreements between a county and the state shall also authorize and apply to such arrangements between a city, town, or a village and the state. In such cases, the governing body of the city, town, or village shall enter into the agreement on behalf of the municipality.

***−1219/2.11* SECTION 1722.** 84.06 (4) of the statutes is amended to read:

84.06 **(4)** SPECIAL CONTRACTS WITH RAILROADS AND UTILITIES. If an improvement undertaken by the department will cross or affect the property or facilities of a railroad or public utility company, the department may, upon finding that it is feasible and advantageous to the state, arrange to perform portions of the improvement work affecting such facilities or property or perform work of altering, rearranging, or relocating such facilities by contract with the railroad or public utility. Such contract shall be between the railroad company or public utility and the

state and need not be based on bids. The contract may be entered into on behalf of the state by the secretary. Every such contract is exempted from s. 779.14 and from all provisions of chs. 16 and 230, except ss. 16.528, 16.752 ~~and~~, 16.754, 16.771, and 16.871. No such contract in which the total estimated debt to be incurred exceeds $5,000 shall be valid until approved by the governor. As used in this subsection, "public utility" means the same as in s. 196.01 (5), and includes a telecommunications carrier as defined in s. 196.01 (8m), and "railroad" means the same as in s. 195.02. "Property" as used in this subsection includes but is not limited to tracks, trestles, signals, grade crossings, rights−of−way, stations, pole lines, plants, substations, and other facilities. Nothing in this subsection shall be construed to relieve any railroad or public utility from any financial obligation, expense, duty, or responsibility otherwise provided by law relative to such property.

***−1513/4.19* SECTION 1723.** 84.09 (9) of the statutes is created to read:

84.09 **(9)** Subsections (5), (5m), and (6) do not apply to state surplus property that is sold under s. 16.848.

***−0774/P4.4* SECTION 1724.** 84.185 (1) (ce) of the statutes is amended to read:

84.185 **(1)** (ce) "Job" has the meaning specified in s. ~~560.60 (10)~~ 560.17 (1) (bm).

***−0774/P4.5* SECTION 1725.** 84.185 (1) (cm) of the statutes is amended to read:

84.185 **(1)** (cm) "Political subdivision" ~~has the meaning specified in s. 560.60 (13)~~ means a county, city, town, or village.

***−1560/3.20* SECTION 1726.** 84.28 (1) of the statutes is amended to read:

84.28 **(1)** Moneys from the appropriation under s. 20.370 (7) ~~(mc)~~ (mr) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any state park, state forest or other property under the jurisdiction of the department of natural resources. Moneys from the

appropriation under s. 20.370 (7) ~~(mc)~~ (mr) may be expended for the renovation, marking and maintenance of a town or county highway located in the lower Lower Wisconsin ~~state riverway~~ State Riverway as defined in s. 30.40 (15). Outside the ~~lower~~ Lower Wisconsin ~~state riverway~~ State Riverway as defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property, moneys from the appropriation under s. 20.370 (7) ~~(mc)~~ (mr) may be expended for the renovation, marking and maintenance of roads which the department of natural resources certifies are utilized by a substantial number of visitors to state parks, state forests or other property under the jurisdiction of the department of natural resources. The department of natural resources shall authorize expenditures under this subsection. The department of natural resources shall rank projects eligible for assistance under a priority system and funding may be restricted to those projects with highest priority.

***−1889/2.6* SECTION 1727.** 84.555 (1m) of the statutes is amended to read:

84.555 **(1m)** Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) are allocated for expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general obligation bonds issued under s. 20.866 (2) (uup) are allocated for expenditure obligations under s. 84.014.

***−1084/3.1* SECTION 1728.** 84.59 (6) of the statutes is amended to read:

84.59 **(6)** The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed

~~$2,095,583,900~~ $2,516,117,900, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section and to pay expenses associated with revenue obligations contracted under this section.

***−0955/10.8* SECTION 1729.** 85.013 (2) (a) of the statutes is amended to read:

85.013 **(2)** (a) The secretary shall designate ~~employees of the department as~~ hearing examiners to preside over all hearings arising under ch. 344.

***−1219/2.12* SECTION 1730.** 85.015 of the statutes is amended to read:

85.015 Transportation assistance contracts. All contracts entered into under this chapter to provide financial assistance in the areas of railroads, urban mass transit, specialized transportation, and harbors are subject to ss. 16.528 ~~and~~, 16.752,16.771, and 16.871 but are exempt from ss. 16.70 to 16.75, 16.755 to 6.77, 16.78 to 16.82 ~~and~~, 16.85 to 16.87, and 16.875 to 16.89.

***−1560/3.21* SECTION 1731.** 85.037 of the statutes is repealed.

***−0122/1.1* SECTION 1732.** 85.061 (3) (a) 1. of the statutes is amended to read:

85.061 **(3)** (a) 1. Capital costs related to Amtrak service extension routes or other rail service routes between the cities of Milwaukee and Madison ~~and~~, between the cities of Milwaukee and Green Bay, between the cities of Milwaukee and Chicago, and between the cities of Madison and La Crosse. Any route between the cities of Milwaukee and Green Bay funded under the program shall provide service to

population centers along the route in a manner that makes the route most economically feasible.

***−0299/2.4* SECTION 1733.** 85.103 (6) of the statutes is amended to read:

85.103 **(6)** The department may disclose the personal identifier of any person who has made a designation under sub. (2) or (3) if the department discloses the personal identifier under s. 341.17 (9), 342.06, 343.027, 343.14, 343.234, 343.235, 343.24 (3) and (4), or 343.245 (3m).

***−1083/2.1* SECTION 1734.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

85.20 **(4m)** (a) 6. cm. ~~For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1) (ht), the department shall pay $55,697,800 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000.~~ For aid payable for calendar ~~year 2003 and for each calendar year thereafter~~ years 2004 and 2005, from the appropriation under s. 20.395 (1) (ht), the department shall pay $56,811,800 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000. From the appropriation under s. 20.395 (1) (ht), the department shall pay $57,948,000 for aid payable for calendar year 2006, and $59,107,000 for aid payable for calendar year 2007 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may

allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

***−1083/2.2* SECTION 1735.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

85.20 **(4m)** (a) 6. d. ~~For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1) (hu), the department shall pay $14,869,500 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000.~~ For aid payable for calendar ~~year 2003 and for each calendar year thereafter~~ years 2004 and 2005, from the appropriation under s. 20.395 (1) (hu), the department shall pay $15,166,900 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. From the appropriation under s. 20.395 (1) (hu), the department shall pay $15,470,200 for aid payable for calendar year 2006, and $15,779,600 for aid payable for calendar year 2007 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

***−1083/2.3* SECTION 1736.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the amounts for aids are ~~$20,596,400 in calendar year 2002, $21,008,300 in calendar year 2003, and~~ $21,757,600 in calendar ~~year 2004 and in each calendar year thereafter~~ years 2004 and 2005, $22,192,800 in calendar year 2006, and $22,636,700 in calendar year 2007 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

***−1083/2.4* SECTION 1737.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the amounts for aids are ~~$5,563,100 in calendar year 2002, $5,674,400 in calendar year 2003, and~~ $4,925,100 in calendar ~~year 2004 and in each calendar year thereafter~~ years 2004 and 2005, $5,023,600 in calendar year 2006, and $5,124,100 in calendar year 2007 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

***−0303/4.207* SECTION 1738.** 86.195 (3) (b) 3. of the statutes is amended to read:

86.195 **(3)** (b) 3. Fifty percent of the gross receipts of the business are from ~~meal, food,~~ the sale of food ~~product and beverage sales~~ and food ingredients, as defined in s. 77.51 (3t), that are taxable under ~~s. 77.54 (20) (c)~~ subch. III of ch. 77; and

***−1082/2.1* SECTION 1739.** 86.30 (2) (a) 3. of the statutes is amended to read:

86.30 **(2)** (a) 3. For each mile of road or street under the jurisdiction of a municipality as determined under s. 86.302, the mileage aid payment shall be ~~$1,755 in calendar year 2002, and~~ $1,825 in calendar ~~year 2003~~ years 2004 and 2005, $1,862 in calendar year 2006, and $1,899 in calendar year 2007 and thereafter.

***−1082/2.2* SECTION 1740.** 86.30 (9) (b) of the statutes is amended to read:

86.30 **(9)** (b) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to counties are ~~$86,581,300 in calendar year 2002, and~~ $90,044,600 in calendar ~~year 2003~~ years 2004 and 2005, $91,845,500 in calendar year 2006, and $93,682,400 in calendar year 2007 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide county average cost−sharing percentage in the particular calendar year.

***−1082/2.3* SECTION 1741.** 86.30 (9) (c) of the statutes is amended to read:

86.30 **(9)** (c) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to municipalities are ~~$272,395,300 in calendar year 2002, and~~ $283,291,100 in calendar ~~year 2003~~ years 2004 and 2005, $286,124,000 in calendar year 2006, and $297,736,000 in calendar year 2007 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide municipal average cost−sharing percentage in the particular calendar year.

***−0984/4.19* SECTION 1742.** 92.10 (4) (a) of the statutes is repealed and recreated to read:

92.10 **(4)** (a) *Data.* The department shall develop a systematic method of collecting and organizing data related to soil erosion. The department shall cooperate with the department of administration under s. 16.967 in developing this methodology or any related activities related to land information collection.

***−0495/1.2* SECTION 1743.** 93.06 (1qm) of the statutes is created to read:

93.06 **(1qm)** LOANS FOR RURAL DEVELOPMENT. Make loans, and charge interest and origination fees and take security for those loans, as required to receive federal funding for the development of rural business enterprises or for rural economic development.

***−1243/P3.8* SECTION 1744.** 93.07 (1) of the statutes is amended to read:

93.07 **(1)** REGULATIONS. To make and enforce such regulations, not inconsistent with law, as it may deem necessary for the exercise and discharge of all of the powers and duties of the department, and to adopt such measures and make such regulations as are necessary and proper for the ~~enforcement by the state of~~ department to carry out its powers and duties under chs. 93 to 100~~, which regulations shall have the force of law~~.

***−1243/P3.9* SECTION 1745.** 93.07 (23) of the statutes is created to read:

93.07 **(23)** CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to 100.14, 100.183 to 100.19, 100.201, 100.202, 100.206, 100.21 to 100.24, 100.265, 100.27, 100.285 to 100.30, 100.33 to 100.36, 100.45, 100.47, 100.48, and 100.51.

***−1243/P3.10* SECTION 1746.** 93.07 (24) of the statutes is amended to read:

93.07 **(24)** ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs. 88 and 93 to 99, those laws under ch. 100 administered by the department, and all other laws entrusted to its administration, and especially:

(a) To enforce the laws administered by the department regarding the production, manufacture and sale, offering or exposing for sale or having in possession with intent to sell, of any dairy, food or drug product.

(b) To enforce the laws administered by the department regarding the adulteration or misbranding of any articles of food, drink, condiment or drug.

(c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article of food, drink, condiment or drug made or offered for sale within this state which it may suspect or have reason to believe, under the laws administered by the department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or in any way unlawful.

(d) To prosecute or cause to be prosecuted, under the laws administered by the department, any person engaged in the manufacture or sale, offering or exposing for sale or having in possession with intent to sell, of any adulterated dairy product or of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles of food, drink, condiment or drug.

***−1243/P3.11* SECTION 1747.** 93.18 (3) of the statutes is amended to read:

93.18 **(3)** The department of justice, after acting pursuant to s. 100.37 or 100.41 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric, product or related material ceased, shall give written notice of its finding to the manufacturer, seller or other person responsible for placing the item in the channels of trade in this state. After such notice no person may sell, remove or otherwise dispose of such item except as directed by the department of justice. Any person affected by such notice may demand a prompt hearing to determine the validity of the ~~department's~~ findings of the department of justice. The hearing, if requested, shall be held as expeditiously as possible but not later than 30 days after notice. A request for hearing does not operate to stay enforcement of the order during the pendency of the hearing. The person petitioning for a hearing shall be entitled to the same rights specified under sub. (2).

***−1243/P3.12* SECTION 1748.** 93.18 (7) of the statutes is created to read:

93.18 **(7)** The department of justice shall follow the procedures under subs. (1), (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the department of justice.

***−1243/P3.13* SECTION 1749.** 93.20 (1) of the statutes is amended to read:

93.20 **(1)** DEFINITION. In this section, "action" means an action that is commenced in court by, or on behalf of, the department of agriculture, trade, and

~~consumer protection~~ rural resources to enforce chs. 88, 91 to 100 or 126 or an action that is commenced in court by the department of justice to enforce ch. 100.

***−1243/P3.14* SECTION 1750.** 93.22 (1) of the statutes is amended to read:

93.22 **(1)** In cases arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21, 100.30, and 100.51, the department may be represented by its attorney.

***−1243/P3.15* SECTION 1751.** 93.22 (2) of the statutes is amended to read:

93.22 **(2)** The department may, with the approval of the governor, appoint special counsel to prosecute or assist in the prosecution of any case arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21, 100.30, and 100.51. The cost of such special counsel shall be charged to the appropriation for the department.

***−1247/1.2* SECTION 1752.** 93.46 (3) of the statutes is created to read:

93.46 **(3)** (a) The department may make grants for any of the following:

1. Research and development of technologies, including digesters, for using agricultural products or agricultural waste as energy sources.

2. Encouraging the use of agricultural products or agricultural waste as energy sources.

3. Reducing the generation of agricultural wastes or increasing the beneficial use of agricultural wastes.

4. Encouraging the development of biochemicals from agricultural products.

(b) The department may provide the recipient of a grant under this subsection with not more than $300,000, of which not more than $150,000 may be for planning and not more than $150,000 may be for implementation.

***−0494/2.1* SECTION 1753.** 95.23 (1m) (b) of the statutes is amended to read:

95.23 **(1m)** (b) The department shall indemnify the owner of an animal that must be killed in order to conduct testing under par. (a)~~, if funds are available from~~

~~the appropriation under s. 20.115 (2) (m) or (8) (ks) to pay the indemnity,~~ in an amount equal to two−thirds of the difference between the net salvage value and the appraised value of the animal but not more than $1,500 for one animal, except as provided in s. 95.31 (3m). The department may pay an indemnity under this paragraph from the appropriation account under s. 20.115 (2) (b) only if funds received by the department under s. 20.115 (2) (m) and (8) (ks) for the payment of indemnities are insufficient to pay the indemnity.

***−0494/2.2* SECTION 1754.** 95.31 (3) of the statutes is amended to read:

95.31 **(3)** In addition to the indemnities for specific animal diseases provided under ss. 95.25, 95.26 and 95.27 or under special emergency programs and subject to s. 95.36, the department shall pay indemnities on livestock condemned and slaughtered or destroyed because of other diseases if the department determines that the condemnation and slaughter or destruction is necessary to protect public health or the livestock industry. The indemnity under this subsection shall be two−thirds of the difference between net salvage value and appraised value, but may not exceed $1,500 for an animal, except as provided in sub (3m). As used in this subsection, "livestock" means animals of species raised primarily to produce food for human consumption, including farm−raised deer.

***−0494/2.3* SECTION 1755.** 95.31 (3m) of the statutes is created to read:

95.31 **(3m)** If the department condemns an animal because the animal is suspected to have a transmissible spongiform encephalopathy and the owner disposes of the carcass as directed by the department, the department shall increase the amount of the indemnity calculated under sub. (3) or s. 95.23 (1m) (b) by the costs of the destruction of the animal and of the disposal, transportation, and any

necessary storage of the animal's carcass. An indemnity paid because of the condemnation of an animal to which this subsection applies may exceed $1,500.

***−1246/1.1* SECTION 1756.** 95.51 (8) of the statutes, as created by 2003 Wisconsin Act 229, is amended to read:

95.51 **(8)** CONTRACT AGENT. The department may contract with an agent to administer the registration program under this section on behalf of the department. The department may not authorize an agent to release aggregate information under this section. <u>If the department contracts with an agent under this subsection, the agent may collect fees from registrants that cover the agent's cost of administering the registration program.</u>

***−1243/P3.16* SECTION 1757.** 100.07 (6) of the statutes is amended to read:

100.07 **(6)** ~~Action~~ <u>Upon request of the department of agriculture, trade, and rural resources, an action</u> to enjoin violation of this section may be commenced and prosecuted by the department <u>of justice</u> in the name of the state in any court having equity jurisdiction.

***−1243/P3.17* SECTION 1758.** 100.171 (7) (b) of the statutes is amended to read:

100.171 **(7)** (b) Whoever intentionally violates this section is guilty of a Class I felony. A person intentionally violates this section if the violation occurs after the department <u>of justice</u> or a district attorney has notified the person by certified mail that the person is in violation of this section.

***−1243/P3.18* SECTION 1759.** 100.171 (8) (intro.) of the statutes is amended to read:

100.171 **(8)** ENFORCEMENT. (intro.) The department of justice shall investigate violations of this section. The department of justice or any district attorney may on behalf of the state:

***−1243/P3.19* SECTION 1760.** 100.173 (4) (intro.) of the statutes is amended to read:

100.173 **(4)** (intro.) The department of justice shall investigate violations of this section. The department of justice, or any district attorney upon informing the department of justice, may, on behalf of the state, do any of the following:

***−1243/P3.20* SECTION 1761.** 100.173 (4) (a) of the statutes is amended to read:

100.173 **(4)** (a) Bring an action for temporary or permanent injunctive relief in any court of competent jurisdiction for any violation of this section. The relief sought by the department of justice or district attorney may include the payment by a promoter into an escrow account of an amount estimated to be sufficient to pay for ticket refunds. The court may, upon entry of final judgment, award restitution when appropriate to any person suffering loss because of violations of this section if proof of such loss is submitted to the satisfaction of the court.

***−1243/P3.21* SECTION 1762.** 100.174 (5) (intro.) of the statutes is amended to read:

100.174 **(5)** (intro.) The department of justice or any district attorney may on behalf of the state:

***−1243/P3.22* SECTION 1763.** 100.174 (6) of the statutes is amended to read:

100.174 **(6)** The department of justice shall investigate violations of and enforce this section.

***−1243/P3.23* SECTION 1764.** 100.175 (5) (a) (intro.) of the statutes is amended to read:

100.175 **(5)** (a) (intro.) No person may collect or by contract require a buyer to pay more than $100 for dating services before the buyer receives or has the opportunity to receive those services unless the person selling dating services establishes proof of financial responsibility by maintaining any of the following commitments approved by the department of justice in an amount not less than $25,000:

***−1243/P3.24* SECTION 1765.** 100.175 (5) (b) of the statutes is amended to read:

100.175 **(5)** (b) The commitment described in par. (a) shall be established in favor of or made payable to the state, for the benefit of any buyer who does not receive a refund under the contractual provision described in sub. (3). The person selling dating services shall file with the department of justice any agreement, instrument or other document necessary to enforce the commitment against the person selling dating services or any relevant 3rd party, or both.

***−1243/P3.25* SECTION 1766.** 100.175 (7) (a) (intro.) of the statutes is amended to read:

100.175 **(7)** (a) (intro.) The department of justice or any district attorney may on behalf of the state:

***−1243/P3.26* SECTION 1767.** 100.175 (7) (b) of the statutes is amended to read:

100.175 **(7)** (b) The department of justice may bring an action in circuit court to recover on a financial commitment maintained under sub. (5) against a person

selling dating services or relevant 3rd party, or both, on behalf of any buyer who does not receive a refund due under the contractual provision described in sub. (3).

***−1243/P3.27* SECTION 1768.** 100.177 (1) (bm) of the statutes is created to read:

100.177 **(1)** (bm) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.28* SECTION 1769.** 100.178 (1) (b) of the statutes is amended to read:

100.178 **(1)** (b) Notwithstanding s. 93.01 (3), "department" means the department of ~~health and family services~~ justice.

***−1243/P3.29* SECTION 1770.** 100.18 (11) (a) of the statutes is amended to read:

100.18 **(11)** (a) The department of ~~agriculture, trade and consumer protection~~ justice shall enforce this section. Actions to enjoin violation of this section or any regulations thereunder may be commenced and prosecuted by the department of justice in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.

***−1243/P3.30* SECTION 1771.** 100.18 (11) (b) 3. of the statutes is amended to read:

100.18 **(11)** (b) 3. No action may be commenced under this section more than 3 years after the occurrence of the unlawful act or practice which is the subject of the action. No injunction may be issued under this section which would conflict with general or special orders of the department of justice or any statute, rule or regulation of the United States or of this state.

***−1243/P3.31* SECTION 1772.** 100.18 (11) (c) 1. of the statutes is amended to read:

100.18 **(11)** (c) 1. Whenever the department of justice has reason to believe that a person is in possession, custody, or control of any information or documentary material relevant to the enforcement of this section it may require that person to submit a statement or report, under oath or otherwise, as to the facts and circumstances concerning any activity in the course of trade or commerce; examine under oath that person with respect to any activity in the course of trade or commerce; and execute in writing and cause to be served upon such person a civil investigative demand requiring the person to produce any relevant documentary material for inspection and copying.

***−1243/P3.32* SECTION 1773.** 100.18 (11) (c) 2. of the statutes is amended to read:

100.18 **(11)** (c) 2. The department of justice, in exercising powers under this subsection, may issue subpoenas, administer oaths, and conduct hearings to aid in any investigation.

***−1243/P3.33* SECTION 1774.** 100.18 (11) (c) 3. of the statutes is amended to read:

100.18 **(11)** (c) 3. Service of any notice by the department of justice requiring a person to file a statement or report, or service of a subpoena upon a person, or service of a civil investigative demand shall be made in compliance with the rules of civil procedure of this state.

***−1243/P3.34* SECTION 1775.** 100.18 (11) (c) 4. of the statutes is amended to read:

100.18 **(11)** (c) 4. If a person fails to file any statement or report, or fails to comply with any civil investigative demand, or fails to obey any subpoena issued by the department of justice, such person may be coerced as provided in s. 885.12, except that no person shall be required to furnish any testimony or evidence under this subsection which might tend to incriminate the person.

***−1243/P3.35* SECTION 1776.** 100.18 (11) (d) of the statutes is amended to read:

100.18 **(11)** (d) The ~~department or the~~ department of justice~~, after consulting with the department,~~ or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may in its discretion, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The ~~department and the~~ department of justice may subpoena persons and require the production of books and other documents~~, and the department of justice may request the department to exercise its authority under par. (c) to aid in the investigation of alleged violations of this section~~.

***−1243/P3.36* SECTION 1777.** 100.18 (11) (e) of the statutes is amended to read:

100.18 **(11)** (e) In lieu of instituting or continuing an action pursuant to this section, ~~the department or~~ the department of justice may accept a written assurance of discontinuance of any act or practice alleged to be a violation of this section from the person who has engaged in such act or practice. The acceptance of such assurance by ~~either the department or~~ the department of justice shall be deemed acceptance by

~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of the assurance so provide. An assurance entered into pursuant to this section shall not be considered evidence of a violation of this section, provided that violation of such an assurance shall be treated as a violation of this section, and shall be subjected to all of the penalties and remedies provided ~~therefor~~ under this section.

***−1243/P3.37* SECTION 1778.** 100.182 (5) (a) of the statutes is amended to read:

100.182 **(5)** (a) Any district attorney, after informing the department of justice, or the department of justice may seek a temporary or permanent injunction in circuit court to restrain any violation of this section. Prior to entering a final judgment the court may award damages to any person suffering monetary loss because of a violation. The department of justice may subpoena any person or require the production of any document to aid in investigating alleged violations of this section.

***−1243/P3.38* SECTION 1779.** 100.182 (5) (b) of the statutes is amended to read:

100.182 **(5)** (b) In lieu of instituting or continuing an action under this subsection, the department of justice may accept a written assurance from a violator of this section that the violation has ceased. If the terms of the assurance so provide, its acceptance by the department of justice prevents all district attorneys from prosecuting the violation. An assurance is not evidence of a violation of this section but violation of an assurance is subject to the penalties and remedies of violating this section.

***−1243/P3.39* SECTION 1780.** 100.20 (2) (a) of the statutes is amended to read:

100.20 **(2)** (a) The department of justice, after public hearing, may issue general orders forbidding methods of competition in business or trade practices in

business which are determined by the department of justice to be unfair. The department of justice, after public hearing, may issue general orders prescribing methods of competition in business or trade practices in business which are determined by the department of justice to be fair.

***−1243/P3.40* SECTION 1781.** 100.20 (2) (b) of the statutes is amended to read:

100.20 **(2)** (b) Notwithstanding par. (a), the department of justice may not issue any order or promulgate any rule that regulates the provision of water or sewer service by a manufactured home park operator, as defined in s. 101.91 (8), or manufactured home park contractor, as defined in s. 101.91 (6m), or enforce any rule to the extent that the rule regulates the provision of such water or sewer service.

***−1243/P3.41* SECTION 1782.** 100.20 (3) of the statutes is amended to read:

100.20 **(3)** The department of justice, after public hearing, may issue a special order against any person, enjoining such person from employing any method of competition in business or trade practice in business which is determined by the department of justice to be unfair or from providing service in violation of sub. (1t). The department of justice, after public hearing, may issue a special order against any person, requiring such person to employ the method of competition in business or trade practice in business which is determined by the department of justice to be fair.

***−1243/P3.42* SECTION 1783.** 100.20 (4) of the statutes is amended to read:

100.20 **(4)** ~~The~~ If the department of justice ~~may file a written complaint with the department alleging that the~~ has reason to believe that a person ~~named~~ is employing unfair methods of competition in business or unfair trade practices in business or both~~. Whenever such a complaint is filed~~, it shall be the duty of the department of justice to proceed, after proper notice and in accordance with its rules, to the hearing and adjudication of the ~~matters alleged, and a representative of the~~

~~department of justice designated by the attorney general may appear before the department in such proceedings. The department of justice shall be entitled to judicial review of the decisions and orders of the department under ch. 227~~ matter.

***−1243/P3.43* SECTION 1784.** 100.20 (6) of the statutes is amended to read:

100.20 **(6)** The department of justice may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction the violation of any order issued under this section. The court may in its discretion, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department of justice may ~~use its authority in ss. 93.14 and 93.15 to~~ investigate violations of any order issued under this section.

***−1243/P3.44* SECTION 1785.** 100.201 (6) (d) of the statutes is amended to read:

100.201 **(6)** (d) The failure to pay fees under this subsection within the time provided under par. (c) is a violation of this section. The department of justice may also commence an action to recover the amount of any overdue fees plus interest at the rate of 2% per month for each month that the fees are delinquent.

***−1243/P3.45* SECTION 1786.** 100.201 (8m) (intro.) of the statutes is amended to read:

100.201 **(8m)** JURISDICTION. (intro.) This section shall apply to transactions, acts or omissions which take place in whole or in part outside this state. In any action or administrative proceeding the department of justice has jurisdiction of the person served under s. 801.11 when any act or omission outside this state by the defendant or respondent results in local injury or may have the effect of injuring competition

or a competitor in this state or unfairly diverts trade or business from a competitor, if at the time:

***−1243/P3.46* SECTION 1787.** 100.201 (9) (b) of the statutes is amended to read:

100.201 **(9)** (b) The department of agriculture, trade, and rural resources, after public hearing held under s. 93.18, may issue a special order against any person requiring such person to cease and desist from acts, practices, or omissions determined by the department of agriculture, trade, and rural resources to violate this section. Such orders shall be subject to judicial review under ch. 227. Any violation of a special order issued ~~hereunder~~ under this paragraph shall be punishable as a contempt under ch. 785 in the manner provided for disobedience of a lawful order of a court, upon the filing of an affidavit by the department of justice of the commission of such violation in any court of record in the county where the violation occurred.

***−1243/P3.47* SECTION 1788.** 100.201 (9) (c) of the statutes is amended to read:

100.201 **(9)** (c) The department of justice, in addition to or in lieu of any other remedies herein provided, may apply to a circuit court for a temporary or permanent injunction to prevent, restrain, or enjoin any person from violating this section or any special order of the department of agriculture, trade, and rural resources issued ~~hereunder~~ under this section, without being compelled to allege or prove that an adequate remedy at law does not exist.

***−1243/P3.48* SECTION 1789.** 100.205 (7) of the statutes is amended to read:

100.205 **(7)** The department of justice, or any district attorney on informing the department of justice, may commence an action in circuit court in the name of the

state to restrain by temporary or permanent injunction any violation of this section. The court may, before entry of final judgment and after satisfactory proof, make orders or judgments necessary to restore to any person any pecuniary loss suffered because of a violation of this section. The department of justice may conduct hearings, administer oaths, issue subpoenas, and take testimony to aid in its investigation of violations of this section.

***−1243/P3.49* SECTION 1790.** 100.205 (8) of the statutes is amended to read:

100.205 **(8)** The department of justice or any district attorney may commence an action in the name of the state to recover a forfeiture to the state of not more than $10,000 for each violation of this section.

***−1243/P3.50* SECTION 1791.** 100.207 (1) of the statutes is renumbered 100.207 (1) (intro.) and amended to read:

100.207 **(1)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section~~,~~ ~~"telecommunications~~:

(b) "Telecommunications service" has the meaning given in s. 196.01 (9m).

***−1243/P3.51* SECTION 1792.** 100.207 (1) (a) of the statutes is created to read:

100.207 **(1)** (a) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.52* SECTION 1793.** 100.207 (6) (b) 1. of the statutes is amended to read:

100.207 **(6)** (b) 1. The department ~~of justice, after consulting with the department of agriculture, trade and consumer protection~~, or any district attorney upon informing the department ~~of agriculture, trade and consumer protection~~, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. Injunctive relief may include

an order directing telecommunications providers, as defined in s. 196.01 (8p), to discontinue telecommunications service provided to a person violating this section or ch. 196. Before entry of final judgment, the court may make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action if proof of these acts or practices is submitted to the satisfaction of the court.

***−1243/P3.53* SECTION 1794.** 100.207 (6) (b) 2. of the statutes is amended to read:

100.207 **(6)** (b) 2. The department ~~may exercise its authority under ss. 93.14 to 93.16 and 100.18 (11) (c) to~~ shall administer this section. The department ~~and the department of justice~~ may subpoena persons ~~and~~, require the production of books and other documents, and ~~the department of justice may request the department of agriculture, trade and consumer protection to exercise its authority to aid in the investigation of~~ investigate alleged violations of this section.

***−1243/P3.54* SECTION 1795.** 100.207 (6) (c) of the statutes is amended to read:

100.207 **(6)** (c) Any person who violates subs. (2) to (4) shall be required to forfeit not less than $25 nor more than $5,000 for each offense. Forfeitures under this paragraph shall be enforced by the department ~~of justice, after consulting with the department of agriculture, trade and consumer protection,~~ or, upon informing the department, by the district attorney of the county where the violation occurs.

***−1243/P3.55* SECTION 1796.** 100.207 (6) (em) 1. of the statutes is amended to read:

100.207 **(6)** (em) 1. Before preparing any proposed rule under this section, the department shall form an advisory group to suggest recommendations regarding the

content and scope of the proposed rule. The advisory group shall consist of one or more persons who may be affected by the proposed rule~~, a representative from the department of justice~~ and a representative from the public service commission.

***−1243/P3.56* SECTION 1797.** 100.207 (6) (em) 2. of the statutes is amended to read:

100.207 **(6)** (em) 2. The department shall submit the recommendations under subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2) ~~and to the board of agriculture, trade and consumer protection~~.

***−1243/P3.57* SECTION 1798.** 100.208 (2) (intro.) of the statutes is amended to read:

100.208 **(2)** (intro.) The department <u>of justice</u> shall notify the public service commission if any of the following conditions exists:

***−1243/P3.58* SECTION 1799.** 100.208 (2) (b) of the statutes is amended to read:

100.208 **(2)** (b) The department <u>of justice</u> has issued an order under s. 100.20 (3) prohibiting a telecommunications provider from engaging in an unfair trade practice or method of competition.

***−1243/P3.59* SECTION 1800.** 100.209 (3) of the statutes is amended to read:

100.209 **(3)** RULES AND LOCAL ORDINANCES ALLOWED. This section does not prohibit the department <u>of justice</u> from promulgating a rule or from issuing an order consistent with its authority under this chapter that gives a subscriber greater rights than the rights under sub. (2) or prohibit a city, village<u>,</u> or town from enacting an ordinance that gives a subscriber greater rights than the rights under sub. (2).

***−1243/P3.60* SECTION 1801.** 100.209 (4) (b) of the statutes is amended to read:

100.209 **(4)** (b) The department of justice and the district attorneys of this state have concurrent authority to institute civil proceedings under this section.

***−1243/P3.61* SECTION 1802.** 100.2095 (6) (b) of the statutes is amended to read:

100.2095 **(6)** (b) The department of justice may commence an action in the name of the state to restrain by temporary or permanent injunction a violation of sub. (3), (4) or (5). Before entry of final judgment, the court may make any necessary orders to restore to any person any pecuniary loss suffered by the person because of the violation.

***−1243/P3.62* SECTION 1803.** 100.2095 (6) (c) of the statutes is amended to read:

100.2095 **(6)** (c) The department of justice or any district attorney may commence an action in the name of the state to recover a forfeiture to the state of not less than $100 nor more than $10,000 for each violation of sub. (3), (4) or (5).

***−1243/P3.63* SECTION 1804.** 100.21 (2) (a) of the statutes is amended to read:

100.21 **(2)** (a) No person may make an energy savings or safety claim without a reasonable and currently accepted scientific basis for the claim when the claim is made. Making an energy savings or safety claim without a reasonable and currently accepted scientific basis is also an unfair method of competition and trade practice prohibited under s. 100.20.

***−1243/P3.64* SECTION 1805.** 100.21 (4) (a) (intro.) of the statutes is amended to read:

100.21 **(4)** (a) (intro.) The department may, after public hearing, issue general or special orders ~~under s. 100.20~~:

***−1243/P3.65* SECTION 1806.** 100.22 (4) (b) of the statutes is amended to read:

100.22 **(4)** (b) The department of justice may, without alleging or proving that no other adequate remedy at law exists, bring an action on behalf of the department of agriculture, trade, and rural resources to enjoin violations of this section or a special order issued under this section in the circuit court for the county where the alleged violation occurred.

***−1243/P3.66* SECTION 1807.** 100.235 (11) (a) of the statutes is amended to read:

100.235 **(11)** (a) *Forfeiture.* Any person who violates this section or any rule promulgated or order issued under this section may be required to forfeit not less than $100 nor more than $10,000. ~~Notwithstanding s. 165.25 (1), the department may commence an action to recover a forfeiture under this paragraph.~~

***−1243/P3.67* SECTION 1808.** 100.26 (6) of the statutes is amended to read:

100.26 **(6)** ~~The department, the department of justice, after consulting with the department, or any district attorney may commence an action in the name of the state to recover a civil forfeiture to the state of not less than $100 nor more than $10,000 for each violation of~~ Any person violating an injunction issued under s. 100.18, 100.182 or 100.20 (6)~~. The department of agriculture, trade and consumer protection or any district attorney may commence an action in the name of the state to recover a civil~~ is subject to a forfeiture of not less than $100 nor more than $10,000 for each violation. Any person violating an order issued under s. 100.20 is subject to a forfeiture ~~to the state~~ of not less than $100 nor more than $10,000 for each violation ~~of an order issued under s. 100.20~~.

***−1243/P3.68* SECTION 1809.** 100.261 (1) of the statutes is amended to read:

100.261 **(1)** If a court imposes a fine or forfeiture for a violation of this chapter, ~~ch.~~ chs. 98 or 133, a rule promulgated under this chapter or ~~ch.~~ chs. 98 or 133, or an

ordinance enacted under this chapter or ~~ch.~~ chs. 98 or 133, the court shall also impose a consumer protection surcharge under ch. 814 in an amount equal to 25% of the fine or forfeiture imposed. If multiple violations are involved, the court shall base the consumer protection surcharge upon the total of the fine or forfeiture amounts for all violations. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the surcharge in proportion to the suspension.

***−1243/P3.69* SECTION 1810.** 100.261 (3) (b) of the statutes is amended to read:

100.261 **(3)** (b) The secretary of administration shall deposit the consumer protection surcharges imposed under ch. 814 for a violation of ch. 98, a rule promulgated under ch. 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par. (c).

***−1243/P3.70* SECTION 1811.** 100.261 (3) (d) of the statutes is created to read:

100.261 **(3)** (d) The state treasurer shall deposit the consumer protection surcharge amounts imposed for a violation of this chapter or ch. 133, a rule promulgated under this chapter or ch. 133, or an ordinance enacted under this chapter in the general fund and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to the limit under par. (e).

***−1243/P3.71* SECTION 1812.** 100.261 (3) (e) of the statutes is created to read:

100.261 **(3)** (e) The amount credited to the appropriation account under s. 20.455 (1) (g) may not exceed $375,000 in each fiscal year.

***−1243/P3.72* SECTION 1813.** 100.263 of the statutes is amended to read:

100.263 Recovery. In addition to other remedies available under this chapter, the court may award the ~~department~~ state the reasonable and necessary costs of

investigation ~~and~~, an amount reasonably necessary to remedy the harmful effects of the violation, and ~~the court may award the department of justice~~ the reasonable and necessary expenses of prosecution, including attorney fees, from any person who violates this chapter. The ~~department and the department of justice~~ amounts awarded under this section shall ~~deposit~~ be deposited in the state treasury for deposit in the general fund ~~all moneys that the court awards to the department, the department of justice or the state under this section~~. Ten percent of the money deposited in the general fund that was awarded under this section for the costs of investigation and the expenses of prosecution, including attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).

***−1243/P3.73* SECTION 1814.** 100.28 (4) (b) of the statutes is amended to read:

100.28 **(4)** (b) In lieu of or in addition to forfeitures under par. (a), the department of justice may seek an injunction restraining any person from violating this section.

***−1243/P3.74* SECTION 1815.** 100.28 (4) (c) of the statutes is amended to read:

100.28 **(4)** (c) The department of justice, or any district attorney upon the request of the department of justice, may commence an action in the name of the state under par. (a) or (b).

***−1243/P3.75* SECTION 1816.** 100.31 (4) of the statutes is amended to read:

100.31 **(4)** PENALTIES. For any violation of this section, the department of justice or a district attorney may commence an action on behalf of the state to recover a forfeiture of not less than $100 nor more than $10,000 for each offense. Each delivery of a drug sold to a purchaser at a price in violation of this section and each separate day in violation of an injunction issued under this section is a separate offense.

***−1243/P3.76* SECTION 1817.** 100.31 (5) of the statutes is amended to read:

100.31 **(5)** SPECIAL REMEDIES. The department of justice or a district attorney may bring an action to enjoin a violation of this section without being compelled to allege or prove that an adequate remedy at law does not exist. An action under this subsection may be commenced and prosecuted by the department of justice or a district attorney, in the name of the state, in a circuit court in the county where the offense occurred or in Dane County, notwithstanding s. 801.50.

***−1243/P3.77* SECTION 1818.** 100.37 (1) (am) of the statutes is created to read:

100.37 **(1)** (am) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.78* SECTION 1819.** 100.38 (5) of the statutes is amended to read:

100.38 **(5)** INSPECTION. The department of justice shall enforce this section by inspection, chemical analyses, or any other appropriate method, and the department of justice may promulgate such rules as are necessary to effectively enforce this section.

***−1243/P3.79* SECTION 1820.** 100.38 (6) of the statutes is amended to read:

100.38 **(6)** ENFORCEMENT. It is unlawful to sell any antifreeze which is adulterated or misbranded. In addition to the penalties provided under sub. (7), the department of justice may bring an action to enjoin violations of this section.

***−1243/P3.80* SECTION 1821.** 100.41 (1) (bn) of the statutes is created to read:

100.41 **(1)** (bn) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.81* SECTION 1822.** 100.42 (1) (cm) of the statutes is created to read:

100.42 **(1)** (cm) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.82* SECTION 1823.** 100.43 (1) (am) of the statutes is created to read:

100.43 **(1)** (am) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.83* SECTION 1824.** 100.44 (5) of the statutes is amended to read:

100.44 **(5)** ENFORCEMENT. For any violation of sub. (3), the department of justice may, on behalf of the state, bring an action in any court of competent jurisdiction for the recovery of forfeitures authorized under sub. (4), for temporary or permanent injunctive relief and for any other appropriate relief. The court may make any order or judgment that is necessary to restore to any person any pecuniary loss suffered because of a violation of sub. (3), if proof of the loss is shown to the satisfaction of the court.

***−1243/P3.84* SECTION 1825.** 100.46 (1) of the statutes is amended to read:

100.46 **(1)** ENERGY CONSERVATION STANDARDS. The department of justice may by rule adopt energy conservation standards for products that have been established in or promulgated under 42 USC 6291 to 6309.

***−1243/P3.85* SECTION 1826.** 100.46 (2) of the statutes is amended to read:

100.46 **(2)** PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install, or cause to be installed any product that is not in compliance with rules promulgated under sub. (1). In addition to other penalties and enforcement procedures, the department of justice may apply to a court for a temporary or permanent injunction restraining any person from violating a rule adopted under sub. (1).

***−1243/P3.86* SECTION 1827.** 100.50 (6) (b) of the statutes is amended to read:

100.50 **(6)** (b) In lieu of or in addition to the remedy under par. (a), the department of justice may seek an injunction restraining any person from violating this section.

***−1243/P3.87* SECTION 1828.** 100.50 (6) (c) of the statutes is amended to read:

100.50 **(6)** (c) The department of justice, or any district attorney upon the request of the department of justice, may commence an action in the name of the state under par. (a) or (b).

***−1243/P3.88* SECTION 1829.** 100.52 (1) (bn) of the statutes is created to read:

100.52 **(1)** (bn) Notwithstanding s. 93.01 (3), "department" means the department of justice.

***−1243/P3.89* SECTION 1830.** 101.175 (3) (intro.) of the statutes is amended to read:

101.175 **(3)** (intro.) The department, in consultation with the department of ~~agriculture, trade and consumer protection~~ justice, shall establish by rule quality standards for local energy resource systems which do not impede development of innovative systems but which do:

***−1560/3.22* SECTION 1831.** 101.9208 (1) (dm) of the statutes is amended to read:

101.9208 **(1)** (dm) Upon filing an application under par. (a) or (d), a supplemental title fee of $7.50 by the owner of the manufactured home, except that this fee shall be waived with respect to an application under par. (d) for transfer of a decedent's interest in a manufactured home to his or her surviving spouse. The fee specified under this paragraph is in addition to any other fee specified in this section. The department shall deposit into the environmental fund all fees collected under this paragraph.

***−1623/1.3* SECTION 1832.** 102.77 of the statutes is created to read:

102.77 Health care worker injury prevention. (1) DEFINITIONS. In this section:

(a) "Health care facility" has the meaning given in s. 146.997 (1) (c).

(b) "Health care provider" has the meaning given in s. 146.997 (1) (d).

(c) "Health care worker" means an employee of a health care facility or of a health care provider.

(2) STUDY, EDUCATION CAMPAIGN, AND GRANTS. From the appropriation account under s. 20.445 (1) (hr), the department shall do all of the following:

(a) Conduct a study of injuries to health care workers caused by lifting.

(b) Develop and distribute to health care facilities, health care providers, and health care workers informational materials that promote a lift−free working environment for health care workers.

(c) Distribute grants to health care facilities and health care providers to assist in the implementation of a lift−free working environment for the health care workers of those health care facilities and health care providers. The department shall require a grant recipient to provide matching funds in an amount determined by the department.

***−1219/2.13* SECTION 1833.** 102.81 (2) of the statutes is amended to read:

102.81 **(2)** The department may retain an insurance carrier or insurance service organization to process, investigate and pay claims under this section and may obtain excess or stop−loss reinsurance with an insurance carrier authorized to do business in this state in an amount that the secretary determines is necessary for the sound operation of the uninsured employers fund. In cases involving disputed claims, the department may retain an attorney to represent the interests of the uninsured employers fund and to make appearances on behalf of the uninsured employers fund in proceedings under ss. 102.16 to 102.29. Section 20.918 and <u>all provisions of</u> subch. IV of ch. 16<u>, except s. 16.771,</u> do not apply to an attorney hired

under this subsection. The charges for the services retained under this subsection shall be paid from the appropriation under s. 20.445 (1) (hp). The cost of any reinsurance obtained under this subsection shall be paid from the appropriation under s. 20.445 (1) (sm).

***−1305/1.2* SECTION 1834.** 103.49 (5) (a) of the statutes is amended to read:

103.49 **(5)** (a) Each contractor, subcontractor, or contractor's or subcontractor's agent performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person performing the work described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid for the hours worked. By no later than the end of the week following a week in which a contractor, subcontractor, or contractor's or subcontractor's agent performs work on a project that is subject to this section, the contractor, subcontractor, or agent shall submit to the state agency authorizing the work a certified record of the information specified in the preceding sentence for that preceding week.

***−1306/2.18* SECTION 1835.** 106.12 (2) of the statutes is amended to read:

106.12 **(2)** EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. The board shall plan, coordinate, administer, and implement the youth apprenticeship ~~program~~, school−to−work, and work−based learning programs under s. 106.13 (1) and such other employment and education programs as the governor may by executive order assign to the board. Notwithstanding any limitations placed on the use of state employment and education funds under this section or s. 106.13 or under an executive order assigning an employment and education program to the board, the board may issue a general or special order waiving any of those limitations on

finding that the waiver will promote the coordination of employment and education services.

***−1306/2.19* SECTION 1836.** 106.13 (1) of the statutes is renumbered 106.13 (1) (intro.) and amended to read:

106.13 **(1)** (intro.) The ~~department~~ board shall provide ~~a~~ all of the following programs:

(a) A youth apprenticeship program that includes the grant programs under subs. (3m) and (4).

***−1306/2.20* SECTION 1837.** 106.13 (2) of the statutes is amended to read:

106.13 **(2)** The council on workforce investment established under 29 USC 2821, the technical college system board, and the department of public instruction shall assist the board in providing the youth apprenticeship program, the school−to−work program, and the work−based learning program under sub. (1).

***−1306/2.21* SECTION 1838.** 106.13 (2m) of the statutes is amended to read:

106.13 **(2m)** The board shall approve occupations and maintain a list of approved occupations for the youth apprenticeship program and shall approve statewide skill standards for the school−to−work program. From the appropriation under s. 20.445 ~~(1)~~ (7) (a), the board shall develop curricula for youth apprenticeship programs for occupations approved under this subsection.

***−1306/2.22* SECTION 1839.** 106.13 (3m) (b) (intro.) of the statutes is amended to read:

106.13 **(3m)** (b) (intro.) From the appropriation under s. 20.445 ~~(1) (e)~~ (7) (b), the board shall award grants to applying local partnerships for the implementation and coordination of local youth apprenticeship programs. A local partnership shall include in its grant application the identity of each public agency, nonprofit

organization, individual, and other person who is a participant in the local partnership, a plan to accomplish the implementation and coordination activities specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible for receiving, managing, and accounting for the grant moneys received under this paragraph. Subject to par. (c), a local partnership that is awarded a grant under this paragraph may use the grant moneys awarded for any of the following implementation and coordination activities:

***−0311/3.12* SECTION 1840.** 108.02 (13) (k) of the statutes is amended to read:

108.02 **(13)** (k) "Employer" does not include a county department ~~or~~ aging unit, or, under s. 46.2785, a private agency that serves as a fiscal agent or contracts with a fiscal intermediary to serve as a fiscal agent under s. 46.27 (5) (i) or 47.035 as to any individual performing services for a person receiving long−term support services under s. 46.27 (5) (b), 46.275, 46.277, 46.278, 46.2785, 46.286, 46.495, 51.42, or 51.437 or personal assistance services under s. 47.02 (6) (c).

***−0252/2.5* SECTION 1841.** 108.07 (8) (b) of the statutes is amended to read:

108.07 **(8)** (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01, and has employment with an employer other than the department of corrections ~~or a private business leasing space within a state prison under s. 303.01 (2) (em)~~, and the claimant's employment terminates because conditions of incarceration or supervision make it impossible to continue the employment, the department shall charge to the fund's balancing account any benefits based on the terminated employment that are otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18.

***−0352/4.1* SECTION 1842.** 111.70 (1) (b) of the statutes is amended to read:

111.70 **(1)** (b) "Collective bargaining unit" means ~~a~~ the unit ~~consisting of municipal employees who are school district professional employees or of municipal employees who are not school district professional employees~~ that is determined by the commission to be appropriate for the purpose of collective bargaining.

***−0352/4.2* SECTION 1843.** 111.70 (1) (dm) of the statutes is repealed.

***−0352/4.3* SECTION 1844.** 111.70 (1) (fm) of the statutes is repealed.

***−0352/4.4* SECTION 1845.** 111.70 (1) (nc) of the statutes is repealed.

***−0352/4.5* SECTION 1846.** 111.70 (4) (cm) 5s. of the statutes is repealed.

***−0352/4.6* SECTION 1847.** 111.70 (4) (cm) 6. a. of the statutes is amended to read:

111.70 **(4)** (cm) 6. a. If in any collective bargaining unit a dispute relating to one or more issues~~, qualifying for interest arbitration under subd. 5s. in a collective bargaining unit to which subd. 5s. applies,~~ has not been settled after a reasonable period of negotiation and after mediation by the commission under subd. 3. and other settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them over wages, hours and conditions of employment to be included in a new collective bargaining agreement, either party, or the parties jointly, may petition the commission, in writing, to initiate compulsory, final and binding arbitration, as provided in this paragraph. At the time the petition is filed, the petitioning party shall submit in writing to the other party and the commission its preliminary final offer containing its latest proposals on all issues in dispute. Within 14 calendar days after the date of that submission, the other party shall submit in writing its preliminary final offer on all disputed issues to the petitioning party and the commission. If a petition is

filed jointly, both parties shall exchange their preliminary final offers in writing and submit copies to the commission at the time the petition is filed.

***−0352/4.7* SECTION 1848.** 111.70 (4) (cm) 6. am. of the statutes is amended to read:

111.70 **(4)** (cm) 6. am. Upon receipt of a petition to initiate arbitration, the commission shall make an investigation, with or without a formal hearing, to determine whether arbitration should be commenced. If in determining whether an impasse exists the commission finds that the procedures set forth in this paragraph have not been complied with and such compliance would tend to result in a settlement, it may order such compliance before ordering arbitration. The validity of any arbitration award or collective bargaining agreement shall not be affected by failure to comply with such procedures. Prior to the close of the investigation each party shall submit in writing to the commission its single final offer containing its final proposals on all issues in dispute that are subject to interest arbitration under this subdivision ~~or under subd. 5s. in collective bargaining units to which subd. 5s. applies~~. If a party fails to submit a single, ultimate final offer, the commission shall close the investigation based on the last written position of the party. ~~The municipal employer may not submit a qualified economic offer under subd. 5s. after the close of the investigation.~~ Such final offers may include only mandatory subjects of bargaining, except that a permissive subject of bargaining may be included by a party if the other party does not object and shall then be treated as a mandatory subject. No later than such time, the parties shall also submit to the commission a stipulation, in writing, with respect to all matters which are agreed upon for inclusion in the new or amended collective bargaining agreement. The commission, after receiving a report from its investigator and determining that arbitration should

be commenced, shall issue an order requiring arbitration and immediately submit to the parties a list of 7 arbitrators. Upon receipt of such list, the parties shall alternately strike names until a single name is left, who shall be appointed as arbitrator. The petitioning party shall notify the commission in writing of the identity of the arbitrator selected. Upon receipt of such notice, the commission shall formally appoint the arbitrator and submit to him or her the final offers of the parties. The final offers shall be considered public documents and shall be available from the commission. In lieu of a single arbitrator and upon request of both parties, the commission shall appoint a tripartite arbitration panel consisting of one member selected by each of the parties and a neutral person designated by the commission who shall serve as a chairperson. An arbitration panel has the same powers and duties as provided in this section for any other appointed arbitrator, and all arbitration decisions by such panel shall be determined by majority vote. In lieu of selection of the arbitrator by the parties and upon request of both parties, the commission shall establish a procedure for randomly selecting names of arbitrators. Under the procedure, the commission shall submit a list of 7 arbitrators to the parties. Each party shall strike one name from the list. From the remaining 5 names, the commission shall randomly appoint an arbitrator. Unless both parties to an arbitration proceeding otherwise agree in writing, every individual whose name is submitted by the commission for appointment as an arbitrator shall be a resident of this state at the time of submission and every individual who is designated as an arbitration panel chairperson shall be a resident of this state at the time of designation.

***−0352/4.8* SECTION 1849.** 111.70 (4) (cm) 8m. a. and c. of the statutes are consolidated, renumbered 111.70 (4) (cm) 8m. and amended to read:

111.70 **(4)** (cm) 8m. 'Term of agreement; reopening of negotiations.' Except for the initial collective bargaining agreement between the parties ~~and~~, except as the parties otherwise agree, and except as provided in par. (cn), every collective bargaining agreement covering municipal employees subject to this paragraph ~~other than school district professional employees~~ shall be for a term of 2 years~~. No~~, but in no case may a collective bargaining agreement for any collective bargaining unit consisting of municipal employees ~~subject to this paragraph other than school district professional employees shall~~ be for a term exceeding 3 years. ~~c.~~ No arbitration award may contain a provision for reopening of negotiations during the term of a collective bargaining agreement, unless both parties agree to such a provision. The requirement for agreement by both parties does not apply to a provision for reopening of negotiations with respect to any portion of an agreement that is declared invalid by a court or administrative agency or rendered invalid by the enactment of a law or promulgation of a federal regulation.

***−0352/4.9* SECTION 1850.** 111.70 (4) (cm) 8m. b. of the statutes is repealed.

***−0352/4.10* SECTION 1851.** 111.70 (4) (cm) 8p. of the statutes is repealed.

***−0352/4.11* SECTION 1852.** 111.70 (4) (cm) 8s. of the statutes is repealed.

***−0352/4.12* SECTION 1853.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

111.70 **(4)** (d) 2. a. The commission shall determine the appropriate collective bargaining unit for the purpose of collective bargaining and shall whenever possible, unless otherwise required under this subchapter, avoid fragmentation by maintaining as few collective bargaining units as practicable in keeping with the size of the total municipal work force. In making such a determination, the commission may decide whether, in a particular case, the municipal employees in the same or

several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a collective bargaining unit. Before making its determination, the commission may provide an opportunity for the municipal employees concerned to determine, by secret ballot, whether or not they desire to be established as a separate collective bargaining unit. ~~The commission shall not decide, however, that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both municipal employees who are school district professional employees and municipal employees who are not school district professional employees.~~ The commission shall not decide, however, that any ~~other~~ group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both professional employees and nonprofessional employees, unless a majority of the professional employees vote for inclusion in the unit. The commission shall not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both craft employees and noncraft employees unless a majority of the craft employees vote for inclusion in the unit. The commission shall place the professional employees who are assigned to perform any services at a charter school, as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that includes any other professional employees whenever at least 30% of those professional employees request an election to be held to determine that issue and a majority of the professional employees at the charter school who cast votes in the election decide to be represented in a separate collective bargaining unit. Any vote taken under this subsection shall be by secret ballot.

***−1737/2.9* SECTION 1854.** 111.815 (3) of the statutes is amended to read:

111.815 **(3)** With regard to collective bargaining activities involving employees who are assistant district attorneys, the director of the office shall maintain close liaison with the ~~secretary~~ department of ~~administration~~ justice.

***−0342/3.2* SECTION 1855.** 115.28 (45) of the statutes is created to read:

115.28 **(45)** GRANTS FOR ADVANCED PLACEMENT COURSES. From the appropriation under s. 20.255 (2) (fw), award grants to school districts to partially reimburse them for the costs of offering advanced placement courses in high schools that are not offering such courses. A grant may not exceed an amount equal to $300 multiplied by the number of pupils in the high school's advanced placement courses in the fall or spring session in which the grant is awarded.

***−1648/2.17* SECTION 1856.** 115.28 (47m) of the statutes is created to read:

115.28 **(47m)** GRANT TO BELOIT COLLEGE. Annually award the amount appropriated under s. 20.255 (2) (kn) to Beloit College to educate children and adults in southern Wisconsin about Native American cultures.

***−0401/1.1* SECTION 1857.** 115.29 (6) of the statutes is created to read:

115.29 **(6)** ENGLISH LANGUAGE PROFICIENCY ASSESSMENT SYSTEM. Assist in the establishment of, and participate in, a consortium of state education agencies organized to obtain public and private funds to be used to purchase an English language proficiency assessment system.

***−0393/2.1* SECTION 1858.** 115.341 (1) of the statutes is amended to read:

115.341 **(1)** From the appropriation under s. 20.255 (2) (cm), the state superintendent shall reimburse each school board ~~10~~ 15 cents for each breakfast served at a school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever is applicable, and shall reimburse each governing body of a private school ~~10~~ 15 cents

for each breakfast served at the private school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever is applicable.

***−1534/3.5* SECTION 1859.** 115.3615 of the statutes is amended to read:

115.3615 Head start supplement. From the ~~appropriations~~ appropriation under s. 20.255 (2) (eh) ~~and (kh)~~, the state superintendent shall distribute funds to agencies determined by the state superintendent to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. The state superintendent shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The state superintendent shall give preference in funding under this section to agencies that are receiving federal funds under 42 USC 9831 to 9852 and to agencies that operate full−time or early head start programs. Funds distributed under this section may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this section.

***−1588/4.2* SECTION 1860.** 115.40 of the statutes is created to read:

115.40 Grants for differentiated compensation programs. (1) During the 2005−07 fiscal biennium, a school district is eligible for a grant under this section for the design, development, and implementation of a differentiated compensation program that bases all or part of teacher salary increases on one or more of the following factors:

(a) An increase in a teacher's knowledge about teaching or about the subjects he or she teaches or an improvement in a teacher's teaching skills.

(b) The assumption by a teacher of additional leadership responsibilities, including mentoring other teachers.

(c) The assignment of a teacher to a grade level or subject area in which there are teacher shortages.

(d) The assignment of a teacher to a school that is difficult to staff or that is low in pupil performance.

(2) From the appropriation under s. 20.255 (2) (dc), the department shall award two−year, nonrenewable grants under this section to no more than 20 school districts. The amount of a grant may not exceed $100,000.

(3) Within 90 days after the end of the grant period, each school board receiving a grant under this section shall submit to the department a report that summarizes the activities funded by the grant.

(4) The department shall do all of the following:

(a) Award grants under this section in a competitive process based on criteria designed by the department.

(b) In awarding grants, give preference to school districts that demonstrate the support of the teachers employed by the school district, the community, and the businesses in the community.

(c) In awarding grants, make all reasonable efforts to reflect the diversity of school districts in size of enrollment, ethnicity, location, family income, and density of population.

(d) Promulgate rules to implement and administer this section.

(5) This section does not affect a school district's duty to bargain with the employees collective bargaining representative over wages, hours, and conditions of employment.

***−0400/3.3* SECTION 1861.** 115.405 (1) of the statutes is renumbered 115.405 (1) (a) and amended to read:

115.405 **(1)** (a) A cooperative educational service agency or a consortium consisting of 2 or more school districts or cooperative educational service agencies, or a combination thereof, may apply to the department for a grant to provide technical assistance and training for teachers who are licensed or have been issued a permit under ss. 115.28 (7) and 118.192 to implement peer review and mentoring programs. An applicant for a grant under this ~~section~~ subsection shall submit to the department a plan identifying the school districts and cooperative educational service agencies that will participate in the peer review and mentoring program and describing how the grant funds will be allocated. As a condition of receiving a grant under this ~~section~~ subsection, a cooperative educational service agency or a consortium shall provide matching funds in an amount equal to at least 20% of the amount of the grant awarded. The matching funds may be in the form of money or in−kind services or both.

***−0400/3.4* SECTION 1862.** 115.405 (2) of the statutes is renumbered 115.405 (1) (b) and amended to read:

115.405 **(1)** (b) The department shall award grants under par. (a) from the appropriation under s. 20.255 (2) (fk). The department may not award more than $25,000 to an applicant in a fiscal year.

***−0400/3.5* SECTION 1863.** 115.405 (2m) of the statutes is created to read:

115.405 **(2m)** (a) In this subsection, "initial educator" means a person who is licensed by the department as an initial educator under s. PI 34.17, Wis. Adm. Code.

(b) From the appropriation under s. 20.255 (2) (fh), the department shall award a grant to each person employing an initial educator in a position requiring a

teaching license issued by the department under s. 115.28 (7), for each initial educator so employed. The amount of the grant shall be equal to the amount that the employer is spending to provide a mentor for the initial educator, but not more than $375. The employer shall use the money to provide a mentor for each initial educator employed.

(c) If the amount appropriated under s. 20.255 (2) (fh) in any fiscal year is insufficient to fully fund the grants under this subsection, the department shall prorate the payments to eligible persons.

***−0399/1.2* SECTION 1864.** 115.42 (title) of the statutes is amended to read:

115.42 (title) ~~**National**~~ **Grants for national teacher certification or master educator licensure.**

***−0399/1.3* SECTION 1865.** 115.42 (1) (a) 1. of the statutes is amended to read:

115.42 **(1)** (a) 1. The person is certified by the National Board for Professional Teaching Standards or licensed by the department as a master educator under s. PI 34.19, Wis. Adm. Code.

***−0399/1.4* SECTION 1866.** 115.42 (1) (a) 2. of the statutes is amended to read:

115.42 **(1)** (a) 2. The person is licensed ~~as a teacher~~ by the state superintendent, or employed ~~as a teacher~~ in a private school located in this state in a position that would require a license issued by the state superintendent if the position were in a public school.

***−0399/1.5* SECTION 1867.** 115.42 (1) (a) 4. of the statutes is amended to read:

115.42 **(1)** (a) 4. The person is employed ~~as a teacher~~ in this state in a position that requires a license issued by the state superintendent or that would require such a license if the position were in a public school.

***−0399/1.6* SECTION 1868.** 115.42 (1) (b) of the statutes is amended to read:

115.42 **(1)** (b) The grant under this subsection shall be an amount equal to the costs of obtaining certification or licensure under par. (a) 1. that are borne by the person, not to exceed $2,000. The department shall award the grant under this subsection in the first school year in which the person meets the requirements under par. (a).

***−0399/1.7* SECTION 1869.** 115.42 (2) (a) 1. of the statutes is amended to read:

115.42 **(2)** (a) 1. The person maintains his or her ~~certification by the National Board for Professional Teaching Standards~~ national teacher certificate or master educator license.

***−0399/1.8* SECTION 1870.** 115.42 (2) (a) 2. of the statutes is amended to read:

115.42 **(2)** (a) 2. The person maintains his or her license ~~as a teacher~~ issued by the state superintendent or remains employed in a private school located in this state.

***−0399/1.9* SECTION 1871.** 115.42 (2) (a) 4. of the statutes is amended to read:

115.42 **(2)** (a) 4. The person remains employed ~~as a teacher~~ in this state in a position that requires a license issued by the state superintendent or that would require a license if the position were in a public school.

***−0399/1.10* SECTION 1872.** 115.42 (3) of the statutes is amended to read:

115.42 **(3)** The department may not require, as a condition for renewing a person's ~~teaching~~ license, that the person have earned continuing professional education credits or their equivalent in the 5 years immediately preceding his or her application for license renewal if he or she has been initially certified by the National Board for Professional Teaching Standards during those 5 years.

***−0399/1.11* SECTION 1873.** 115.42 (4) (c) of the statutes is amended to read:

115.42 **(4)** (c) The number of times that a ~~teacher~~ person may be exempt from continuing professional education requirements under sub. (3).

***−0425/4.2* SECTION 1874.** 115.445 of the statutes is created to read:

115.445 Four−year−old kindergarten grants. (1) A school board may apply to the department for up to 2 annual grants under this section to implement a 4−year−old kindergarten program.

(2) (a) For the initial grant awarded under this section, the department shall pay the school board up to $3,000 for each 4−year−old kindergarten pupil enrolled in the school district. For the second grant awarded under this section, the department shall pay the school board up to $1,500 for each 4−year−old kindergarten pupil enrolled in the school district.

(b) The department shall pay grants under this section from the appropriation under s. 20.255 (2) (dp) and shall give preference in awarding grants to school boards that use community approaches to early education, as defined by the department by rule. If the funds in this appropriation are insufficient to pay all eligible school boards, the department shall prorate the payments.

(3) The department shall promulgate rules to implement this section.

***−0370/1.5* SECTION 1875.** 115.49 of the statutes is created to read:

115.49 Pupil diversity grants . (1) A person may apply to the department under this section for an annual grant to do any of the following:

1. Impart to pupils an appreciation and understanding of different value systems and cultures.

2. Promote pupils' understanding of human relations, particularly with regard to American Indians.

3. Assist pupils, schools, and communities in appreciating racial and cultural diversity.

(2) (a) The department shall award grants under this section from the appropriation under s. 20.255 (2) (kj). No grant may exceed $30,000.

(b) The department shall promulgate rules to implement this section.

***−1648/2.18* SECTION 1876.** 115.751 of the statutes is created to read:

115.751 Aid to alternative schools. (1) (a) Subject to the requirements of par. (b), each alternative school operating an American Indian language and culture education program under this subchapter shall receive state aid, from the appropriation under s. 20.255 (2) (km), in an amount equal to $200 for each pupil who has completed the fall semester in the program.

(b) No alternative school may receive state aid under this section unless the state superintendent:

1. Determines that the alternative school has adequate management and accounting capacity and that the school agrees that its accounts related to the program may be audited.

2. Certifies that the alternative school has met the requirements of ss. 115.73 and 115.735 and has submitted a report to the state superintendent which includes a description of all expenditures made in the prior year in connection with the program, a budget for the current year for the program, and the number of pupils who have completed the fall semester in the program.

(2) State aid under this section shall be paid in April of each year. In no case may such aid supplant federal aid received by the alternative school and utilized for American Indian language and culture education programs in the prior year.

(3) If the appropriation under s. 20.255 (2) (km) in any year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the alternative schools entitled to such aid.

***−0395/2.1* SECTION 1877.** 115.88 (1) of the statutes is amended to read:

115.88 **(1)** PERSONNEL. A school board, board of control of a cooperative educational service agency or, upon authorization of the county board, a county children with disabilities education board may employ, for a special education program, either full− or part−time licensed teachers, licensed coordinators of special education, licensed school social workers, licensed school psychologists, licensed school counselors, paraprofessionals, licensed consulting teachers to work with any teacher of regular education programs who has a child with a disability in a class and any other personnel approved by the department. The board may contract with private or public agencies for physical or occupational therapy services on the basis of demonstrated need.

***−0395/2.2* SECTION 1878.** 115.88 (1m) (am) of the statutes is amended to read:

115.88 **(1m)** (am) If the operator of a charter school established under s. 118.40 (2r) operates a special education program and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for salaries of full−time or part−time licensed teachers, licensed coordinators of special education, licensed school social workers, licensed school psychologists, licensed school counselors, paraprofessionals, licensed consulting teachers to work with any teacher of regular education programs who has a child with a disability in a class and any other

personnel, as determined by the state superintendent. Certified costs under this paragraph are eligible for reimbursement from the appropriation under s. 20.255 (2) (b). The state superintendent may audit costs under this paragraph and adjust reimbursement to cover only actual, eligible costs.

***−0423/3.2* SECTION 1879.** 115.881 of the statutes is created to read:

115.881 Additional special education aid. (1) A school board, board of control of a cooperative educational service agency, county children with disabilities education board, or operator of a charter school established under s. 118.40 (2r) may apply to the department for aid under this section if the applicant incurred, in the previous school year, more than $30,000 of nonadministrative costs for providing special education and related services to a child and those costs were not eligible for reimbursement under s. 115.88, 115.93, or 118.255, 20 USC 1400 et seq., or federal medicaid.

(2) For each child whose costs exceeded $30,000 under sub. (1), the department shall, from the appropriation under s. 20.255 (2) (bd), pay an eligible applicant in the current school year an amount equal to 0.90 multiplied by that portion of the cost under sub. (1) that exceeded $30,000.

(3) If the appropriation under s. 20.255 (2) (bd) is insufficient to pay the full amount of costs under sub. (2), the department shall prorate payments among eligible applicants.

***−0747/1.5* SECTION 1880.** 115.882 of the statutes is amended to read:

115.882 Payment of state aid. Funds appropriated under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount

appropriated for reimbursement for the costs, ~~less the amount paid by the department of health and family services under s. 20.435 (4) (b) and (o) under s. 49.45 (39) (b) 1m.,~~ not to exceed 100%.

***−1742/3.4* SECTION 1881.** 118.153 (4) (b) of the statutes is amended to read:

118.153 **(4)** (b) Upon receipt of a school board's annual report under par. (a) the state superintendent shall pay to the school district from the appropriation under s. 20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved at least 3 of the objectives under par. (c) in the previous school year, additional state aid in an amount equal to 10% of the school district's average per pupil aids provided under s. 20.835 (7) (a), 1991 stats., and s. 20.255 (2) (ac) ~~and~~, (af), and (r) in the previous school year.

***−0352/4.13* SECTION 1882.** 118.245 of the statutes is repealed.

***−0343/3.2* SECTION 1883.** 118.35 (4) of the statutes is created to read:

118.35 **(4)** From the appropriation under s. 20.255 (2) (fy), the department shall award grants to cooperative educational service agencies and the school district operating under ch. 119 for the purpose of providing advanced curriculum and assessments for gifted and talented middle school pupils.

***−0420/2.1* SECTION 1884.** 118.43 (2) (bw) of the statutes is created to read:

118.43 **(2)** (bw) In the 2006−07 school year, the school board of an eligible school district may enter into a 5−year achievement guarantee contract with the department on behalf of one or more schools in the school district if all of the following apply:

1. The school board is not receiving a grant under the preschool to grade 5 program on behalf of any of the schools under s. 115.45.

2. The school board, if eligible to participate in the program under this section in the 1996−97 and 1998−99 school years, had participated in the program during either school year.

3. None of the schools is a beneficiary of a contract under this section.

***−0420/2.2* SECTION 1885.** 118.43 (2) (e) 1. of the statutes is amended to read:

118.43 **(2)** (e) 1. If the school board of an eligible school district does not enter into an achievement guarantee contract with the department, a school board that has entered into such a contract, other than the school board of the school district operating under ch. 119, may apply to the department to enter into such a contract on behalf of one or more schools that meet the requirements under par. (b), (bg) ~~or,~~ (br)<u>, or (bw)</u>.

***−0420/2.3* SECTION 1886.** 118.43 (2) (g) of the statutes is amended to read:

118.43 **(2)** (g) The department may renew an achievement guarantee contract under pars. (b), (bg), ~~and~~ (br)<u>, and (bw)</u> for one or more terms of 5 school years. As a condition of receiving payments under a renewal of an achievement guarantee contract, a school board shall maintain the reduction of class size achieved during the last school year of the original achievement guarantee contract for the grades specified for the last school year of the contract.

***−0420/2.4* SECTION 1887.** 118.43 (3) (intro.) of the statutes is amended to read:

118.43 **(3)** CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am) ~~and,~~ (ar)<u>, and (aw),</u> an achievement guarantee contract shall require the school board to do all of the following in each participating school:

***−0420/2.5* SECTION 1888.** 118.43 (3) (aw) of the statutes is created to read:

118.43 **(3)** (aw) *Class size; additional contracts.* For contracts that begin in the 2006−07 school year, reduce each class size to 15 in the following manner:

1. In the 2006−07 school year, in at least grades kindergarten and one.

2. In the 2007−08 school year, in at least grades kindergarten to 2.

3. In the 2008−09 to 2009−10 school years, in at least grades kindergarten to 3.

***−0422/1.2* SECTION 1889.** 118.43 (6) (a) of the statutes is amended to read:

118.43 **(6)** (a) In this subsection, "amount appropriated" means the amount appropriated under s. 20.255 (2) (cu) in any fiscal year less $250,000~~, plus the amount appropriated under s. 20.255 (2) (cv)~~.

***−0422/1.3* SECTION 1890.** 118.43 (6) (b) (intro.) of the statutes is amended to read:

118.43 **(6)** (b) (intro.) From the ~~appropriations~~ appropriation under s. 20.255 (2) (cu) ~~and (cv)~~, subject to par. (c), the department shall pay to each school district that has entered into a contract with the department under this section an amount determined as follows:

***−0420/2.6* SECTION 1891.** 118.43 (6) (b) 9. of the statutes is created to read:

118.43 **(6)** (b) 9. In the 2005−06 school year, $2,250 multiplied by the number of low−income pupils enrolled in grades eligible for funding in each school in the school district covered by renewals of contracts under sub. (2) (g).

***−0420/2.7* SECTION 1892.** 118.43 (6) (b) 10. of the statutes is created to read:

118.43 **(6)** (b) 10. In the 2006−07 school year, $2,500 multiplied by the number of low−income pupils enrolled in grades eligible for funding in each school in the school district covered by renewals of contracts under sub. (2) (g). After making these payments, the department shall pay school districts on behalf of schools that are

covered by contracts under sub. (3) (aw) an amount equal to $2,500 multiplied by the number of low−income pupils enrolled in grades eligible for funding in each school in the school district covered by contract under sub. (3) (aw). In making these payments, the department shall give priority to schools that have the highest percentage of low−income pupil enrollment and shall ensure that it fully distributes the amount appropriated.

***−0420/2.8* SECTION 1893.** 118.43 (6) (c) of the statutes is amended to read:

118.43 **(6)** (c) The amount paid to a school district in any school year under par. (b) may not exceed an amount equal to ~~$2,000~~ $2,500 multiplied by the number of low−income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under this section.

***−0352/4.14* SECTION 1894.** 119.04 (1) of the statutes is amended to read:

119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), ~~118.245,~~ 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and (37), 120.14 and 120.25 are applicable to a 1st class city school district and board.

***−1566/2.5* SECTION 1895.** 119.16 (8) (am) of the statutes is created to read:

119.16 **(8)** (am) Except as provided in par. (a), s. 65.90 (3) and (5) (c) applies to the budget proposed by the board.

***−0404/4.114* SECTION 1896.** 120.13 (14) of the statutes is amended to read:

120.13 **(14)** DAY CARE PROGRAMS. Establish and provide or contract for the provision of day care programs for children. The school board may receive federal or state funds for this purpose. The school board may charge a fee for all or part of the cost of the service for participation in a day care program established under this subsection. Costs associated with a day care program under this subsection may not be included in shared costs under s. 121.07 (6). Day care programs established under this subsection shall meet the standards for licensed day care centers established by the department of ~~health and family services~~ workforce development. If a school board proposes to contract for or renew a contract for the provision of a day care program under this subsection or if on July 1, 1996, a school board is a party to a contract for the provision of a day care program under this subsection, the school board shall refer the contractor or proposed contractor to the department of health and family services for the criminal history and child abuse record search required under s. 48.685. Each school board shall provide the department of health and family services with information about each person who is denied a contract for a reason specified in s. 48.685 (4m) (a) 1. to 5.

***−1742/3.5* SECTION 1897.** 121.007 of the statutes is amended to read:

121.007 Use of state aid; exemption from execution. All moneys paid to a school district under s. 20.255 (2) (ac), (af), (bc), (cg), ~~(cr),~~ (qr), and (r) shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment, or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employees and as to claims for school materials, supplies, fuel, and current repairs.

***−1742/3.6* SECTION 1898.** 121.08 (4) (a) (intro.), 2. and 3. of the statutes are amended to read:

121.08 **(4)** (a) (intro.) The amount of state aid that a school district is eligible to be paid from the appropriations under s. 20.255 (2) (ac) ~~and~~, (af), and(r) shall be reduced by the amount determined as follows:

2. Divide the sum under subd. 1. by the total amount of state aid that all school districts are eligible to be paid from the appropriations under s. 20.255 (2) (ac) ~~and~~, (af), and (r), calculated as if the reduction under par. (b) had not occurred.

3. Multiply the amount of state aid that the school district is eligible to be paid from the appropriations under s. 20.255 (2) (ac) ~~and~~ ,(af), and (r), calculated as if the reduction under par. (b) had not occurred, by the quotient under subd. 2.

***−1742/3.7* SECTION 1899.** 121.08 (4) (b) of the statutes is amended to read:

121.08 **(4)** (b) The amount of state aid that the school district operating under ch. 119 is eligible to be paid from the appropriations under s. 20.255 (2) (ac), (af), and (r) shall also be reduced by 45% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

***−1742/3.8* SECTION 1900.** 121.09 (1) of the statutes is amended to read:

121.09 **(1)** If, on or after July 1, 1980, the tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, or if, on or after January 1, 1982, the state board of assessors makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, the school board of the school district in which the property is located may, within 4 years after the date of the determination, decision, or judgment, file the determination of the state board of assessors, the decision of the tax appeals commission, or the judgment of the court with the state superintendent, requesting an adjustment in state aid to the school district. If the state

superintendent determines that the determination, decision, or judgment is final and that it has been filed within the 4−year period, the state shall pay to the school district in the subsequent fiscal year, from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af), an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year using the school district's equalized valuation as recertified under s. 70.57 (2).

***−1742/3.9* SECTION 1901.** 121.09 (2m) of the statutes is amended to read:

121.09 **(2m)** If after June 30, 1995, and before July 26, 2003, the state board of assessors, the tax appeals commission, or a court makes a final redetermination on the assessment of telephone company property subject to taxation under s. 70.112 (4) and subch. IV of ch. 76 that is lower than the previous assessment, the school board of the school district in which the property is located may, within 4 years after July 26, 2003, file the redetermination with the state superintendent, requesting an adjustment in state aid to the school district. If the state superintendent determines that the redetermination is final and that it has been filed within the 4−year period, the state shall pay to the school district in the subsequent fiscal year, from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af), an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year using the school district's equalized valuation as recertified under s. 70.57 (2).

***−1742/3.10* SECTION 1902.** 121.09 (2r) of the statutes is amended to read:

121.09 **(2r)** If after July 26, 2003, the state board of assessors, the tax appeals commission, or a court makes a final redetermination on the assessment of telephone company property subject to taxation under s. 70.112 (4) and subch. IV of ch. 76 that is lower than the previous assessment, the school board of the school district in which the property is located may, within 4 years after the redetermination, file the redetermination with the state superintendent, requesting an adjustment in state aid to the school district. If the state superintendent determines that the redetermination is final and that it has been filed within the 4−year period, the state shall pay to the school district in the subsequent fiscal year, from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af), an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year using the school district's equalized valuation as recertified under s. 70.57 (2).

***−1742/3.11* SECTION 1903.** 121.095 (2) of the statutes is amended to read:

121.095 **(2)** From the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af), annually the department of public instruction shall pay to the department of military affairs an amount equal to the sum of the reductions under sub. (1). The department of public instruction shall ensure that the aid adjustment under sub. (1) does not affect the amount determined to be received by a school district as state aid under s. 121.08 or for any other purpose.

***−1742/3.12* SECTION 1904.** 121.105 (3) of the statutes is amended to read:

121.105 **(3)** In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the

consolidated school district's state aid shall be an amount that is not less than the aggregate state aid received by the consolidating school districts in the school year prior to the school year in which the consolidation takes effect. The additional state aid shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af).

***−1742/3.13* SECTION 1905.** 121.15 (1m) (a) 3. of the statutes is amended to read:

121.15 **(1m)** (a) 3. Beginning in the 1999−2000 school year, annually the state shall pay to school districts, from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af), $75,000,000 on the 4th Monday in July of the following school year.

***−0396/3.1* SECTION 1906.** 121.58 (2) (a) of the statutes is renumbered 121.58 (2) (a) (intro.) and amended to read:

121.58 **(2)** (a) (intro.) A school district which provides transportation to and from a school under ss. 121.54 (1) to (3), (5) and (6) and 121.57, and the nonresident school district that a pupil attends under s. 118.51 or 121.84 (4) which elects to provide transportation under s. 121.54 (10), shall be paid state aid for such transportation at the ~~rate of $30 per school year per~~ following rates:

1. For each pupil so transported whose residence is at least 2 miles and not more than 5 miles from the school attended, ~~$45 per school year per~~ $30 per school year in the 2005−06 school year and $40 per school year thereafter.

2. For each pupil so transported whose residence is ~~at least~~ more than 5 miles and not more than 8 miles from the school attended, ~~$60 per school year per~~ $45 per school year in the 2005−06 school year and $65 per school year thereafter.

3. For each pupil so transported whose residence is ~~at least~~ more than 8 miles and not more than 12 miles from the school attended, ~~$68 per school year per~~ $82 per school year in the 2005 school year and $120 per school year thereafter.

4. For each pupil so transported whose residence is ~~at least 12 miles and not~~ more than ~~15~~ 12 miles from the school attended, ~~$75 per school year per pupil so transported whose residence is at least 15 miles and not more than 18 miles from the school attended, and $85 per school year per pupil so transported whose residence is more than 18 miles from the school attended. Such state~~ $150 per school year in the 2005−06 school year and $200 per school year thereafter.

(am) State aid under par. (a) shall be reduced proportionately in the case of a pupil transported for less than a full school year because of nonenrollment. State aid for transportation shall not exceed the actual cost thereof. No state aid of any kind may be paid to a school district which charges the pupil transported or his or her parent or guardian any part of the cost of transportation provided under ss. 121.54 (1) to (3), (5), (6) and (10) and 121.57 or which willfully or negligently fails to transport all pupils for whom transportation is required under s. 121.54.

***−0396/3.2* SECTION 1907.** 121.58 (2) (b) of the statutes is amended to read:

121.58 **(2)** (b) A school board that provides transportation under s. 121.54 (2) (am) shall be paid state aid for such transportation at the rates specified and according to the conditions established under ~~par.~~ pars. (a) and (am), except that the amount of state aid may not exceed the amount which the school district would receive for transporting the child between the child's residence and school attended under s. 121.54 (1) to (3), (5), (6) or (9) or 121.57.

***−0396/3.3* SECTION 1908.** 121.58 (2) (c) of the statutes is amended to read:

121.58 **(2)** (c) A school district which provides transportation to and from a school under s. 121.54 (9) shall be paid state aid for such transportation at the rate of $12 per school year per pupil so transported in the 2005−06 school year and $16 per school year per pupil so transported thereafter. Such state aid shall be reduced proportionately in the case of a pupil transported for less than a full year because of nonenrollment. State aid for such transportation shall not exceed the actual cost thereof.

***−0609/3.3* SECTION 1909.** 121.58 (6) of the statutes is amended to read:

121.58 **(6)** APPROPRIATION PRORATED. If the appropriation under s. 20.255 (2) ~~(cr)~~ (qr) in any one year is insufficient to pay the full amount of approved claims under this section, state aid payments shall be prorated among the school districts entitled thereto.

***−1742/3.14* SECTION 1910.** 121.85 (6) (e) of the statutes is amended to read:

121.85 **(6)** (e) *Sources of aid payments.* State aid under this section shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (ac) and (af).

***−1742/3.15* SECTION 1911.** 121.85 (8) of the statutes is amended to read:

121.85 **(8)** TRANSFERRED PUPILS. Pupils transferring schools under this section shall be subject to the same rules and regulations as resident pupils and shall have the responsibilities, privileges, and rights of resident pupils in the school district or attendance area. Subject to this subsection, a pupil transferring schools under either sub. (3) (a) or (b) has the right to complete his or her education at the elementary, middle, or high school to which he or she transfers so long as full funding therefor is available under s. 20.255 (2) (ac) and (af).

***−1742/3.16* SECTION 1912.** 121.85 (9) (c) of the statutes is amended to read:

121.85 **(9)** (c) The obligation under par. (a) to organize planning councils shall apply only with regard to school terms for which full pupil transfer aids are appropriated under s. 20.255 (2) (ac) and (af) and planning council assistance funds are appropriated under s. 20.255 (1) (a).

***−0605/2.1* SECTION 1913.** 121.905 (1) of the statutes is amended to read:

121.905 **(1)** In this section, "revenue ceiling" means ~~$6,900, except that "revenue ceiling" means $7,400~~ $8,100 in the ~~2003−04~~ 2005−06 school year and ~~$7,800~~ $8,400 in any subsequent school year.

***−1592/1.1* SECTION 1914.** 121.905 (3) (b) 1. of the statutes is amended to read:

121.905 **(3)** (b) 1. Except as provided under subd. 2. and s. 121.91 (8), divide the result in par. (a) 1. by the sum of the average of the number of pupils enrolled in the 3 previous school years and the number of pupils enrolled who were school district residents and solely enrolled in a special education program provided by a county children with disabilities education board program in the previous school year.

***−1592/1.2* SECTION 1915.** 121.91 (2m) (e) (intro.) of the statutes is amended to read:

121.91 **(2m)** (e) (intro.) Except as provided in subs. (3) ~~and~~, (4), and (8), no school district may increase its revenues for the 1999−2000 school year or for any school year thereafter to an amount that exceeds the amount calculated as follows:

***−0607/2.1* SECTION 1916.** 121.91 (4) (d) of the statutes is amended to read:

121.91 **(4)** (d) If a school district's revenue in the preceding school year was less than the limit under sub. (2m) in the preceding school year, the limit otherwise applicable to the school district's revenue in the current school year under sub. (2m) is increased by an amount equal to ~~75% of~~ the difference between the amount of its

revenue in the preceding school year and the amount of the limit in the preceding school year under sub. (2m).

***−0607/2.2* SECTION 1917.** 121.91 (4) (dg) of the statutes is repealed.

***−0607/2.3* SECTION 1918.** 121.91 (4) (dr) of the statutes is repealed.

***−1592/1.3* SECTION 1919.** 121.91 (4) (f) 1. of the statutes is amended to read:

121.91 **(4)** (f) 1. ~~For~~ Except as provided in sub. (8), for the 1999−2000 school year or any school year thereafter, if the average of the number of pupils enrolled in the current and the 2 preceding school years is less than the average of the number of pupils enrolled in the 3 previous school years, the limit otherwise applicable under sub. (2m) (e) is increased by the additional amount that would have been calculated had the decline in average enrollment been 25% of what it was.

***−1592/1.4* SECTION 1920.** 121.91 (8) of the statutes is created to read:

121.91 **(8)** Beginning with the calculation of a school district's revenue limit for the 2006−07 school year, a school district's base revenue per member under s. 121.905 (3) (b) 1., a school district's revenue limit under sub. (2m), and the adjustment for declining enrollment under sub. (4) (f) shall be calculated as provided in those sections and with a 5−year rolling average of enrollment instead of a 3−year rolling average of enrollment. The result that provides a school district with the higher revenue limit is the one in effect.

***−1827/3.1* SECTION 1921.** 125.12 (6) of the statutes is created to read:

125.12 **(6)** REVOCATION OR SUSPENSION OF INTOXICATING LIQUOR WHOLESALERS' PERMITS FOR CERTAIN VIOLATIONS. (a) Any person may file a sworn written complaint with the department alleging that an intoxicating liquor wholesaler has violated s. 125.54 (7) (a). The complaint shall identify the specific legal basis for the complaint and sufficient facts for the department to determine whether there is cause to find

that a violation has occurred. The department shall provide a copy of the complaint to any wholesaler against whom allegations are made, along with notice of the time period under par. (b) to show cause why the wholesaler's permit should not be revoked or suspended.

(b) Within 30 days of receiving a copy of the complaint under par. (a), any wholesaler against whom allegations are made may file a sworn written response.

(c) Subject to par. (d), within 60 days of receiving any response under par. (b) or, if no response is made, within 60 days of the date on which a response is due under par. (b), the department shall make a written decision as to whether a violation has occurred and either dismiss the complaint or take action under par. (e). Any decision under this paragraph shall include findings of fact and conclusions of law and shall state all reasons for the decision. The department shall provide a copy of the decision to the complainant and to any wholesaler against whom allegations are made.

(d) Within 60 days of receiving any response under par. (b) or, if no response is made, within 60 days of the date on which a response is due under par. (b), the department may extend the time period for making a decision under par. (c) by an additional 60 days if the department provides notice within the time period specified in par. (c) that an additional 60 days is necessary for investigation.

(e) If the department finds the allegations true and sufficient, the department shall either suspend for not less than 10 days nor more than 90 days or revoke the wholesaler's permit, and give notice of the suspension or revocation to the wholesaler.

(f) A revocation or suspension under this subsection is a contested case under ch. 227.

***−1827/3.2* SECTION 1922.** 125.145 of the statutes is amended to read:

125.145 Prosecutions by attorney general or department. Upon request by the secretary of revenue, the attorney general may represent this state or assist a district attorney in prosecuting any case arising under this chapter. The department may represent this state in prosecuting any violation of s. 125.54 (7) (a) or (b) and shall bring any such action in the circuit court for Dane County.

***−1827/3.3* SECTION 1923.** 125.15 of the statutes is created to read:

125.15 Actions against intoxicating liquor wholesalers. If any intoxicating liquor wholesaler, intoxicating liquor retail licensee or permittee, or intoxicating liquor trade association makes a written complaint to the department under s. 125.12 (6) of a violation of s. 125.54 (7) (a), and the department has not rendered a decision within the time periods specified in s. 125.12 (6) (c) and (d), the complaining party may bring an action to enforce the provisions of s. 125.54 (7) and shall be entitled to recover reasonable attorney fees if found to be the prevailing party.

***−1827/3.4* SECTION 1924.** 125.54 (7) of the statutes is created to read:

125.54 **(7)** BONA FIDE WHOLESALERS. (a) 1. The premises described in a permit issued under this section shall be capable of warehousing intoxicating liquor. Any intoxicating liquor sold by the permittee shall be physically unloaded at the premises described in the permit prior to being delivered to a retail licensee or permittee or to another wholesaler.

2. A permittee under this section shall annually sell and deliver intoxicating liquor to at least 10 retail licensees or permittees that do not have any direct or indirect interest in each other or in the permittee under this section. The department shall not issue a permit under this section unless the applicant represents to the department an intention to satisfy this requirement, and shall not renew a permit

issued under this section unless the permittee demonstrates that this requirement has been satisfied.

(b) No intoxicating liquor retail licensee or permittee may receive a benefit from a violation under par. (a) with knowledge of the circumstances giving rise to the violation.

(c) 1. In addition to imposing any penalty provided under s. 125.11, a court may order a wholesaler who violates this subsection to forfeit an amount equal to any profit gained by the wholesaler or by a retail licensee or permittee that violates par. (b), or by both, resulting from the violation, and the court may further order that the wholesaler's permit be revoked except that, if the wholesaler violates par. (a) 2., the permit shall be revoked.

2. In addition to imposing any penalty provided under s. 125.11, a court may order a retail licensee or permittee who violates this subsection to forfeit an amount equal to any profit gained by the retail licensee or permittee resulting from the violation, and the court may further order that the retail license or permit be revoked.

3. This paragraph shall not affect the authority of any municipality or the department to revoke, suspend, or refuse to renew or issue a license or permit under s. 125.12.

(d) The department shall promulgate rules to administer and enforce the requirements under this subsection. The rules shall ensure coordination between the department's issuance and renewal of permits under this section and its enforcement of the requirements of this subsection, and shall require that all applications for issuance or renewal of permits under this section be processed by department personnel generally familiar with activities of intoxicating liquor

wholesalers. The department shall establish by rule minimum requirements for warehouse facilities on premises described in permits issued under this section and for periodic site inspections by the department of such warehouse facilities.

***−1598/7.2* SECTION 1925.** 134.65 (1) of the statutes is amended to read:

134.65 **(1)** No person, except a person who holds a valid permit under s. 139.345 or 139.795 and who sells cigarettes or tobacco products solely as a direct marketer, shall in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or tobacco products to any person not holding a license as herein provided or a permit under ss. 139.30 to 139.41 or 139.79 without first obtaining a license from the clerk of the city, village or town wherein such privilege is sought to be exercised.

***−1598/7.3* SECTION 1926.** 134.65 (1n) of the statutes is created to read:

134.65 **(1n)** (a) The department of revenue shall prepare an application form for licenses issued under this section. In addition to the information required under sub. (1m), the form shall require all of the following information:

1. The applicant's history relevant to the applicant's fitness to hold a license under this section.

2. The kind of license for which the applicant is applying.

3. The premises where cigarettes or tobacco products will be sold or stored.

4. If the applicant is a corporation, the identity of the corporate officers and agent.

5. If the applicant is a limited liability company, the identity of the company members or managers and agent.

6. The applicant's trade name, if any.

7. Any other information required by the department.

(b) The department of revenue shall provide 1 copy of each application prepared under this subsection to each city, village, and town.

(c) Each applicant for a license under this section shall use the application form prepared under this subsection.

(d) 1. Each application for a license under this section shall be sworn to by the applicant and the applicant shall submit the application with the clerk of the city, village, or town where the intended place of sale is located.

2. Within 10 days of any change in any fact set forth in an application, the applicant or license holder shall file a written description of the change with the clerk of the city, village, or town where the application was submitted.

3. Any person may inspect applications submitted under this paragraph. The clerk of each city, village, or town where such applications are submitted shall retain all applications submitted under this paragraph, but may destroy all applications that have been retained for 5 years or longer.

***−1598/7.4* SECTION 1927.** 134.65 (1r) of the statutes is created to read:

134.65 **(1r)** (a) No license under sub. (1) may be issued to any person to whom any of the following applies:

1. Subject to ss. 111.321, 111.322, and 111.335, the person has an arrest record or a conviction record.

2. Subject to ss. 111.321, 111.322, and 111.335, the person has been convicted of a felony, or as a repeat or habitual offender, unless pardoned.

3. The person has not submitted proof as provided under s. 77.61 (11).

(b) The requirements under par. (a) apply to all partners of a partnership, all members of limited liability company, all agents of a limited liability company or

corporation, and all officers of a corporation. Subject to ss. 111.321, 111.322, and 111.335, if a business entity has been convicted of a crime, the entity may not be issued a license under sub. (1) unless the entity has terminated its relationship with the individuals whose actions directly contributed to the conviction.

***−1598/7.5* SECTION 1928.** 134.65 (2) (a) of the statutes is amended to read:

134.65 **(2)** (a) ~~Except~~ Subject to sub. (1r), and except as provided in par. (b), upon filing of a proper written application a license shall be issued on July 1 of each year or when applied for and continue in force until the following June 30 unless sooner revoked. The city, village or town may charge a fee for the license of not less than $5 nor more than $100 per year which shall be paid to the city, village or town treasurer before the license is issued.

***−1598/7.6* SECTION 1929.** 134.65 (5) of the statutes is amended to read:

134.65 **(5)** Any person violating this section shall be fined not more than ~~$100~~ $1,000 nor less than ~~$25~~ $500 for the first offense and not more than ~~$200~~ $5,000 nor less than ~~$25~~ $1,000 or imprisoned not exceeding 180 days or both for the 2nd or subsequent offense. ~~If upon such 2nd or subsequent violation, the person so violating this section was personally guilty of a failure to exercise due care to prevent violation thereof, the person shall be fined not more than $300 nor less than $25 or imprisoned not exceeding 60 days or both. Conviction~~ Upon conviction of a 2nd or subsequent offense, the court shall immediately terminate the license of the person convicted of being personally guilty of such failure to exercise due care and the person shall not be entitled to another license hereunder for a period of 5 years thereafter, nor shall the person in that period act as the servant or agent of a person licensed hereunder for the performance of the acts authorized by such license.

***−1598/7.7* SECTION 1930.** 134.66 (1) (a) of the statutes is amended to read:

134.66 **(1)** (a) "Cigarette" has the meaning given in s. 139.30 ~~(1)~~ (1m).

***−1598/7.8* SECTION 1931.** 134.66 (1) (am) of the statutes is created to read:

134.66 **(1)** (am) "Direct marketer" has the meaning given in s. 139.30 (2n).

***−1598/7.9* SECTION 1932.** 134.66 (2) (a) of the statutes is amended to read:

134.66 **(2)** (a) No retailer, direct marketer, manufacturer, distributor, jobber or subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration cigarettes or tobacco products to any person under the age of 18, except as provided in s. 254.92 (2) (a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

***−1598/7.10* SECTION 1933.** 134.66 (2) (am) of the statutes is amended to read:

134.66 **(2)** (am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes or tobacco products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

***−1598/7.11* SECTION 1934.** 134.66 (2) (d) of the statutes is amended to read:

134.66 **(2)** (d) No manufacturer, direct marketer, distributor, jobber, subjobber or retailer, or their employees or agents, may provide cigarettes or tobacco products for nominal or no consideration to any person under the age of 18.

***−1598/7.12* SECTION 1935.** 134.66 (2) (e) of the statutes is amended to read:

134.66 **(2)** (e) No retailer or direct marketer may sell cigarettes in a form other than as a package or container on which a stamp is affixed under s. 139.32 (1).

***−1598/7.13* SECTION 1936.** 134.66 (3m) of the statutes is created to read:

134.66 **(3m)** DEFENSE OF DIRECT MARKETER. Proof of all of the following facts by a direct marketer who sells cigarettes or tobacco products to a person under the age of 18 is a defense to any prosecution for a violation under sub. (2) (a):

(a) That the direct marketer used a mechanism, approved by the department of revenue, for verifying the age of the purchaser.

(b) That the purchaser falsely represented that he or she had attained the age of 18 and presented a copy or facsimile of an identification card.

(c) That the name and birthdate of the purchaser, as indicated by the purchaser, matched the name and birthdate on the identification presented under par. (b).

(d) That the sale was made in good faith, in reasonable reliance on the mechanism described in par. (a) and the representation and identification under pars. (b) and (c), and in the belief that the purchaser had attained the age of 18.

***−1243/P3.90* SECTION 1937.** 134.71 (12) of the statutes is amended to read:

134.71 **(12)** APPLICATIONS AND FORMS. The department of agriculture, trade, and ~~consumer protection~~ rural resources, in consultation with the department of justice, shall develop applications and other forms required under subs. (5) (intro.) and (8) (c). The department of agriculture, trade, and rural resources shall print a sufficient number of applications and forms to provide to counties and municipalities for

distribution to pawnbrokers, secondhand article dealers, and secondhand jewelry dealers at no cost.

***−1243/P3.91* SECTION 1938.** 136.03 (title) of the statutes is amended to read:

136.03 (title) **Duties of the department of ~~agriculture, trade and consumer protection~~ justice.**

***−1243/P3.92* SECTION 1939.** 136.03 (1) (intro.) of the statutes is amended to read:

136.03 **(1)** (intro.) The department of ~~agriculture, trade and consumer protection~~ justice shall investigate violations of this chapter and of rules and orders issued under s. 136.04. The department of justice may subpoena persons and records to facilitate its investigations, and may enforce compliance with such subpoenas as provided in s. 885.12. The department of justice may ~~in~~ on behalf of the state:

***−1243/P3.93* SECTION 1940.** 136.04 of the statutes is amended to read:

136.04 Powers of the department of ~~agriculture, trade and consumer protection~~ justice. (1) The department of ~~agriculture, trade and consumer protection~~ justice may adopt such rules as may be required to carry out the purposes of this chapter.

(2) The department of ~~agriculture, trade and consumer protection~~ justice after public hearing may issue general or special orders to carry out the purposes of this chapter and to determine and prohibit unfair trade practices in business or unfair methods of competition in business pursuant to s. 100.20 (2) to (4).

***−1649/9* SECTION 1941.** 139.02 (1) of the statutes is amended to read:

139.02 **(1)** TAX IMPOSED; RATE; LIMITATION. An ~~occupational~~ excise tax is imposed upon the removal for consumption or sale or selling of fermented malt beverages at the rate of $2 per barrel of 31 gallons and at a proportionate rate for any other

quantity or fractional parts thereof. Not more than one ~~occupational~~ excise tax shall be required to be paid on any one container of fermented malt beverages.

***−1649/9* SECTION 1942.** 139.03 (intro.) of the statutes is amended to read:

139.03 Liquor tax. (intro.) An ~~occupational~~ excise tax is imposed upon the selling of intoxicating liquor as follows:

***−1649/9* SECTION 1943.** 139.03 (3) of the statutes is amended to read:

139.03 **(3)** Not more than one ~~occupational~~ excise tax shall be required to be paid on any one container of intoxicating liquor.

***−1649/9* SECTION 1944.** 139.05 (2) of the statutes is amended to read:

139.05 **(2)** Each brewer and bottler in this state and each wholesaler of malt beverages within this state to whom malt beverages are shipped from outside this state shall on or before the fifteenth day of each month file with the secretary on forms prescribed by the secretary a verified return containing such information as may be required to compute and show the amount of ~~occupational~~ excise tax payable by the brewer, bottler or wholesaler or by the shipper for the next preceding calendar month on malt beverages.

***−1649/9* SECTION 1945.** 139.05 (3) of the statutes is amended to read:

139.05 **(3)** The amount of the ~~occupational~~ excise tax disclosed by the return shall accompany the return and shall be paid to the department.

***−1820/1.2* SECTION 1946.** 139.06 (1) (a) of the statutes is amended to read:

139.06 **(1)** (a) The taxes imposed under s. 139.03 (intro.) on intoxicating liquor at the rates under s. 139.03 (2m) shall be paid to, and a monthly return filed with, the department of revenue on or before the 15th of the month following the month in which the tax liability is incurred. An administrative fee of ~~3~~ 11 cents per gallon on intoxicating liquor taxed at the rates under s. 139.03 (2m) is imposed, shall be paid

along with the taxes and shall be deposited in the appropriation under s. 20.566 (1) (ha).

***−1649/9* SECTION 1947.** 139.09 of the statutes is amended to read:

139.09 Registration. Every brewer, bottler, manufacturer, rectifier, wholesaler or retailer liable for payment of the ~~occupational~~ excise tax imposed in ss. 139.01 to 139.25 shall hold a valid certificate under s. 73.03 (50). The secretary shall assign the person a registration number.

***−1598/7.14* SECTION 1948.** 139.30 (1) of the statutes is renumbered 139.30 (1m).

***−1598/7.15* SECTION 1949.** 139.30 (1d) of the statutes is created to read:

139.30 **(1d)** "Bonded direct marketer" means any person who acquires unstamped cigarettes from the manufacturer thereof, affixes stamps to the packages or other containers, stores them and sells them by direct marketing to consumers for their own personal use and who may also acquire stamped cigarettes from manufacturers or distributors for such sales.

***−1598/7.16* SECTION 1950.** 139.30 (1s) of the statutes is created to read:

139.30 **(1s)** "Consumer" means any individual who receives cigarettes for his or her personal use or consumption or any individual who has title to or possession of cigarettes for any purpose other than for sale or resale.

***−1598/7.17* SECTION 1951.** 139.30 (2n) of the statutes is created to read:

139.30 **(2n)** "Direct marketer" means a bonded direct marketer or a nonbonded direct marketer.

***−1598/7.18* SECTION 1952.** 139.30 (2p) of the statutes is created to read:

139.30 **(2p)** "Direct marketing" means publishing or making accessible an offer for the sale of cigarettes to consumers in this state, or selling cigarettes to consumers

in this state, using any means by which the consumer is not physically present at the time of sale on a premise that sells cigarettes.

***−1598/7.19* SECTION 1953.** 139.30 (3) of the statutes is amended to read:

139.30 **(3)** "Distributor" means any person who acquires unstamped cigarettes from the manufacturer thereof, affixes stamps to the packages or other containers, stores them and sells them to other permittees or to retailers for resale ~~or~~ and who ~~acquires~~ may acquire stamped cigarettes from another ~~permittee~~ manufacturers or distributors for such sales.

***−1598/7.20* SECTION 1954.** 139.30 (4n) of the statutes is created to read:

139.30 **(4n)** "Identification card" has the meaning given in s. 134.66 (1) (c).

***−1598/7.21* SECTION 1955.** 139.30 (7) of the statutes is amended to read:

139.30 **(7)** "Manufacturer" means any person who directly manufactures cigarettes for the purpose of sale, including the authorized agent of a person who directly manufactures cigarettes for the purpose of sale.

***−1598/7.22* SECTION 1956.** 139.30 (8d) of the statutes is created to read:

139.30 **(8d)** "Nonbonded direct marketer" means any person who acquires stamped cigarettes from the manufacturers or distributors, stores them, and sells them by direct marketing to consumers for their own personal use.

***−1598/7.23* SECTION 1957.** 139.30 (8s) of the statutes is created to read:

139.30 **(8s)** "Person" means any individual, sole proprietorship, partnership, limited liability company, corporation, or association, or any owner of a single−owner entity that is disregarded as a separate entity under ch. 71.

***−1598/7.24* SECTION 1958.** 139.30 (10) of the statutes is amended to read:

139.30 **(10)** "Retailer" ~~means any person who sells, exposes for sale or possesses with intent to sell to consumers any cigarettes~~ has the meaning given in s. 134.66 (1) (g).

***−1598/7.25* SECTION 1959.** 139.32 (1) of the statutes is amended to read:

139.32 **(1)** The tax imposed by s. 139.31 (1) shall be paid. To evidence the payment, the department shall provide stamps. A person who has paid the tax shall affix stamps of the proper denomination to each package in which cigarettes are packed, prior to the first sale within this state. First sale does not include a sale by a manufacturer to a distributor or to a bonded direct marketer or by a distributor to a permittee who has obtained department approval as provided for in s. 139.321 (1) (a) 2. The tax shall be paid only once on each package or container.

***−1598/7.26* SECTION 1960.** 139.32 (4) of the statutes is amended to read:

139.32 **(4)** In lieu of stamps the secretary may authorize impressions applied by the use of ~~meter~~ machines. The secretary shall prescribe by rule the type of impression and the kind of machines which may be used.

***−1598/7.27* SECTION 1961.** 139.32 (5) of the statutes is amended to read:

139.32 **(5)** Manufacturers, bonded direct marketers, and distributors ~~having a permit from the secretary~~ who are authorized by the department to purchase tax stamps shall receive a discount of 1.6% of the tax paid on stamp purchases.

***−1598/7.28* SECTION 1962.** 139.32 (5m) of the statutes is amended to read:

139.32 **(5m)** Distributors, bonded direct marketers, and manufacturers shall pay to the department the cost of printing and shipping those stamps.

***−1598/7.29* SECTION 1963.** 139.32 (6) of the statutes is amended to read:

139.32 **(6)** Manufacturers, bonded direct marketers, and distributors ~~having a permit from the secretary~~ who are authorized by the department to purchase tax

stamps may purchase stamps on credit. The secretary may require manufacturers, bonded direct marketers, and distributors who purchase stamps on credit to file under the conditions prescribed by the secretary by rule.

***−1598/7.30* SECTION 1964.** 139.321 (1) (intro.) of the statutes is amended to read:

139.321 **(1)** (intro.) It is unlawful for any person to possess ~~in excess of 400~~ cigarettes unless the required stamps are properly affixed as provided in ss. 139.32 (1) and 139.33 (4).

***−1598/7.31* SECTION 1965.** 139.321 (1) (a) 1. of the statutes is amended to read:

139.321 **(1)** (a) 1. Manufacturers, bonded direct marketers, distributors or warehouse operators possessing valid permits issued by the secretary.

***−1598/7.32* SECTION 1966.** 139.33 (3) of the statutes is amended to read:

139.33 **(3)** No person other than a member of the armed forces, as specified in this subsection, a ~~licensed~~ distributor, or a bonded direct marketer who is authorized by the department to purchase and affix tax stamps may import into this state ~~more than 400~~ cigarettes on which the excise tax imposed by s. 139.31 has not been paid and the container of which does not bear proper stamps. Within 15 days, any such person importing cigarettes shall file a declaration of such cigarettes imported and shall remit therewith the tax on such cigarettes imposed by this section. Members of the armed forces shall not be required to report or pay the tax on cigarettes in their possession if such cigarettes are issued to them by the U.S. government or any of its subdivisions or were purchased in any armed forces post exchange or service store for their personal use or consumption. If the use tax imposed by this section is not paid when due, it shall become delinquent and the person liable for it shall pay, in

addition, a penalty of $25 for each 200 cigarettes. Interest on the delinquent tax and penalty shall accrue at the rate of 1.5% per month or each fraction of a month from the date the tax became due until paid.

***−1598/7.33* SECTION 1967.** 139.34 (1) (a) of the statutes is amended to read:

139.34 **(1)** (a) No person may manufacture cigarettes in this state or sell cigarettes in this state as a distributor, manufacturer, jobber, vending machine operator, direct marketer, or multiple retailer and no person may operate a warehouse in this state for the storage of cigarettes for another person without first filing an application for and obtaining the proper permit to perform such operations from the department.

***−1598/7.34* SECTION 1968.** 139.34 (1) (b) of the statutes is repealed.

***−1598/7.35* SECTION 1969.** 139.34 (1) (c) (intro.) of the statutes is amended to read:

139.34 **(1)** (c) (intro.) ~~Subject to ss. 111.321, 111.322 and 111.335, no~~ No permit under this section may be granted to any person to whom any of the following applies:

***−1598/7.36* SECTION 1970.** 139.34 (1) (c) 1. to 6. of the statutes are repealed.

***−1598/7.37* SECTION 1971.** 139.34 (1) (c) 1m. of the statutes is created to read:

139.34 **(1)** (c) 1m. Subject to ss. 111.321, 111.322, and 111.335, the person has an arrest record or a conviction record.

***−1598/7.38* SECTION 1972.** 139.34 (1) (c) 2m. of the statutes is created to read:

139.34 **(1)** (c) 2m. Subject to ss. 111.321, 111.322, and 111.335, the person has been convicted of a felony, or as a repeat or habitual offender, unless pardoned.

***−1598/7.39* SECTION 1973.** 139.34 (1) (c) 3m. of the statutes is created to read:

139.34 **(1)** (c) 3m. The person has not submitted proof as provided under s. 77.61 (11).

***−1598/7.40* SECTION 1974.** 139.34 (1) (cm) of the statutes is created to read:

139.34 **(1)** (cm) The requirements under par. (c) apply to all partners of a partnership, all members of a limited liability company, all agents, director, and shareholders, of a limited liability company or corporation, and all officers of a corporation. Subject to ss. 111.321, 111.322, and 111.335, if a business entity has been convicted of a crime, the entity may not be issued a permit under this subsection unless the entity has terminated its relationship with the individuals whose actions directly contributed to the conviction.

***−1598/7.41* SECTION 1975.** 139.34 (3) of the statutes is amended to read:

139.34 **(3)** No distributor or bonded direct marketer may affix stamps to cigarette packages, as provided in s. 139.32, unless the distributor or bonded direct marketer certifies to the department, in a manner prescribed by the department, that the distributor or bonded direct marketer purchases cigarettes directly from a manufacturer.

***−1598/7.42* SECTION 1976.** 139.34 (4) of the statutes is amended to read:

139.34 **(4)** A separate permit shall be required of and issued to each class of permittee and the holder of any permit shall perform only the operations thereby authorized. Such permit shall not be transferable from one person to another or from one premises to another. A separate permit shall be required for each place where cigarettes are stamped or where cigarettes are stored for sale at wholesale ~~or~~, through vending machines or multiple retail outlets, or by direct marketing.

***−1598/7.43* SECTION 1977.** 139.34 (6) of the statutes is amended to read:

139.34 **(6)** A vending machine operator or a multiple retailer may acquire unstamped cigarettes from the manufacturers thereof and affix the stamps to

packages or other containers only if the vending machine operator or multiple retailer also holds a permit as a distributor or bonded direct marketer.

***−1598/7.44* SECTION 1978.** 139.34 (8) of the statutes is amended to read:

139.34 **(8)** The holder of a warehouse permit is entitled to store cigarettes on the premises described in the permit. The warehouse permit shall not authorize the holder to sell cigarettes. Unstamped cigarettes stored in a warehouse for a manufacturer, bonded direct marketer, or distributor may be delivered only to a person holding a permit as a manufacturer ~~or~~, distributor, or bonded direct marketer who is authorized by the department to purchase and affix tax stamps.

***−1598/7.45* SECTION 1979.** 139.345 of the statutes is created to read:

139.345 Direct marketing. (1) (a) (intro.) No person may sell cigarettes to consumers in this state as a direct marketer or solicit sales of cigarettes to consumers in this state by direct marketing unless the person has obtained a permit from the department to make such sales or solicitations. The person shall file an application for a permit under this subsection with the department, in the manner prescribed by the department, and shall submit the following fee with the application:

1. If the person sells less than 600,000 cigarettes annually to consumers in this state by direct marketing, $500.

2. If the person sells 600,000 or more cigarettes annually to consumers in this state by direct marketing, $1,000.

(b) A permit issued under par. (a) expires on December 31 of each year.

(c) The department may not issue a permit to a person under par. (a) unless the person certifies to the department, in the manner prescribed by the department, that the person shall acquire stamped cigarettes from a licensed distributor or unstamped cigarettes from the manufacturer thereof, pay the tax imposed under this

subchapter on all unstamped cigarettes and affix stamps to the cigarette packages or containers as provided under s. 139.32 (1), store such packages or containers, and sell only such packages or containers to consumers in this state by direct marketing; or acquire cigarettes from a distributor, to the packages or containers of which stamps have been affixed as provided under s. 139.32 (1), and sell only such packages or containers to consumers in this state by direct marketing.

(d) No person may be issued a permit under this subsection unless the person certifies to the department, in the manner prescribed by the department, that all cigarette sales to consumers in this state shall be credit card transactions; that the invoices and all means of solicitation for all shipments of cigarette sales from the person shall bear the person's name and address and permit ultimately issued under this subsection; and that the person shall provide the department any information the department considers necessary to administer this section.

(2) (a) No person may purchase tax stamps in excess of the number of cigarette sales specified in his or her permit under sub. (1) (a) unless the person pays the permit fee under sub. (1) (a) that is applicable to the excess amount.

(b) No person may sell cigarettes in excess of the number of cigarette sales specified in his or her permit under sub. (1) (a) unless the person pays the permit fee under sub. (1) (a) that is applicable to the excess sales. Any person who sells cigarettes in excess of the number of cigarette sales specified in his or her permit shall pay a penalty to the department of $1,000 or an amount that is equal to $50 for every 200 cigarettes, or fraction of 200 cigarettes, whichever is greater.

(3) (a) No person may sell cigarettes to consumers in this state by direct marketing unless the tax imposed under s. 139.31 (1) is paid on such cigarettes and

stamps are affixed to the cigarette packages or containers as provided under s. 139.32.

(b) No person may sell cigarettes to consumers in this state by direct marketing unless the tax imposed under s. 77.52 or 77.53 is paid on the sale of such cigarettes.

(c) No person may sell cigarettes to consumers in this state by direct marketing unless the cigarette brands are approved by the department and listed in the directory of certified tobacco product manufacturers and brands as provided under s. 895.12 (2) (b).

(4) No person may sell cigarettes to a consumer in this state by direct marketing unless the person verifies the consumer's identity and that the consumer is at least 18 years of age by any of the following methods:

(a) The person uses a database, approved by the department, that includes information based on public records to verify the consumer's age and identity.

(b) The person receives from the consumer, at the time of purchase, a notarized copy of an identification card, the name specified on the identification matches the name of the consumer, and the birth date on the identification verifies that the purchaser is at least 18 years of age.

(c) The person uses a mechanism, other than a mechanism under par. (a) or (b), for verifying the age and identity of a consumer that is approved by the department.

(5) Any person who, without having a valid permit under sub. (1), sells or solicits sales of cigarettes to consumers in this state by direct marketing shall pay a penalty to the department of $5,000 or an amount that is equal to $50 for every 200 cigarettes, or fraction of 200 cigarettes, sold to consumers in this state by direct marketing, whichever is greater.

(6) (a) No sale of cigarettes to a consumer in this state by direct marketing may exceed 10 cartons for each invoice or 20 cartons in a 30−day period for each purchaser or address.

(b) Any person who sells cigarettes that exceed the maximum amounts under par. (a) shall pay a penalty to the department of $5,000 or an amount that is equal to $50 for every 200 cigarettes, or major fraction of 200 cigarettes, sold above the maximum amounts, whichever is greater.

(c) Any person who purchases cigarettes that exceed the maximum amounts under par. (a) shall apply for a permit under s. 139.34 and shall pay a penalty to the department of $25 for every 200 cigarettes, or fraction of 200 cigarettes, purchased above the maximum amounts.

(7) No cigarettes may be shipped to a person who is under 18 years of age and no cigarettes may be shipped to a post−office box. Every package used to ship cigarettes that are sold as provided under this section and delivered to a person in this state shall be clearly labeled to indicate that the package contains cigarettes and may not be delivered to a person who is under 18 years of age.

***−1598/7.46* SECTION 1980.** 139.35 (1) of the statutes is amended to read:

139.35 **(1)** TRANSFERS. No person may give, sell or lend any stamps to another and no person may accept, purchase or borrow any stamps from another. All sales and transfers of stamps may be made only by the secretary to permit holding manufacturers ~~and~~, distributors, and bonded direct marketers who are authorized by the department to purchase and affix tax stamps.

***−1598/7.47* SECTION 1981.** 139.37 (1) (a) of the statutes is amended to read:

139.37 **(1)** (a) No person shall sell cigarettes or ~~take orders for cigarettes for resale~~ solicit cigarette sales in this state ~~for any manufacturer or permittee without~~

~~first obtaining a~~ unless the person has filed an application for and obtained a valid certificate under s. 73.03 (50) and a salesperson's permit from the department ~~of revenue~~. No ~~manufacturer or~~ permittee shall authorize any person to sell cigarettes or ~~take orders for cigarettes~~ solicit cigarette sales in this state ~~without first having such person secure~~ unless the person has filed an application for and obtained a valid certificate under s. 73.03 (50) and a salesperson's permit. No person shall authorize the sale or solicitation of cigarettes in this state unless the person has filed an application for and obtained a valid certificate under s. 73.03 (50) and a valid permit under s. 139.34. The department shall issue the required number of permits to ~~manufacturers and~~ permittees who hold a valid certificate issued under s. 73.03 (50). Each application for a permit shall disclose the name and address of the employer or the person for whom the sales person is soliciting and such permit shall remain effective only while the salesperson represents such named employer or person. If such salesperson is thereafter employed by another ~~manufacturer or permittee~~ person, the salesperson shall obtain a new salesperson's permit. Each ~~manufacturer and~~ permittee shall notify the department within 10 days after the resignation or dismissal of any such salesperson holding a permit.

***−1598/7.48* SECTION 1982.** 139.38 (1) of the statutes is amended to read:

139.38 **(1)** Every manufacturer located out of the state shall keep records of all sales of cigarettes shipped into this state. Every manufacturer located in the state shall keep records of production, sales and withdrawals of cigarettes. Every distributor and direct marketer shall keep records of purchases and sales of cigarettes. Every manufacturer, bonded direct marketer, and distributor ~~holding a permit from the secretary with the right~~ who is authorized by the department to purchase and apply stamps shall also keep records of purchases and disposition of

stamps. Every jobber, multiple retailer, and vending machine operator shall keep records of all purchases and disposition of cigarettes. Every warehouse operator shall keep records of receipts and withdrawals of cigarettes. All such records shall be accurate and complete and be kept in a manner prescribed by the secretary. These records shall be preserved on the premises described in the permit or license in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the department.

***−1598/7.49* SECTION 1983.** 139.38 (1m) of the statutes is created to read:

139.38 **(1m)** Records of purchases and sales of cigarettes under sub. (1) that are kept by direct marketers shall indicate, for each shipment of cigarettes into this state in the month preceding the report under sub. (2), the invoice date and number; the quantity of cigarettes shipped; the brand name of the cigarettes shipped; the manufacturer of the cigarettes shipped and the point of origin; the purchaser's name, address, and birth date; the name of the person to whom the cigarettes were shipped; the address to which the cigarettes were shipped; and any other information the department requires.

***−1598/7.50* SECTION 1984.** 139.38 (2) of the statutes is amended to read:

139.38 **(2)** (a) Except as provided in par. (b), every ~~permittee~~ manufacturer, distributor, jobber, and direct marketer shall render a true and correct invoice of every sale of cigarettes ~~at wholesale~~ and every permittee shall on or before the 15th day of each calendar month file a verified report of all cigarettes purchased, sold, received, warehoused or withdrawn during the preceding calendar month.

(b) The department may allow any jobber, multiple retailer, nonbonded direct marketer, or vending machine operator permittee who does not sell cigarettes, except for those on which the tax under this chapter is paid, to file a quarterly report. The

quarterly report shall be filed on or before the 15th day of the next month following the close of each calendar quarter. The report shall specify the number of cigarettes purchased and sold during the preceding calendar quarter.

***−1598/7.51* SECTION 1985.** 139.39 (6) of the statutes is amended to read:

139.39 **(6)** Sections 71.74 (1), (2), (10), (11) and (14), 71.77, 71.80 (12), 71.91 (1) (a) and (c) and (2) to (7), 71.92 and 73.0301 as they apply to the taxes under ch. 71 apply to the taxes under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes under ch. 71 applies to the collection of the taxes under this subchapter, except that the period during which notice of an additional assessment shall be given begins on the due date of the report under this subchapter. Section 78.70 (6) as it applies to personal liability for paying taxes, interest, penalties, and other charges under ch. 78 applies to personal liability for paying taxes, interest, penalties, and other charges under this subchapter.

***−1598/7.52* SECTION 1986.** 139.395 of the statutes is amended to read:

139.395 Theft of tax moneys. All cigarette tax moneys received by a distributor, bonded direct marketer, or manufacturer for the sale of cigarettes on which the tax under this subchapter has become due and has not been paid are trust funds in the hands of the distributor, bonded direct marketer, or manufacturer and are the property of this state. Any distributor, bonded direct marketer, or manufacturer who fraudulently withholds, appropriates or otherwise uses cigarette tax moneys that are the property of this state is guilty of theft under s. 943.20 (1), whether or not the distributor, bonded direct marketer, or manufacturer has or claims to have an interest in those moneys.

***−1598/7.53* SECTION 1987.** 139.40 (2) of the statutes is amended to read:

139.40 **(2)** ~~If cigarettes which do not bear the proper tax stamps or on which the tax has not been paid~~ Cigarettes that are ~~so~~ seized ~~they~~ as provided under sub. (1) may be given to law enforcement officers to use in criminal investigations or sold to qualified buyers by the secretary, without notice. If the cigarettes are sold, after deducting the costs of the sale and ~~the keeping~~ of storing the property, the proceeds of the sale shall be paid into the state treasury. If the secretary finds that such cigarettes may deteriorate or become unfit for use in criminal investigations or for sale or that those uses would otherwise be impractical, the secretary may order them destroyed or give them to a charitable or penal institution for free distribution to patients or inmates.

***−1598/7.54* SECTION 1988.** 139.44 (3) of the statutes is amended to read:

139.44 **(3)** Any permittee who fails to keep the records required by ss. 139.30 to 139.42 or 139.77 to 139.82 shall be fined not less than ~~$100~~ $500 nor more than ~~$500~~ $1,000 for the first offense and shall be fined not less than $1,000 nor more than $5,000 or imprisoned not more than ~~6 months~~ 180 days or both for the 2nd or subsequent offense.

***−1598/7.55* SECTION 1989.** 139.44 (4) of the statutes is amended to read:

139.44 **(4)** Any person who refuses to permit the examination or inspection authorized in s. 139.39 (2) or 139.83 may be fined not ~~more~~ less than $500 nor more than $1,000 or imprisoned not more than ~~90~~ 180 days or both. Such refusal shall be cause for immediate suspension or revocation of permit by the secretary.

***−1598/7.56* SECTION 1990.** 139.44 (6m) of the statutes is created to read:

139.44 **(6m)** Any person who manufactures or sells cigarettes in this state without holding the proper permit issued under this subchapter is guilty of a Class I felony.

***−1598/7.57* SECTION 1991.** 139.44 (7) of the statutes is amended to read:

139.44 **(7)** In addition to the penalties imposed for violation of ss. 139.30 to 139.41 or 139.75 to 139.83 or any of the rules of the department, the permit of any person convicted of a 2nd or subsequent offense shall be automatically revoked ~~and he or she~~, the person shall not be granted another permit for a period of ~~2~~ 5 years following such revocation, and, for the 5 year period following revocation, the person shall not act as the employee or agent of a permittee under this subchapter to perform acts authorized by any permit issued to the permittee under this subchapter.

***−1598/7.58* SECTION 1992.** 139.45 of the statutes is amended to read:

139.45 Prosecutions by attorney general. Upon request by the secretary of revenue, the attorney general may represent this state or assist a district attorney in prosecuting any case arising under this subchapter or under ss. 134.65 and 134.66.

***−1598/7.59* SECTION 1993.** 139.75 (2) of the statutes is amended to read:

139.75 **(2)** "Consumer" means any individual who receives tobacco products for his or her personal use or consumption or any ~~person~~ individual who has title to or possession of tobacco products ~~in storage~~ for ~~use or other consumption in this state~~ any purpose other than for sale or resale.

***−1598/7.60* SECTION 1994.** 139.75 (3g) of the statutes is created to read:

139.75 **(3g)** "Direct marketer" means any person who solicits or sells tobacco products to consumers in this state by direct marketing.

***−1598/7.61* SECTION 1995.** 139.75 (3r) of the statutes is created to read:

139.75 **(3r)** "Direct marketing" means publishing or making accessible an offer for the sale of tobacco products to consumers in this state, or selling tobacco products to consumers in this state, using any means by which the consumer is not physically present on a premise that sells tobacco products.

***−1598/7.62* SECTION 1996.** 139.75 (4) (a) of the statutes is amended to read:

139.75 **(4)** (a) Any person in this state engaged in the business of selling tobacco products ~~in this state~~ who brings, or causes to be brought, into this state from outside the state any tobacco products for sale;

***−1598/7.63* SECTION 1997.** 139.75 (4) (c) of the statutes is amended to read:

139.75 **(4)** (c) Any person outside this state engaged in the business of selling tobacco products ~~outside this state~~ who ships or transports tobacco products to retailers in this state to be sold by those retailers.

***−1598/7.64* SECTION 1998.** 139.75 (4) (cm) of the statutes is created to read:

139.75 **(4)** (cm) Any person outside this state engaged in the business of selling tobacco products who ships or transports tobacco products to consumers in this state.

***−1598/7.65* SECTION 1999.** 139.75 (4n) of the statutes is created to read:

139.75 **(4n)** "Identification card" has the meaning given in s. 134.66 (1) (c).

***−1598/7.66* SECTION 2000.** 139.75 (5s) of the statutes is created to read:

139.75 **(5s)** "Person" means any individual, sole proprietorship, partnership, limited liability company, corporation, or association, or any owner of a single−owner entity that is disregarded as a separate entity under ch. 71.

***−1598/7.67* SECTION 2001.** 139.75 (7) of the statutes is amended to read:

139.75 **(7)** "Retail outlet" means each place of business from which tobacco products are sold to consumers by a retailer.

***−1598/7.68* SECTION 2002.** 139.75 (8) of the statutes is amended to read:

139.75 **(8)** "Retailer" ~~means any person engaged in the business of selling tobacco products to ultimate consumers~~ has the meaning given in s. 134.66 (1) (g).

***−1598/7.69* SECTION 2003.** 139.75 (12) of the statutes is amended to read:

139.75 **(12)** "Tobacco products" means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready−rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "tobacco products" does not include cigarettes, as defined under s. 139.30 ~~(1)~~ (1m).

***−1598/7.70* SECTION 2004.** 139.76 (3) of the statutes is created to read:

139.76 **(3)** Except as provided in sub. (2), no person may possess tobacco products in this state unless the tax imposed under sub. (1) is paid on such tobacco products.

***−1598/7.71* SECTION 2005.** 139.78 (1m) of the statutes is created to read:

139.78 **(1m)** Except as provided in s. 139.76 (2), no person other than a distributor with a valid permit under s. 139.79 may import into this state tobacco products for which the tax imposed under s. 139.76 (1) has not been paid.

***−1598/7.72* SECTION 2006.** 139.79 (title) of the statutes is amended to read:

139.79 (title) **Permits; distributor; direct marketer; subjobber.**

***−1598/7.73* SECTION 2007.** 139.79 (1) of the statutes is amended to read:

139.79 **(1)** No person may engage in the business of a distributor, direct marketer, or subjobber of tobacco products at any place of business unless that person has filed an application for and obtained a permit from the department to engage in that business at such place.

***−1598/7.74* SECTION 2008.** 139.79 (2) of the statutes is amended to read:

139.79 **(2)** Section 139.34 (1) ~~(b)~~ (c) to (f), (4) and (9) applies to the permits under this section.

***−1598/7.75* SECTION 2009.** 139.795 of the statutes is created to read:

139.795 Direct marketing. (1) (a) No person may sell tobacco products by direct marketing to consumers in this state as a direct marketer or solicit sales of tobacco products to consumers in this state by direct marketing unless the person has obtained a permit from the department to make such sales or solicitations. The person shall file an application for a permit under this subsection with the department, in the manner prescribed by the department, and shall submit a $500 fee with the application.

(b) No person may be issued a permit under this subsection unless the person holds a valid distributor's permit under s. 139.79. Section 139.34 (1) (c) to (f), (7), and (9), as it applies to permits issued under s. 139.34, applies to permits issued under this subsection.

(c) A permit issued under this subsection expires on December 31 of each year.

(d) No person may be issued a permit under this subsection unless the person certifies to the department, in the manner prescribed by the department, that all tobacco product sales to consumers in this state shall be credit card transactions; that the invoices and all means of solicitation for all shipments of tobacco product sales from the person shall bear the person's name and address and permit ultimately issued under this subsection; and that the person shall provide the department any information the department considers necessary to administer this section.

(2) No person may sell tobacco products to consumers in this state by direct marketing unless the tax imposed under s. 139.76, and under s. 77.52 or 77.53, has been paid with regard to such products.

(3) No person may sell tobacco products to a consumer in this state by direct marketing unless the person does all of the following:

(a) The person uses a mechanism, approved by the department, to verify the consumer's age.

(b) The person receives from the consumer, at the time of purchase, a copy or facsimile of an identification card, the name specified on the identification matches the name of the consumer.

(c) The person uses a mechanism, other than a mechanism under par. (a) or (b), for verifying the age and identity of a consumer that is approved by the department.

(4) Any person who, without having a valid permit under sub. (1), sells or solicits sales of tobacco products to consumers in this state by direct marketing shall pay a penalty to the department of $5,000 or an amount that is equal to 50 percent of the tax due on the tobacco products the person sold, without having a valid permit under sub. (1), to consumers in this state by direct marketing, whichever is greater.

(5) No tobacco products may be shipped or delivered to a person who is under 18 years of age and no tobacco products may be shipped to a post−office box. Every package used to ship tobacco products that are sold as provided under this section and delivered to a person in this state shall be clearly labeled to indicate that the package contains tobacco products and may not be delivered to a person who is under 18 years of age.

***−1598/7.76* SECTION 2010.** 139.81 (1) of the statutes is amended to read:

139.81 **(1)** No person may sell ~~or take orders for~~ tobacco products ~~for resale~~ <u>or solicit sales of tobacco products</u> in this state ~~for any manufacturer or permittee~~ unless the person has filed an application for and obtained a valid certificate under s. 73.03 (50) and a salesperson's permit from the department. No ~~manufacturer or~~ permittee shall authorize any person to sell ~~or take orders for~~ tobacco products <u>or solicit sales of tobacco products</u> in this state unless the person has filed an application

for and obtained a valid certificate under s. 73.03 (50) and a salesperson's permit. No person may authorize the sale or solicitation of tobacco products in this state unless the person has filed an application for and obtained a valid certificate under s. 73.03 (50) and a valid permit under s. 139.79. Each application for a permit shall disclose the name and address of the employer or the person for whom the salesperson is soliciting and shall remain effective only while the salesperson represents the named employer or person. If the salesperson is thereafter employed by another ~~manufacturer or permittee~~ person the salesperson shall obtain a new salesperson's permit. Each ~~manufacturer and~~ permittee shall notify the department within 10 days after the resignation or dismissal of any salesperson holding a permit.

***−1598/7.77* SECTION 2011.** 139.81 (2) of the statutes is amended to read:

139.81 **(2)** Section 139.34 (1) ~~(b)~~ (c) to (e) applies to the permits under this section.

***−0375/2.5* SECTION 2012.** 139.91 (1) of the statutes is amended to read:

139.91 **(1)** ~~The~~ Except as provided in sub. (4), the department may not reveal facts obtained in administering this subchapter, except that the department may publish statistics that do not reveal the identities of dealers.

***−0375/2.6* SECTION 2013.** 139.91 (4) of the statutes is created to read:

139.91 **(4)** The secretary of revenue and employees of that department may reveal facts obtained in administering this subchapter for the purposes of preparing and maintaining the list of persons with unpaid tax obligations as described in s. 71.91 (8) so that the list of such persons is available for public inspection.

***−0502/1.1* SECTION 2014.** 145.08 (1) (b) of the statutes is amended to read:

145.08 **(1)** (b) For master plumber's license, ~~$250~~ $500, and ~~$250~~ $500 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $20.

***−0502/1.2* SECTION 2015.** 145.08 (1) (d) of the statutes is amended to read:

145.08 **(1)** (d) For journeyman plumber's license, ~~$90~~ $180, and ~~$90~~ $180 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $10.

***−0502/1.3* SECTION 2016.** 145.08 (1) (e) of the statutes is amended to read:

145.08 **(1)** (e) For temporary permit pending examination and issuance of license for master plumber, $400; for journeyman $150 and which shall also cover the examination fee prescribed and the license fee for the ~~2−year~~ 4−year period in which issued.

***−0502/1.4* SECTION 2017.** 145.08 (1) (g) of the statutes is amended to read:

145.08 **(1)** (g) For master plumber's license (restricted), ~~$250~~ $500, and ~~$250~~ $500 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $20.

***−0502/1.5* SECTION 2018.** 145.08 (1) (i) of the statutes is amended to read:

145.08 **(1)** (i) For journeyman plumber's license (restricted), ~~$90~~ $180, and ~~$90~~ $180 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $10.

***−0502/1.6* SECTION 2019.** 145.08 (1) (L) of the statutes is amended to read:

145.08 **(1)** (L) For an automatic fire sprinkler contractor's license, ~~$1,000~~ $2,000, and ~~$1,000~~ $2,000 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $25.

***−0502/1.7* SECTION 2020.** 145.08 (1) (Lm) of the statutes is amended to read:

145.08 **(1)** (Lm) For an automatic fire sprinkler − maintenance only registration, ~~$200~~ $400, and ~~$200~~ $400 for each renewal of the ~~2−year~~ 4−year registration if application is made prior to the date of expiration; after that date an additional fee of $25.

***−0502/1.8* SECTION 2021.** 145.08 (1) (n) of the statutes is amended to read:

145.08 **(1)** (n) For a journeyman automatic fire sprinkler fitter's license, ~~$90~~ $180, and ~~$90~~ $180 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $10.

***−0502/1.9* SECTION 2022.** 145.08 (1) (nm) of the statutes is amended to read:

145.08 **(1)** (nm) For an automatic fire sprinkler fitter − maintenance only registration certificate, ~~$30~~ $60, and ~~$30~~ $60 for each renewal of the ~~2−year~~ 4−year registration if application is made prior to the date of expiration; after that date an additional fee of $10.

***−0502/1.10* SECTION 2023.** 145.08 (1) (o) of the statutes is amended to read:

145.08 **(1)** (o) For utility contractor's license, ~~$250,~~ $500 and ~~$250~~ $500 for each renewal of the ~~2−year~~ 4−year license if application is made prior to the date of expiration; after that date an additional fee of $10.

***−0502/1.11* SECTION 2024.** 145.08 (1) (p) of the statutes is amended to read:

145.08 **(1)** (p) For a plumbing supervisor employed by the department in accord with s. 145.02 (3) (a), no cost for the appropriate ~~2−year~~ 4−year license for which the plumbing supervisor has previously qualified.

***−0502/1.12* SECTION 2025.** 145.08 (1) (q) of the statutes is amended to read:

145.08 **(1)** (q) For a pipelayer's registration, ~~$90~~ $180 at the time of registration and ~~$90~~ $180 for each subsequent ~~2−year~~ 4−year period of registration.

***−0502/1.13* SECTION 2026.** 145.08 (2) of the statutes is amended to read:

145.08 **(2)** No license or registration may be issued for longer than ~~2~~ 4 years. Any license or registration may be renewed upon application made prior to the date of expiration. The department may renew licenses or registrations upon application made after the date of expiration if it is satisfied that the applicant has good cause for not applying for renewal prior to the date of expiration and upon payment of the renewal and additional fees prescribed.

***−1560/3.23* SECTION 2027.** 146.55 (4) (a) of the statutes is amended to read:

146.55 **(4)** (a) From the appropriation under s. 20.435 (5) ~~(ch)~~ (rb), the department shall annually distribute funds for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel to an ambulance service provider that is a public agency, a volunteer fire department or a nonprofit corporation, under a funding formula consisting of an identical base amount for each ambulance service provider plus a supplemental amount based on the population of the ambulance service provider's primary service or contract area, as established under s. 146.50 (5).

***−0113/2.3* SECTION 2028.** 146.55 (5) of the statutes is renumbered 146.55 (5) (a) and amended to read:

146.55 **(5)** (a) From the appropriation under s. 20.435 (5) ~~(ch)~~ (rb), the department shall annually distribute funds to ~~entities, including technical college districts, whose courses or instructional programs are approved by the department under s. 146.50 (9), to assist the entities in providing~~ ambulance service providers to purchase the training required for licensure and renewal of licensure as an emergency medical technician − basic under s. 146.50 (6), and to ~~fund each examination administered by the entity~~ pay for administration of the examination

required for licensure or renewal of licensure as an emergency medical technician − basic under s. 146.50 (6) (a) 3. and (b) 1.

***−0113/2.4* SECTION 2029.** 146.55 (5) (b) of the statutes is created to read:

146.55 **(5)** (b) The department shall require as a condition of relicensure that an ambulance service provider submit to the department a financial report on the expenditure of funds received under par. (a).

***−0113/2.5* SECTION 2030.** 146.58 (7) of the statutes is amended to read:

146.58 **(7)** Advise, make recommendations to, and consult with the department concerning the funding under s. 146.55 (4) and (5), including recommending a formula for allocating funds among ambulance service providers under s. 146.55 (5).

***−1560/3.24* SECTION 2031.** 146.58 (8) of the statutes is amended to read:

146.58 **(8)** Review the annual budget prepared by the department for the expenditures under s. 20.435 (5) ~~(ch)~~ (rb).

***−0984/4.20* SECTION 2032.** 146.70 (3m) (d) 1g. of the statutes is repealed and recreated to read:

146.70 **(3m)** (d) 1g. If an application under par. (c) includes an estimate of costs identified in par. (c) 1. d. incurred during the reimbursement period or between January 1, 1999, and September 3, 2003, the commission may approve the application only if the commission determines that the local government's collection of land information, as defined in s. 16.967 (1) (b), and development of a land information system, as defined in s. 16.967 (1) (c), that is related to that purpose are consistent with the applicable county land records modernization plans developed under s. 59.72 (3) (b), conform to the standards on which such plans are based, and do not duplicate land information collection and other efforts funded through the land information program under s. 16.967 (7). The commission shall obtain the

advice of the department of administration in making determinations under this subdivision.

***−0270/1.2* SECTION 2033.** 149.12 (2) (f) of the statutes is renumbered 149.12 (2) (f) 1. and amended to read:

149.12 **(2)** (f) 1. ~~No~~ Except as provided in subd. 2., no person who is eligible for medical assistance is eligible for coverage under the plan.

***−0270/1.3* SECTION 2034.** 149.12 (2) (f) 2. of the statutes is created to read:

149.12 **(2)** (f) 2. Subdivision 1. does not apply to a person who is eligible for only any of the following types of medical assistance:

a. Family planning services under s. 49.45 (24r).

b. Care and services for the treatment of an emergency medical condition under 42 USC 1396b (v), as provided in s. 49.45 (27).

c. Medical assistance under s. 49.46 (1) (a) 15.

d. Ambulatory prenatal care under s. 49.465.

e. Medicare premium, coinsurance, and deductible payments under s. 49.46 (2) (c) 2. or 3., 49.468 (1) (b) or (c), or 49.47 (6) (a) 6. b. or c.

f. Medicare premium payments under s. 49.46 (2) (cm), 49.468 (1m) or (2), or 49.47 (6) (a) 6m.

***−0270/1.4* SECTION 2035.** 149.12 (2) (g) of the statutes is created to read:

149.12 **(2)** (g) A person is not eligible for coverage under the plan if the person is eligible for any of the following:

1. Services under s. 46.27 (11), 46.275, 46.277, or 46.278.

2. Medical assistance provided as part of a family care benefit, as defined in s. 46.2805 (4).

3. Services provided under a waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c).

4. Services provided under the program of all−inclusive care for persons aged 55 or older authorized under 42 USC 1396u−4.

5. Services provided under the demonstration program under a federal waiver authorized under 42 USC 1315.

6. Health care coverage under the Badger Care health care program under s. 49.665.

***−0269/1.1* SECTION 2036.** 149.14 (5) (b) of the statutes is amended to read:

149.14 **(5)** (b) Except as provided in pars. (c) and (e), if the covered costs incurred in a calendar year by ~~the~~ an eligible person who is not eligible for Medicare exceed the deductible for major medical expense coverage ~~in a calendar year~~, the plan shall pay at least 80% of any additional covered costs incurred by the person during the calendar year, and if the covered costs incurred in a calendar year by an eligible person who is eligible for Medicare exceed the deductible for major medical expense coverage or $2,000, whichever is less, the plan shall pay 100% of any additional covered costs incurred by the person during the calendar year.

***−0269/1.2* SECTION 2037.** 149.14 (5) (c) of the statutes is amended to read:

149.14 **(5)** (c) Except as provided in par. (e), if the aggregate of the covered costs not paid by the plan under par. (b) and the deductible exceeds ~~$500 for an eligible person receiving medicare,~~ $2,000 ~~for any other~~ in a calendar year for an eligible person ~~during a calendar year~~ who is not eligible for Medicare, or $4,000 in a calendar year for all eligible persons in a family, the plan shall pay 100% of all covered costs incurred by the eligible person or the eligible persons in the family during the calendar year after the payment ceilings under this paragraph are exceeded.

***−0578/P5.1* SECTION 2038.** 149.14 (5) (e) of the statutes is amended to read:

149.14 **(5)** (e) Subject to sub. (8) (b), the department may~~, by rule under s. 149.17 (4), establish for prescription drug coverage under sub. (3) (d) copayment amounts, coinsurance rates, and~~ establish a 3−tiered copayment structure for prescription drugs. The copayment ~~and coinsurance~~ out−of−pocket ~~limits~~ limit for prescription drug coverage under sub. (3) (d) over which the plan will pay 100% of covered costs under sub. (3) (d) may be $300. The department may establish that only certain copayment amounts count toward the out−of−pocket limit. The department may provide subsidies for prescription drug copayment amounts paid by eligible persons under s. 149.165 (2) (a) 1. to 5. ~~Any copayment amount, coinsurance rate, or out−of−pocket limit established under this paragraph is subject to the approval of the board~~ Subject to sub. (8) (b), the department may change, by rule under s. 149.17 (4), the out−of−pocket limit. Using the procedure under s. 227.24, the department may promulgate rules under this paragraph for the period before the effective date of any permanent rules promulgated under this paragraph, but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to make a finding of emergency for promulgating a rule under this paragraph as an emergency rule. Copayments ~~and coinsurance~~ paid by an eligible person under this paragraph are separate from and do not count toward the deductible and covered costs not paid by the plan under pars. (a) to (c).

***−0578/P5.2* SECTION 2039.** 149.142 (1) (b) of the statutes is amended to read:

149.142 **(1)** (b) The payment rate for a prescription drug shall be ~~the allowable charge paid under s. 49.46 (2) (b) 6. h. for the prescription drug. Notwithstanding s. 149.17 (4), the department may not reduce the payment rate for prescription drugs below the rate specified in this paragraph, and the rate may not be adjusted under s. 149.143 or 149.144~~ set by the department, subject to the approval of the board.

***−0578/P5.3* SECTION 2040.** 149.142 (2) of the statutes is amended to read:

149.142 **(2)** ~~Except as provided in sub. (1) (b), the~~ The rates established under this section are subject to adjustment under ss. 149.143 and 149.144.

***−0267/1.1* SECTION 2041.** 149.143 (1) (intro.) of the statutes is amended to read:

149.143 **(1)** (intro.) The department shall pay or recover the operating costs of the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining premiums, insurer assessments and provider payment rate adjustments, the department shall apportion and prioritize responsibility for payment or recovery of plan costs, excluding deductible reductions under s. 149.14 (5) (a) and prescription drug copayment reductions under s. 149.14 (5) (e), from among the moneys constituting the fund as follows:

***−0267/1.2* SECTION 2042.** 149.143 (1) (am) 1. of the statutes is amended to read:

149.143 **(1)** (am) 1. First, from premiums from eligible persons with coverage under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan and from eligible persons with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including

amounts received for premium~~, deductible, and prescription drug copayment~~ subsidies under s. 149.144, and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

***−0267/1.3* SECTION 2043.** 149.143 (1) (am) 3. of the statutes is amended to read:

149.143 **(1)** (am) 3. Third, by increasing premiums from eligible persons with coverage under s. 149.14 (2) (a) to more than the rate at which premiums were set under subd. 1. but not more than 200% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan and from eligible persons with coverage under s. 149.14 (2) (b) by a comparable amount in accordance with s. 149.14 (5m), including amounts received for premium~~, deductible, and prescription drug copayment~~ subsidies under s. 149.144, and by increasing premiums from eligible persons with coverage under s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under subds. 1. and 2. are insufficient to pay 60% of plan costs.

***−0578/P5.4* SECTION 2044.** 149.143 (1) (am) 4. of the statutes is amended to read:

149.143 **(1)** (am) 4. Fourth, notwithstanding par. (bm), by increasing insurer assessments, excluding assessments under s. 149.144, and adjusting provider payment rates, ~~subject to s. 149.142 (1) (b) and~~ excluding adjustments to those rates under s. 149.144, in equal proportions and to the extent that the amounts under subds. 1. to 3. are insufficient to pay 60% of plan costs.

***−0578/P5.5* SECTION 2045.** 149.143 (1) (bm) 2. of the statutes is amended to read:

149.143 **(1)** (bm) 2. Fifty percent from adjustments to provider payment rates, ~~subject to s. 149.142 (1) (b) and~~ excluding adjustments to those rates under s. 149.144.

***−0267/1.4* SECTION 2046.** 149.143 (2) (a) (intro.) of the statutes is amended to read:

149.143 **(2)** (a) (intro.) Prior to each plan year, the department shall estimate the operating and administrative costs of the plan and the costs of the premium reductions under s. 149.165~~, the deductible reductions under s. 149.14 (5) (a), and any prescription drug copayment reductions under s. 149.14 (5) (e)~~ for the new plan year and do all of the following:

***−0267/1.5* SECTION 2047.** 149.143 (2) (a) 1. a. of the statutes is amended to read:

149.143 **(2)** (a) 1. a. Estimate the amount of enrollee premiums that would be received in the new plan year if the enrollee premiums were set at a level sufficient, when including amounts received for premium~~, deductible, and prescription drug copayment~~ subsidies under s. 149.144 and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60% of the estimated plan costs for the new plan year.

***−0578/P5.6* SECTION 2048.** 149.143 (2) (a) 2. of the statutes is amended to read:

149.143 **(2)** (a) 2. After making the determinations under subd. 1., ~~by rule~~ set premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in the manner specified in sub. (1) (am) 1. and 3. and such that a rate for coverage under s. 149.14 (2) (a) is approved by the board and is not less than 140% nor more than 200% of the rate that a standard risk would be charged under an individual policy

providing substantially the same coverage and deductibles as are provided under the plan.

***−0578/P5.7* SECTION 2049.** 149.143 (2) (a) 3. of the statutes is amended to read:

149.143 **(2)** (a) 3. ~~By rule set~~ Set the total insurer assessments under s. 149.13 for the new plan year by estimating and setting the assessments at the amount necessary to equal the amounts specified in sub. (1) (am) 4. and (bm) 1. and notify the commissioner of the amount.

***−0578/P5.8* SECTION 2050.** 149.143 (2) (a) 4. of the statutes is amended to read:

149.143 **(2)** (a) 4. ~~By the same rule as under subd. 3. adjust~~ Adjust the provider payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and setting the rate at the level necessary to equal the amounts specified in sub. (1) (am) 4. and (bm) 2. and as provided in s. 149.145.

***−0578/P5.9* SECTION 2051.** 149.143 (2) (a) 4. of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

149.143 **(2)** (a) 4. Adjust the provider payment rate for the new plan year~~, subject to s. 149.142 (1) (b),~~ by estimating and setting the rate at the level necessary to equal the amounts specified in sub. (1) (am) 4. and (bm) 2. and as provided in s. 149.145.

***−0267/1.6* SECTION 2052.** 149.143 (2m) (a) 1. of the statutes is amended to read:

149.143 **(2m)** (a) 1. The amount of premiums received in a plan year from all eligible persons, including amounts received for premium~~, deductible, and prescription drug copayment~~ subsidies.

***−0267/1.7* SECTION 2053.** 149.143 (2m) (a) 2. of the statutes is amended to read:

149.143 **(2m)** (a) 2. The amount of premiums, including amounts received for premium~~, deductible, and prescription drug copayment~~ subsidies, necessary to cover 60% of the plan costs for the plan year.

***−0578/P5.10* SECTION 2054.** 149.143 (3) (a) of the statutes is amended to read:

149.143 **(3)** (a) If, during a plan year, the department determines that the amounts estimated to be received as a result of the rates and amount set under sub. (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment rate under s. 149.144 will not be sufficient to cover plan costs, the department may ~~by rule~~ increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., ~~by rule~~ increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year, subject to sub. (1) (bm) 1., and ~~by the same rule under which assessments are increased~~ adjust the provider payment rate set under sub. (2) (a) 4. for the remainder of the plan year, subject to sub. (1) (bm) 2. and s. 149.142 (1) (b).

***−0578/P5.11* SECTION 2055.** 149.143 (3) (a) of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

149.143 **(3)** (a) If, during a plan year, the department determines that the amounts estimated to be received as a result of the rates and amount set under sub. (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment rate under s. 149.144 will not be sufficient to cover plan costs, the department may increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., increase the

assessments set under sub. (2) (a) 3. for the remainder of the plan year, subject to sub. (1) (bm) 1., and adjust the provider payment rate set under sub. (2) (a) 4. for the remainder of the plan year, subject to sub. (1) (bm) 2. ~~and s. 149.142 (1) (b).~~

***−0578/P5.12* SECTION 2056.** 149.143 (3) (b) of the statutes is amended to read:

149.143 **(3)** (b) If the department increases premium rates and insurer assessments and adjusts the provider payment rate under par. (a) and determines that there will still be a deficit and that premium rates have been increased to the maximum extent allowable under par. (a), the department may further adjust, in equal proportions, assessments set under sub. (2) (a) 3. and the provider payment rate set under sub. (2) (a) 4., without regard to sub. (1) (bm) ~~but subject to s. 149.142 (1) (b)~~.

***−0578/P5.13* SECTION 2057.** 149.143 (4) of the statutes is repealed.

***−0578/P5.14* SECTION 2058.** 149.143 (5) (a) of the statutes is amended to read:

149.143 **(5)** (a) Annually, no later than April 30, the department shall perform a reconciliation with respect to plan costs, premiums, insurer assessments, and provider payment rate adjustments based on data from the previous calendar year. On the basis of the reconciliation, the department shall make any necessary adjustments in premiums, insurer assessments, or provider payment rates~~, subject to s. 149.142 (1) (b),~~ for the fiscal year beginning on the first July 1 after the reconciliation, as provided in sub. (2) (b).

***−0578/P5.15* SECTION 2059.** 149.143 (5) (b) of the statutes is amended to read:

149.143 **(5)** (b) Except as provided in sub. (3) and s. 149.144, the department shall adjust the provider payment rates to meet the providers' specified portion of the plan costs no more than once annually~~, subject to s. 149.142 (1) (b)~~. The department may not determine the adjustment on an individual provider basis or on the basis of provider type, but shall determine the adjustment for all providers in the aggregate~~, subject to s. 149.142 (1) (b)~~.

***−0578/P5.16* SECTION 2060.** 149.144 of the statutes is amended to read:

149.144 Adjustments to insurer assessments and provider payment rates for premium, deductible, and prescription drug copayment reductions. The department shall~~, by rule,~~ adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to ss. 149.142 (1) (b) and 149.143 (1) (am), sufficient to reimburse the plan for premium reductions under s. 149.165, deductible reductions under s. 149.14 (5) (a), and any prescription drug copayment reductions under s. 149.14 (5) (e). The department shall notify the commissioner so that the commissioner may levy any increase in insurer assessments.

***−0578/P5.17* SECTION 2061.** 149.144 of the statutes, as affected by 2005 Wisconsin Act .... (this act), is amended to read:

149.144 Adjustments to insurer assessments and provider payment rates for premium, deductible, and prescription drug copayment reductions. The department shall adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to ~~ss. 149.142 (1) (b) and~~ s. 149.143 (1) (am), sufficient to reimburse the plan for premium reductions under s. 149.165, deductible reductions under s. 149.14 (5) (a), and any prescription drug copayment reductions

under s. 149.14 (5) (e). The department shall notify the commissioner so that the commissioner may levy any increase in insurer assessments.

***−0578/P5.18* SECTION 2062.** 149.145 of the statutes is amended to read:

149.145 Program budget. The department, in consultation with the board, shall establish a program budget for each plan year. The program budget shall be based on the provider payment rates specified in s. 149.142 and in the most recent provider contracts that are in effect and on the funding sources specified in ss. 149.143 (1) and 149.144, including the methodologies specified in ss. 149.143, 149.144, and 149.146 for determining premium rates, insurer assessments, and provider payment rates. Except as otherwise provided in s. 149.143 (3) (a) and (b) ~~and subject to s. 149.142 (1) (b)~~, from the program budget the department shall derive the actual provider payment rate for a plan year that reflects the providers' proportional share of the plan costs, consistent with ss. 149.143 and 149.144. The department may not implement a program budget established under this section unless it is approved by the board.

***−0578/P5.19* SECTION 2063.** 149.146 (2) (am) 5. of the statutes is amended to read:

149.146 **(2)** (am) 5. Subject to s. 149.14 (8) (b), the department may~~, by rule under s. 149.17 (4), establish for prescription drug coverage under this section copayment amounts, coinsurance rates, and~~ establish a 3−tiered copayment structure for prescription drugs. The copayment ~~and coinsurance~~ out−of−pocket ~~limits~~ limit for prescription drug coverage under this section over which the plan will pay 100% of covered costs for prescription drugs~~. Any copayment amount, coinsurance rate, or out−of−pocket limit established under this subdivision is subject to the approval of the board~~ under this section may be $400. The department may

establish that only certain copayment amounts count toward the out−of−pocket limit. Subject to s. 149.14 (8) (b), the department may change, by rule under s. 149.17 (4), the out−of−pocket limit. Using the procedure under s. 227.24, the department may promulgate rules under this subdivision for the period before the effective date of any permanent rules promulgated under this subdivision, but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department is not required to provide evidence that promulgating a rule under this subdivision as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to make a finding of emergency for promulgating a rule under this subdivision as an emergency rule. Copayments ~~and coinsurance~~ paid by an eligible person under this subdivision are separate from and do not count toward the deductible and covered costs not paid by the plan under subds. 1. to 3.

***−0578/P5.20* SECTION 2064.** 149.146 (2) (b) (intro.) of the statutes is amended to read:

149.146 **(2)** (b) (intro.) The schedule of premiums for coverage under this section shall be ~~promulgated by rule~~ set by the department, as provided in s. 149.143. The rates for coverage under this section shall be set such that they differ from the rates for coverage under s. 149.14 (2) (a) by the same percentage as the percentage difference between the following:

***−0319/P1.1* SECTION 2065.** 149.25 of the statutes is repealed.

***−1649/7.47* SECTION 2066.** 153.01 (2) of the statutes is amended to read:

153.01 **(2)** "Board" means the health care quality and patient safety board ~~on health care information~~.

***−0316/3.5* SECTION 2067.** 153.05 (6m) of the statutes is amended to read:

153.05 **(6m)** The department may contract with the group insurance board for the provision of data collection and analysis services related to health maintenance organizations and insurance companies that provide health insurance for state employees. The department shall establish contract fees for the provision of the services. All moneys collected under this subsection shall be credited to the appropriation under s. 20.435 ~~(4)~~ (1) (hg).

***−1649/7/6.49* SECTION 2068.** 153.07 (5) of the statutes is created to read:

153.07 **(5)** By January 1, 2006, and at least annually thereafter, the board shall report to the governor on the plans, activities, accomplishments, and recommendations of the board.

***−1649/7.50* SECTION 2069.** 153.07 (6) of the statutes is created to read:

153.07 **(6)** The board shall annually assess the extent to which automated information and decision support systems are used by health care providers in this state.

***−1649/7.51* SECTION 2070.** 153.07 (7) of the statutes is created to read:

153.07 **(7)** The board shall annually assess options and develop a plan and specific strategies to achieve automation of all health care systems in the state by 2010 or as soon as practicable.

***−1649/7.52* SECTION 2071.** 153.07 (8) of the statutes is created to read:

153.07 **(8)** The board shall administer the health care quality improvement fund.

***−1649/7.53* SECTION 2072.** 153.07 (9) of the statutes is created to read:

153.07 **(9)** The board may accept gifts, grants, bequests, and devises to be used in the execution of its functions.

***−1649/7.54* SECTION 2073.** 153.076 of the statutes is created to read:

153.076 Grants and loans. (1) In this section:

(a) "Clinic" means a place, other than a residence, that is used primarily for the provision of nursing, medical, podiatric, dental, chiropractic, or optometric care and treatment.

(b) "Health maintenance organization" has the meaning given in s. 609.01 (2).

(c) "Hospital" has the meaning given in s. 50.33 (2).

(d) "Physician" has the meaning given in s. 448.01 (5).

(2) (a) From the appropriation under s. 20.505 (4) (qb), the board may make grants or loans, under procedures and criteria determined by the board, to clinics, health maintenance organizations, or other health care systems, hospitals, or physicians for any of the following projects:

1. Installation of computer−assisted physician order entry, electronic medical records, or other information system infrastructure, including clinical decision support systems, to improve the quality, safety, and efficiency of patient care.

2. Development of health information exchanges, integrated health care data repositories, and interoperable systems to facilitate the reporting of quality, safety, and efficiency information for purposes of health care system improvement or related purposes by informing consumers and health care purchasers.

3. Demonstration, through pilot projects, of rapid cycle improvement in quality, safety, and efficiency of care.

4. Facilitation of group purchases of medical technology systems by assisting health care providers in forming collaborative agreements for technology.

(b) Repayment of any loans made under par. (a) shall be deposited into the health care quality improvement fund.

***−0316/3.6* SECTION 2074.** 153.60 (1) of the statutes is amended to read:

153.60 **(1)** The department shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures under this chapter for the department and the board for that fiscal year for data collection, database development and maintenance, generation of data files and standard reports, orientation and training provided under s. 153.05 (9) (a) and maintaining the board. The department shall assess the estimated total amount for that fiscal year, less the estimated total amount to be received for purposes of administration of this chapter under s. 20.435 ~~(4)~~ (1) (hi) during the fiscal year~~,~~ and the unencumbered balance of the amount received for purposes of administration of this chapter under s. 20.435 ~~(4)~~ (1) (hi) from the prior fiscal year ~~and the amount in the appropriation account under s. 20.435 (1) (dg), 1997 stats., for the fiscal year~~, to health care providers, other than hospitals and ambulatory surgery centers, who are in a class of health care providers from whom the department collects data under this chapter in a manner specified by the department by rule. The department shall obtain approval from the board for the amounts of assessments for health care providers other than hospitals and ambulatory surgery centers. The department shall work together with the department of regulation and licensing to develop a mechanism for collecting assessments from health care providers other than hospitals and ambulatory surgery centers. No health care provider that is not a facility may be assessed under this subsection an amount that exceeds $75 per fiscal year. All payments of assessments shall be credited to the appropriation under s. 20.435 ~~(4)~~ (1) (hg).

***−0316/3.7* SECTION 2075.** 153.60 (3) of the statutes is amended to read:

153.60 **(3)** The department shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures

required for the collection, database development and maintenance and generation of public data files and standard reports for health care plans that voluntarily agree to supply health care data under s. 153.05 (6r). The department shall assess the estimated total amount for that fiscal year to health care plans in a manner specified by the department by rule and may enter into an agreement with the office of the commissioner of insurance for collection of the assessments. Each health plan that voluntarily agrees to supply this information shall pay the assessments on or before December 1. All payments of assessments shall be deposited in the appropriation under s. 20.435 ~~(4)~~ (1) (hg) and may be used solely for the purposes of s. 153.05 (6r).

***−0316/3.8* SECTION 2076.** 153.65 (1) of the statutes is amended to read:

153.65 **(1)** The department may, but is not required to, provide, upon request from a person, a data compilation or a special report based on the information collected by the department. The department shall establish user fees for the provision of these compilations or reports, payable by the requester, which shall be sufficient to fund the actual necessary and direct cost of the compilation or report. All moneys collected under this subsection shall be credited to the appropriation under s. 20.435 ~~(4)~~ (1) (hi).

***−1649/7.55* SECTION 2077.** 153.75 (title) of the statutes is amended to read:

153.75 (title) **Rule making and enforcement.**

***−1649/7.56* SECTION 2078.** 153.75 (3) of the statutes is created to read:

153.75 **(3)** Notwithstanding sub. (1) (a), (b), (f), (m), (n), (o), (s), (t), and (u) and ss. 153.05 (1), (5), and (8) and 153.45, after June 30, 2007, the department may not enforce rules promulgated under this chapter before July 1, 2007, relating to claims data to be submitted by physicians, to procedures for verification, review, and

comment on the claims data, to adjustment of the data, and to waiver of the data submission requirement.

***−1649/7.57* SECTION 2079.** 153.75 (4) of the statutes is created to read:

153.75 **(4)** Notwithstanding sub. (1) (a), (b), (f), (m), (n), (o), (q), (t), and (u), and ss. 153.05 (1), (5) and (8), 153.21, and 153.45, after the effective date of this subsection .... [revisor inserts date], the department may not enforce rules promulgated under this chapter before the effective date of this subsection .... [revisor inserts date], relating to any of the following:

(a) The collection, from physicians, of health care plan affiliations and updating information, hospital privileges updating information, and workforce and practice information.

(b) The collection, from dentists, chiropractors, and podiatrists, of workforce and practice information.

(c) Procedures for verification, review, and comment on the information specified under pars. (a) and (b), to adjustment of the information, and to waiver of the information collection requirement.

***−1649/7.58* SECTION 2080.** 153.75 (5) of the statutes is created to read:

153.75 **(5)** After the effective date of this subsection .... [revisor inserts date], notwithstanding ss. 227.10 (1) and 227.11 (2) (a) and (d), the department may promulgate under this chapter only rules that are first approved by the health care quality and patient safety board.

***−1649/7.59* SECTION 2081.** 153.76 of the statutes is amended to read:

153.76 Rule−making by the independent review board. Notwithstanding s. 15.01 (1r), the independent review board may promulgate only

those rules that are first reviewed and approved by the health care quality and patient safety board ~~on health care information~~.

***−1243/P3.94* SECTION 2082.** 165.065 (2) of the statutes is amended to read:

165.065 **(2)** The assistant attorney general in charge of antitrust investigations and prosecutions ~~is to~~ shall cooperate actively with the antitrust division of the U.S. department of justice in everything that concerns monopolistic practices in Wisconsin, and also to cooperate actively with the department of agriculture, trade, and ~~consumer protection~~ rural resources in the work which this agency is carrying on ~~under s. 100.20 of the marketing law~~ with regard to monopolistic practices in the field of agriculture and with the federal trade commission on matters arising in or affecting Wisconsin which pertain to its jurisdiction.

***−0546/1.1* SECTION 2083.** 165.10 of the statutes is created to read:

165.10 Civil rights enforcement. If any person, whether or not acting under color of law, interferes with the exercise or enjoyment by any individual of a right secured by the constitution or laws of the United States, or of a right secured by the constitution or laws of this state, the attorney general may bring an action for injunction or other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right secured.

***−1243/P3.95* SECTION 2084.** 165.25 (4) (ar) of the statutes is amended to read:

165.25 **(4)** (ar) The department of justice shall ~~furnish all legal services required by~~ represent the department of agriculture, trade, and ~~consumer protection~~ rural resources in any court action relating to the enforcement of ~~ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50 and 100.51 and chs. 126, 136, 344,~~

~~704, 707, and 779~~ ch. 126 and ss. 100.01 to 100.025, 100.05, 100.07, 100.14, 100.183 to 100.19, 100.201, 100.22, 100.235, 100.27, 100.285 to 100.297, 100.33 to 100.36, 100.45, 100.47, and 100.48, together with any other services as are necessarily connected to the legal services.

***−1243/P3.96* SECTION 2085.** 165.252 of the statutes is created to read:

165.252 Consumer protection matters. The department of justice shall administer ss. 100.15 to 100.182, 100.20, 100.205, 100.207 to 100.2095, 100.28, 100.31, 100.37 to 100.44, 100.46, 100.50, and 100.52 and may promulgate rules to aid in the administration and enforcement of these sections. The department of justice may appear for the state in any court action relating to these sections.

***−1059/P2.3* SECTION 2086.** 165.755 (1) (a) of the statutes is amended to read:

165.755 **(1)** (a) Except as provided in par. (b), a court shall impose under ch. 814 a crime laboratories and drug law enforcement surcharge of ~~$7~~ $8 if the court imposes a sentence, places a person on probation, or imposes a forfeiture for a violation of state law or for a violation of a municipal or county ordinance.

***−1377/3.9* SECTION 2087.** 165.90 (title) of the statutes is repealed.

***−1377/3.10* SECTION 2088.** 165.90 (1) to (5) of the statutes are renumbered 16.964 (7m) (a) to (e), and 16.964 (7m) (a), (b) 2. and 9., (c), (cm) (intro.), (d) (intro.), 1. and 2. and (e) (intro.), as renumbered, are amended to read:

16.964 **(7m)** (a) Any county that has ~~one or more~~ a reservation of a federally recognized Indian ~~reservations~~ tribe within or partially within its boundaries or that borders a reservation of a federally recognized Indian tribe may enter into an agreement in accordance with s. 59.54 (12) with ~~an Indian~~ the tribe ~~located in the county~~ to establish a cooperative county−tribal law enforcement program. To be eligible to receive aid under this ~~section~~ subsection, a county and tribe shall develop

and annually submit a joint program plan, by December 1 of the year prior to the year for which funding is sought, to the ~~department of justice~~ office for approval. If funding is sought for the 2nd or any subsequent year of the program, the county and tribe shall submit the report required under ~~sub. (4) (b)~~ par. (d) 2. together with the plan.

(b) 2. The program's need for funding under this ~~section~~ subsection and the amount of funding requested.

9. Any other information required by the ~~department~~ office or deemed relevant by the county and tribe submitting the plan.

(c) Upon request, the ~~department~~ office shall provide technical assistance to a county and tribe in formulating a joint program plan.

(cm) (intro.) In determining whether to approve a program plan and, if approved, how much aid the program shall receive, the ~~department~~ office shall consider the following factors:

(d) (intro.) If the ~~department~~ office approves a plan, the ~~department~~ office shall certify the program as eligible to receive aid under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv). Prior to January 15, of the year for which funding is sought, the ~~department~~ office shall distribute from the appropriations under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv) to each eligible program the amount necessary to implement the plan, subject to the following limitations:

1. A program may use funds received under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv) only for law enforcement operations.

2. A program shall, prior to the receipt of funds under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv) for the 2nd and any subsequent year, submit a report to the ~~department~~ office

regarding the performance of law enforcement activities on the reservation in the previous fiscal year.

(e) (intro.) Annually, on or before January 15, the ~~department~~ office shall report on the performance of cooperative county−tribal law enforcement programs receiving aid under this ~~section~~ subsection to each of the following:

***−1377/3.11* SECTION 2089.** 165.92 (3) (a) of the statutes is amended to read:

165.92 **(3)** (a) Unless otherwise provided in a joint program plan under s. ~~165.90 (2)~~ 16.964 (7m) (b) or an agreement between a political subdivision of this state and a tribe, the tribe that employs a tribal law enforcement officer is liable for all acts of the officer while acting within the scope of his or her employment and neither the state nor any political subdivision of the state may be held liable for any action of the officer taken under the authority of sub. (2) (a).

***−1560/3.25* SECTION 2090.** 166.03 (2) (a) 5. of the statutes is amended to read:

166.03 **(2)** (a) 5. Provide assistance to the Wisconsin wing of the civil air patrol from the appropriation under s. 20.465 (3) ~~(f)~~ (y) for the purpose of enabling the patrol to perform its assigned missions and duties as prescribed by U.S. air force regulations. Expenses eligible for assistance are aircraft acquisition and maintenance, communications equipment acquisition and maintenance and office staffing and operational expenses. The civil air patrol shall submit vouchers for expenses eligible for assistance to the division.

***−1560/3.26* SECTION 2091.** 166.215 (1) of the statutes is amended to read:

166.215 **(1)** Beginning July 1, 2001, the division shall contract with no more than 9 regional emergency response teams, one of which shall be located in La Crosse County. Each regional emergency response team shall assist in the emergency response to level A releases in a region of this state designated by the division. The

division shall contract with at least one regional emergency response team in each area designated under s. 166.03 (2) (b) 1. The division may only contract with a local agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional emergency response team shall meet the standards for a hazardous materials specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire protection association standards NFPA 471 and 472. Payments to regional emergency response teams under this subsection shall be made from the appropriation account under s. 20.465 (3) ~~(dd)~~ (u).

***−1560/3.27* SECTION 2092.** 166.215 (2) of the statutes is amended to read:

166.215 **(2)** The division shall reimburse a regional emergency response team for costs incurred by the team in responding to an emergency involving a level A release, or a potential level A release, if the team followed the procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an emergency requiring a response existed. Reimbursement under this subsection is limited to amounts collected under sub. (3) and the amounts appropriated under s. 20.465 (3) ~~(dr)~~ (x). Reimbursement is available under s. 20.465 (3) ~~(dr)~~ (x) only if the regional emergency response team has made a good faith effort to identify the person responsible under sub. (3) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the regional emergency response team.

***−1560/3.28* SECTION 2093.** 166.22 (3m) of the statutes is amended to read:

166.22 **(3m)** The division shall reimburse a local emergency response team for costs incurred by the team in responding to an emergency involving a hazardous substance release, or potential release, if the team followed the procedures in the

rules promulgated under s. 166.20 (2) (bs) 2. to determine if an emergency requiring the team's response existed. Reimbursement under this subsection is limited to the amount appropriated under s. 20.465 (3) ~~(dr)~~ (x). Reimbursement is available under s. 20.465 (3) ~~(dr)~~ (x) only if the local emergency response team has made a good faith effort to identify the person responsible under sub. (4) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the local emergency response team.

***−0302/4.64* SECTION 2094.** 168.01 (2) of the statutes is amended to read:

168.01 **(2)** "Supplier" includes a person who imports, or acquires immediately upon import, petroleum products by pipeline or marine vessel from a state, territory or possession of the United States or from a foreign country into a terminal and who is registered under 26 USC 4101 for tax−free transactions in gasoline. "Supplier" also includes a person who produces in this state; or imports into a terminal or bulk plant; or acquires immediately upon import by truck, railcar or barge into a terminal; alcohol or alcohol derivative products. "Supplier" also includes a person who produces, manufactures or refines petroleum products in this state. "Supplier" also includes a person who acquires petroleum products pursuant to an industry terminal exchange agreement or by a 2−party exchange under section 4105 of the Internal Revenue Code. "Supplier" does not include a retail dealer or wholesaler who merely blends alcohol with gasoline before the sale or distribution of the product and does not include a terminal operator who merely handles in a terminal petroleum products consigned to the terminal operator.

***−1255/2.1* SECTION 2095.** 180.0122 (1) (w) of the statutes is amended to read:

180.0122 **(1)** (w) Application for certificate of withdrawal, $40, and in case that application shows that the foreign corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.1520 (2) (f), an additional fee which, with previous payments made on account of capital employed in this state, will amount to ~~$2~~ $3 for each $1,000 or fraction thereof of the excess.

***−1255/2.2* SECTION 2096.** 180.0122 (1) (y) of the statutes is amended to read:

180.0122 **(1)** (y) Annual report of a foreign corporation, $65, and in case the annual report shows that the foreign corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.1503, an additional fee which, with previous payments made on account of capital employed in this state, will amount to ~~$2~~ $3 for each $1,000 or fraction thereof of the excess.

***−1510/2.31* SECTION 2097.** 182.028 of the statutes is amended to read:

182.028 School corporations. Any corporation formed for the establishment and maintenance of schools, academies, seminaries, colleges, or universities or for the cultivation and practice of music shall have power to enact bylaws for the protection of its property, and provide fines as liquidated damages upon its members and patrons for violating the bylaws, and may collect the same in tort actions, and to prescribe and regulate the courses of instruction therein, and to confer such degrees and grant such diplomas as are usually conferred by similar institutions or as shall be appropriate to the courses of instruction prescribed, except that no corporation shall operate or advertise a school that is subject to s. ~~45.54~~ 38.50 (10) without complying with the requirements of s. ~~45.54~~ 38.50. Any stockholder may transfer his or her stock to the corporation for its use; and if the written transfer so

provides the stock shall be perpetually held by the board of directors with all the rights of a stockholder, including the right to vote.

***−1786/P1.2* SECTION 2098.** 196.219 (3m) of the statutes is created to read:

196.219 **(3m)** LATE PAYMENT CHARGES. (a) *Maximum allowed.* 1. Except as provided in subds. 2. and 3., a telecommunications utility may not impose a late payment charge on a retail consumer at a rate that exceeds $1.50 upon $100 for each month computed upon the declining principal balance of any amount that is not paid when due.

2. Except as provided in subd. 3., if the maximum late payment charge for any month that is allowed under subd. 1. is less than $5 for that month, the telecommunications utility may impose a late payment charge that does not exceed $5 for that month. This subdivision does not apply to residential retail consumers.

3. The commission may allow a telecommunications utility to impose a late payment charge at a rate that is greater than that allowed under subd. 1. or 2. if the commission determines that the greater amount is consistent with the factors specified in s. 196.03 (6).

(b) *Payments to commission.* 1. A telecommunications utility that imposes late payment charges that are subject to par. (a) shall pay to the commission, on a semiannual basis, 5 percent of such charges that are collected from nonresidential retail consumers.

2. The payments required under subd. 1. are due to the commission no later than 60 days after the conclusion of a semiannual period.

(c) *Commission jurisdiction.* The commission does not have jurisdiction over late payment charges except as may be necessary to enforce the requirements of this subsection.

***−1394/1.1* SECTION 2099.** 218.0116 (1) (gr) of the statutes is created to read:

218.0116 **(1)** (gr) Being a dealer who violates s. 218.0146 (4).

***−1394/1.2* SECTION 2100.** 218.0146 (4) of the statutes is created to read:

218.0146 **(4)** A motor vehicle dealer who is required to submit to the department an application for transfer of title and registration under s. 342.16 (1) (a) shall comply with the requirements of s. 342.16 (1) (am).

***−0303/4.208* SECTION 2101.** 218.0171 (2) (cq) of the statutes is amended to read:

218.0171 **(2)** (cq) Upon payment of a refund to a consumer under par. (b) 2. b., the manufacturer shall provide to the consumer a written statement that specifies the trade−in amount previously applied under s. 77.51 ~~(4) (b) 3. or 3m. or (15) (b) 4. or 4m.~~ (12m) (b) 5. or 6. or (15b) (b) 5. or 6. toward the sales price of the motor vehicle having the nonconformity and the date on which the manufacturer provided the refund.

***−1219/2.14* SECTION 2102.** 221.0903 (4) (b) of the statutes is amended to read:

221.0903 **(4)** (b) *Contracts for examination services.* The division may enter into contracts with any bank supervisory agency with concurrent jurisdiction over a state bank or an in−state branch of an out−of−state state bank to engage the services of the agency's examiners at a reasonable rate of compensation, or to provide the services of the division's examiners to the agency at a reasonable rate of compensation. Contracts entered into under this paragraph are exempt from ss. 16.70 to 16.76 ~~and~~, 16.767 to 16.77, and 16.78 to 16.82.

***−0578/P5.21* SECTION 2103.** 227.01 (13) (nm) of the statutes is created to read:

227.01 **(13)** (nm) Sets or adjusts premium rates, insurer assessments, or provider payment rates under ch. 149.

***−0335/2.15* SECTION 2104.** 227.01 (13) (zL) of the statutes is created to read:

227.01 **(13)** (zL) Relates to the trial jobs plus pilot project under s. 49.147 (3) (d).

***−0335/2.16* SECTION 2105.** 227.01 (13) (zL) of the statutes, as created by 2005 Wisconsin Act .... (this act), is repealed.

***−0955/10.9* SECTION 2106.** 230.08 (2) (e) 1. of the statutes is amended to read:

230.08 **(2)** (e) 1. Administration — ~~13~~ 14.

***−1826/1.1* SECTION 2107.** 230.08 (2) (e) 5m. of the statutes is amended to read:

230.08 **(2)** (e) 5m. Historical society — ~~6~~ 5.

***−0955/10.10* SECTION 2108.** 230.08 (2) (eg) of the statutes is created to read:

230.08 **(2)** (eg) A general counsel position in each of the following agencies:

1. Department of administration.
2. Department of agriculture, trade, and rural resources.
3. Department of commerce.
4. Department of corrections.
5. Department of financial institutions.
6. Department of health and family services.
7. Department of natural resources.
8. Department of regulation and licensing.
9. Department of revenue.
10. Department of transportation.
11. Department of workforce development.

12. Office of the commissioner of insurance.

***−0745/2.4* SECTION 2109.** 230.08 (2) (x) of the statutes is amended to read:

230.08 **(2)** (x) The executive director of the waste facility siting board, unless the board chooses to appoint the executive director under the classified service.

***−0282/1.2* SECTION 2110.** 230.12 (7m) of the statutes is amended to read:

230.12 **(7m)** PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the rules of the director and in the compensation plan, pay increases shall be made only on the dates prescribed under sub. (8). Appointing authorities shall at such times each year as specified by the ~~secretary~~ director file with the director and with the secretary of administration a list of employees showing their then existing pay rates and their proposed new pay rates.

***−0648/1.2* SECTION 2111.** 230.45 (3) of the statutes is amended to read:

230.45 **(3)** The commission shall promulgate rules establishing a schedule of filing fees to be paid by any person who files an appeal under sub. (1) (c) or (e) or s. 230.44 (1) (a) or (b) with the commission on or after the effective date of the rules promulgated under this subsection. Fees paid under this subsection shall be ~~deposited in the general fund as general purpose revenue − earned~~ credited to the appropriation account under s. 20.425 (1) (i).

***−1300/1.1* SECTION 2112.** 230.85 (3) (b) of the statutes is amended to read:

230.85 **(3)** (b) If, after hearing, the division of equal rights finds that the respondent did not engage in or threaten a retaliatory action it shall order the complaint dismissed. The division of equal rights shall order the employee's appointing authority to insert a copy of the findings and orders into the employee's personnel file and, if the respondent is a natural person, order the respondent's appointing authority to insert such a copy into the respondent's personnel file. If the

division of equal rights finds ~~by unanimous vote~~ that the employee filed a frivolous complaint it may order payment of the respondent's reasonable actual attorney fees and actual costs. Payment may be assessed against either the employee or the employee's attorney, or assessed so that the employee and the employee's attorney each pay a portion. To find a complaint frivolous the division of equal rights must find that either s. 814.025 (3) (a) or (b) applies or that both s. 814.025 (3) (a) and (b) apply.

***−1300/1.2* SECTION 2113.** 230.89 (1) of the statutes is renumbered 230.89.

***−1300/1.3* SECTION 2114.** 230.89 (2) of the statutes is repealed.

***−0404/4.115* SECTION 2115.** 231.01 (3m) (a) of the statutes is amended to read:

231.01 **(3m)** (a) Holds a license under s. ~~48.65~~ 49.98, is certified under s. ~~48.651~~ 49.156, is provisionally licensed under s. ~~48.69~~ 49.99, or is established or contracted for under s. 120.13 (14).

***−1649/7.60* SECTION 2116.** 231.03 (intro.) of the statutes is amended to read:

231.03 Powers. (intro.) The authority has all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter. In addition to all other powers granted by this chapter, subject to s. 231.035 the authority may:

***−1649/7.61* SECTION 2117.** 231.035 of the statutes is created to read:

231.035 Health care quality and patient safety board approval. Beginning on the effective date of this section .... [revisor inserts date], the authority may not provide any financial assistance to a health facility, hospital, or participating health institution unless the health facility, hospital, or participating

health institution demonstrates to the health care quality and patient safety board that it is making progress to improve medical information systems technology.

***−0774/P4.6* SECTION 2118.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

234.01 **(4n)** (a) 3m. e. The facility is located in a targeted area, as determined by the authority after considering the factors set out in s. ~~560.605 (2m) (a) to (h)~~ 560.605 (2m) (c), 2003 stats., s. 560.605 (2m) (d), 2003 stats., s. 560.605 (2m) (e), 2003 stats., and s.560.605 (2m) (a), (b), and (f) to (h).

***−1363/1.8* SECTION 2119.** 237.15 of the statutes is repealed.

***−0347/2.4* SECTION 2120.** 250.041 (1) (a) of the statutes is repealed.

***−0347/2.5* SECTION 2121.** 250.05 (title) of the statutes is renumbered 440.70 (title).

***−0347/2.6* SECTION 2122.** 250.05 (1) of the statutes is renumbered 440.70 (1).

***−0347/2.7* SECTION 2123.** 250.05 (2) of the statutes is renumbered 440.70 (2).

***−0347/2.8* SECTION 2124.** 250.05 (3) of the statutes is renumbered 440.70 (3) and amended to read:

440.70 **(3)** SANITARIANS; EMPLOYMENT OR CONTRACTUAL SERVICES. Any agency of the state may employ or contract for the services of sanitarians, registered under this section, who shall enforce the public health statutes under chs. 250 to 255 or rules promulgated under those statutes.

***−0347/2.9* SECTION 2125.** 250.05 (5) of the statutes is renumbered 440.70 (5) and amended to read:

440.70 **(5)** REGISTRATION. Except as provided in ~~sub. (8m) and s. 250.041~~ s. 440.12 or 440.13, the department, upon application on forms prescribed by it and payment of the prescribed fee, shall register as a sanitarian any person who has

presented evidence satisfactory to the department that standards and qualifications of the department, as established by rule, have been met.

***−0347/2.10* SECTION 2126.** 250.05 (6) of the statutes is renumbered 440.70 (6) and amended to read:

440.70 **(6)** FEES: RENEWAL OF REGISTRATION; DELINQUENCY AND REINSTATEMENT. ~~A fee fixed by rule of the department shall accompany the application under sub. (5) and, beginning January 1, 1988, a biennial fee of $25 shall be paid by every registered sanitarian who desires to continue registration. The amounts of the fees may be adjusted by the department by rule.~~ All certificates of registration shall expire on December 31 in each odd−numbered year. ~~Except as provided in sub. (8m) and s. 250.041, the department may renew registrations upon application made after January 1 of each even−numbered year if it is satisfied that the applicant has good cause for not making application in December of the immediately preceding year and upon payment of the biennial fee and any additional fees prescribed by the department).~~

***−0347/2.11* SECTION 2127.** 250.05 (7) of the statutes is renumbered 440.70 (7).

***−0347/2.12* SECTION 2128.** 250.05 (8) of the statutes is renumbered 440.70 (8) and amended to read:

440.70 **(8)** REVOCATION OF REGISTRATION. The department may, after a hearing held in conformance with ch. 227, ~~except as provided in sub. (8m) (e),~~ revoke ~~or~~, deny, suspend, or limit under this ~~section~~ subchapter the registration of any sanitarian, or reprimand the sanitarian, for practice of fraud or deceit in obtaining the registration or any ~~gross professional negligence~~ unprofessional conduct, incompetence, or ~~misconduct~~ professional negligence.

***−0347/2.13* SECTION 2129.** 250.05 (8m) of the statutes is repealed.

***−0347/2.14* SECTION 2130.** 250.05 (9) of the statutes is repealed.

***−0317/2.2* SECTION 2131.** 250.10 of the statutes is renumbered 250.10 (intro.) and amended to read:

250.10 ~~Grant~~ Grants for dental and oral health services. (intro.) From the appropriation under s. 20.435 (5) (de)~~, the~~:

(1) The department shall provide funding in each fiscal year to the Marquette University School of Dentistry for clinical education of Marquette University School of Dentistry students through the provision of dental services by the students and faculty of the Marquette University School of Dentistry in underserved areas and to underserved populations in the state, as determined by the department in conjunction with the Marquette University School of Dentistry; to inmates of correctional centers in Milwaukee County; and in clinics in the city of Milwaukee. ~~Beginning July 1, 2000, the~~.

(2) The department shall ~~also~~ distribute in each fiscal year to qualified applicants grants totaling $25,000 for fluoride supplements, $25,000 for a fluoride mouth−rinse program, and ~~$60,000~~ $120,000 for a school−based dental sealant program.

***−0317/2.3* SECTION 2132.** 250.10 (3) of the statutes is created to read:

250.10 **(3)** The department may provide funding to technical college district boards to provide oral health services.

***−1987/1* SECTION 2133.** 252.12 (2) (a) 8. of the statutes is amended to read:

252.12 **(2)** (a) 8. 'Life care and early intervention services.' The department shall award not more than ~~$1,994,900~~ $2,569,900 in fiscal year ~~2001−02~~ 2005−06 and ~~not more than $2,069,900 in~~ each fiscal year thereafter in grants to applying

organizations for the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services; counseling and therapy; homecare services and supplies; advocacy; and case management services. These services shall include early intervention services. The department shall also award not more than $74,000 in each year from the appropriation under s. 20.435 (7) (md) for the services under this subdivision. The state share of payment for case management services that are provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

***−0315/2.1* SECTION 2134.** 254.15 (1) of the statutes is amended to read:

254.15 **(1)** Develop and implement a comprehensive statewide lead poisoning or lead exposure prevention and treatment program that includes lead poisoning or lead exposure prevention grants under s. 254.151; any childhood lead poisoning screening requirement under rules promulgated under ss. 254.158 and 254.162; any requirements regarding care coordination and follow−up for children with lead poisoning or lead exposure required under rules promulgated under s. 254.164; ~~departmental~~ responses to reports of lead poisoning or lead exposure under s. 254.166; any lead investigation requirements under rules promulgated under ss. 254.167; any lead inspection requirements under rules promulgated under 254.168; any lead hazard reduction requirements under rules promulgated under s. 254.172; certification, accreditation and approval requirements under ss. 254.176 and 254.178; any certification requirements and procedures under rules promulgated under s. 254.179; and any fees imposed under s. 254.181.

***−0404/4.116* SECTION 2135.** 254.162 (1) (c) of the statutes is amended to read:

254.162 **(1)** (c) Day care providers certified under s. ~~48.651~~ 49.156 and day care centers licensed under s. ~~48.65~~ 49.98, provisionally licensed under s. ~~48.65~~ 49.99, or established or contracted for under s. 120.13 (14).

***−0315/2.2* SECTION 2136.** 254.166 (title) of the statutes is amended to read:

254.166 (title) ~~**Departmental response**~~ **Response to reports of lead poisoning or lead exposure.**

***−0315/2.3* SECTION 2137.** 254.166 (2) (d) of the statutes is amended to read:

254.166 **(2)** (d) Notify the owner of the dwelling or premises of the presence of a lead hazard. ~~The~~

(2m) If the department determines that a lead hazard is present in any dwelling or premises, the local health department shall and the department may issue an order that requires reduction or elimination of an imminent lead hazard within 5 days after the order's issuance and reduction or elimination of other lead hazards within 30 days after the order's issuance, except that, for orders that are issued between October 1 and May 1 and that relate only to exterior lead hazards that are not imminent lead hazards, the order may require elimination or reduction of the lead hazard no earlier than the June 1 immediately following the order's issuance. If the ~~department~~ agency that issued the order determines that the owner has good cause for not complying with the order within the 5−day or 30−day time period, ~~the department~~ the agency may extend the time period within which the owner is required to comply with the order. The failure to comply with ~~the department's~~ an order within the time prescribed or as extended ~~by the department~~ shall be prima facie evidence of negligence in any action brought to recover damages for injuries incurred after the time period expires. If an order to conduct lead hazard reduction is issued by the department or by a local health department and if the

owner of the dwelling or premises complies with that order, there is a rebuttable presumption that the owner of the dwelling or premises has exercised reasonable care with respect to lead poisoning or lead exposure caused, after the order has been complied with, by lead hazards covered by the order, except that with respect to interim control activities the rebuttable presumption continues only for the period for which the interim control activity is reasonably expected to reduce or eliminate the lead hazard.

***−0315/2.4* SECTION 2138.** 254.166 (2) (e) of the statutes is renumbered 254.166 (2r) and amended to read:

254.166 **(2r)** ~~If an order is issued under par. (d),~~ The department may conduct or require a certified lead risk assessor or other person certified under s. 254.176 to conduct a lead investigation, a check of work completed, and dust tests for the presence of hazardous levels of lead to ensure compliance with ~~the~~ an order issued under sub. (2m).

***−0404/4.117* SECTION 2139.** 254.168 (4) of the statutes is amended to read:

254.168 **(4)** A day care provider certified under s. ~~48.651~~ 49.156.

***−0404/4.118* SECTION 2140.** 254.168 (5) of the statutes is amended to read:

254.168 **(5)** A day care center licensed under s. ~~48.65~~ 49.98, provisionally licensed under s. ~~48.65~~ 49.99, or established or contracted for under s. 120.13 (14).

***−0315/2.5* SECTION 2141.** 254.171 of the statutes is repealed.

***−0315/2.6* SECTION 2142.** 254.173 (3) (c) 1. of the statutes, as affected by 1999 Wisconsin Act 113, is amended to read:

254.173 **(3)** (c) 1. The owner receives an order under s. 254.166 ~~(2) (d)~~ (2m) and fails to comply with the order.

***−0315/2.7* SECTION 2143.** 254.179 (1) (c) 2. (intro.) of the statutes is amended to read:

254.179 **(1)** (c) 2. (intro.) The standards limiting the length of validity of a certificate of lead−safe status, including the condition of a premises, dwelling, or unit of a dwelling, the type of lead hazard reduction activity that was performed, if any, and any other requirements that must be met to maintain certification, unless the certificate is earlier revoked because of erroneous issuance or because the premises, dwelling, or unit of the dwelling is not safe from lead−bearing paint hazards. The rules shall specify that the face of the certificate shall indicate the certificate's length of validity. ~~The rules shall further specify that applications for certificates of lead−safe status for identical premises may be made only as follows:~~

***−0315/2.8* SECTION 2144.** 254.179 (1) (c) 2. a., b. and c. of the statutes are repealed.

***−1598/7.78* SECTION 2145.** 254.911 (1) of the statutes is amended to read:

254.911 **(1)** "Cigarette" has the meaning given in s. 139.30 ~~(1)~~ (1m).

***−0060/1.1* SECTION 2146.** 255.06 (2) (intro.) of the statutes is amended to read:

255.06 **(2)** WELL−WOMAN PROGRAM. (intro.) From the appropriation under s. 20.435 (5) (cb), the department shall administer a well−woman program to provide reimbursement for health care screenings, referrals, follow−ups, case management, and patient education provided to low−income, underinsured, and uninsured women. Reimbursement to service providers under this section shall be at the rate of reimbursement for identical services provided under medicare, except that, if projected costs under this section exceed the amounts appropriated under s. 20.435 (5) (cb), the department shall modify services or reimbursement accordingly. Within

this limitation, the department shall implement the well−woman program to do all of the following:

***−0060/1.2* SECTION 2147.** 255.06 (2) (a) (intro.) of the statutes is renumbered 255.06 (2) (a) and amended to read:

255.06 **(2)** (a) *Breast cancer screening services.* Provide not more than $422,600 in each fiscal year as reimbursement for the provision of breast cancer screening services to women who are aged 40 years or older and whose income does not exceed 250 percent of the poverty line, by a hospital or organization that has a mammography unit available for use and that is selected by the department under procedures established by the department. ~~Recipients of services under this paragraph are subject to a copayment, payable to the service provider, for which the department shall reduce reimbursement to the service provider, as follows:~~ The department shall reduce reimbursement for a service provided under this paragraph by the amount of any applicable 3rd−party coverage.

***−0060/1.3* SECTION 2148.** 255.06 (2) (a) 1. to 3. of the statutes are repealed.

***−0060/1.4* SECTION 2149.** 255.06 (2) (e) of the statutes is amended to read:

255.06 **(2)** (e) *Health care screening, referral, follow−up, case management, and patient education.* Reimburse service providers for the provision of health care screening, referral, follow−up, case management, and patient education to low−income, underinsured, and uninsured women.

***−0469/1.3* SECTION 2150.** 281.22 (2) (c) of the statutes is repealed.

***−1330/1.1* SECTION 2151.** 281.58 (1) (cg) of the statutes is amended to read:

281.58 **(1)** (cg) "Market interest rate" ~~means the interest at the effective rate of a revenue obligation issued by the state to fund a project loan or a portion of a~~

~~project loan under the clean water fund program~~ has the meaning given in s. 281.59 (1) (b).

***−0460/1.1* SECTION 2152.** 281.58 (2m) (e) of the statutes is amended to read:

281.58 **(2m)** (e) Inspect periodically clean water fund project construction to determine project compliance with construction plans and specifications ~~approved by the department~~ and the requirements of this section and s. 281.59 and, if applicable, of 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations promulgated thereunder.

***−0460/1.2* SECTION 2153.** 281.58 (9) (ae) of the statutes is amended to read:

281.58 **(9)** (ae) A municipality that submits an application under par. (a) without design plans and specifications may obtain an initial determination of financial eligibility from the department of administration. The department of natural resources may not approve a municipality's application until the municipality submits ~~approvable~~ design plans and specifications.

***−0460/1.3* SECTION 2154.** 281.58 (15) (a) (intro.) and 1. of the statutes are consolidated, renumbered 281.58 (15) (a) and amended to read:

281.58 **(15)** (a) The department and the department of administration may, at the request of a municipality, issue a notice of financial assistance commitment to the municipality after ~~all of the following occur: 1. The~~ the department approves the municipality's application under sub. (9m) (a) and the department of administration has allocated subsidy for the municipality's project.

***−0460/1.4* SECTION 2155.** 281.58 (15) (a) 2. of the statutes is repealed.

***−1330/1.2* SECTION 2156.** 281.59 (1) (b) of the statutes is amended to read:

281.59 **(1)** (b) "Market interest rate" means the ~~interest at the~~ effective interest rate ~~of a~~ on a fixed−rate revenue obligation issued by the state to fund a loan ~~or a~~

~~portion of a loan for a project under the clean water fund program~~ made under this section or, for a variable rate obligation, the effective interest rate that the department of administration determines would have been paid if the variable rate obligation had been sold at a fixed rate.

***−0462/1.3* SECTION 2157.** 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

281.59 **(3e)** (b) 1. Equal to ~~$90,000,000~~ $136,600,000 during the ~~2003−05~~ 2005−07 biennium.

3. Equal to $1,000 for any biennium after the ~~2003−05~~ 2005−07 biennium.

***−0462/1.4* SECTION 2158.** 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3m)** (b) 1. Equal to ~~$4,000,000~~ $3,300,000 during the ~~2003−05~~ 2005−07 biennium.

2. Equal to $1,000 for any biennium after the ~~2003−05~~ 2005−07 biennium.

***−0462/1.5* SECTION 2159.** 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3s)** (b) 1. Equal to ~~$12,800,000~~ $13,500,000 during the ~~2003−05~~ 2005−07 biennium.

2. Equal to $1,000 for any biennium after the ~~2003−05~~ 2005−07 biennium.

***−1330/1.3* SECTION 2160.** 281.61 (1) (b) of the statutes is amended to read:

281.61 **(1)** (b) "Market interest rate" ~~means the interest at the effective rate of a revenue obligation issued by this state to fund a loan or portion of a loan for a clean water fund program project under s. 281.58~~ has the meaning given in s. 281.59 (1) (b).

***−0458/2.2* SECTION 2161.** 281.75 (title) of the statutes is amended to read:

281.75 (title) **Compensation for well contamination and abandonment.**

***−0458/2.3* SECTION 2162.** 281.75 (1) (h) of the statutes is amended to read:

281.75 **(1)** (h) "Well," if not followed by the words, "subject to abandonment," means an excavation or opening in the ground made by boring, drilling or driving for the purpose of obtaining a supply of groundwater. "Well" does not include dug wells.

***−0458/2.4* SECTION 2163.** 281.75 (1) (i) of the statutes is created to read:

281.75 **(1)** (i) "Well subject to abandonment" means a well that is required to be abandoned under s. NR 812.26 (2) (a), Wis. Adm. Code, or that the department may require to be abandoned under s. NR 812.26 (2) (b), Wis. Adm. Code.

***−0458/2.5* SECTION 2164.** 281.75 (2) (e) of the statutes is created to read:

281.75 **(2)** (e) Establish requirements for the filling and sealing of wells subject to abandonment.

***−0458/2.6* SECTION 2165.** 281.75 (3) (a) of the statutes is renumbered 281.75 (3) and amended to read:

281.75 **(3)** WELLS FOR WHICH A CLAIM MAY BE SUBMITTED~~; SUNSET DATE~~. A claim may be submitted for a private water supply which, at the time of submitting the claim, is contaminated or for a well subject to abandonment.

***−0458/2.7* SECTION 2166.** 281.75 (3) (b) of the statutes is repealed.

***−0458/2.8* SECTION 2167.** 281.75 (4) (a) of the statutes is amended to read:

281.75 **(4)** (a) Except as provided under par. (b), a landowner or lessee of property on which is located a contaminated private water supply or a well subject to abandonment, or the spouse, dependent, heir, assign or legal representative of the landowner or lessee, may submit a claim under this section.

***−0458/2.9* SECTION 2168.** 281.75 (4m) (a) of the statutes is amended to read:

281.75 **(4m)** (a) In order to be eligible for an award under this section, the annual family income of the landowner or lessee of property on which is located a contaminated water supply or a well subject to abandonment may not exceed $65,000.

***−0458/2.10* SECTION 2169.** 281.75 (5) (b) 1. of the statutes is amended to read:

281.75 **(5)** (b) 1. Test results which show that the private water supply is contaminated, as defined under sub. (1) (b) 1. or 2., ~~or~~ information to show that the private water supply is contaminated as defined under sub. (1) (b) 3., or information to show that the well is a well subject to abandonment;

***−0458/2.11* SECTION 2170.** 281.75 (5) (b) 2. of the statutes is amended to read:

281.75 **(5)** (b) 2. ~~Any~~ If the claim is based on a contaminated private water supply, any information available to the claimant regarding possible sources of contamination of the private water supply; and

***−0458/2.12* SECTION 2171.** 281.75 (5) (d) 1. of the statutes is amended to read:

281.75 **(5)** (d) 1. Enter the property where the private water supply or well subject to abandonment is located during normal business hours and conduct any investigations or tests necessary to verify the claim; and

***−0458/2.13* SECTION 2172.** 281.75 (5) (d) 2. of the statutes is amended to read:

281.75 **(5)** (d) 2. ~~Cooperate~~ If the claim is based on a contaminated private water supply, cooperate with the state in any administrative, civil or criminal action involving a person or activity alleged to have caused the private water supply to become contaminated.

***−0458/2.14* SECTION 2173.** 281.75 (5) (e) of the statutes is amended to read:

281.75 **(5)** (e) The department shall consolidate claims if more than one claimant submits a claim for the same private water supply or for the same well subject to abandonment.

***−0458/2.15* SECTION 2174.** 281.75 (7) (a) of the statutes is amended to read:

281.75 **(7)** (a) If the department finds that the claimant meets all the requirements of this section and rules promulgated under this section and that the private water supply is contaminated or that the well is a well subject to abandonment, the department shall issue an award. The award may not pay more than 75% of the eligible costs. The award may not pay any portion of eligible costs in excess of $12,000.

***−0458/2.16* SECTION 2175.** 281.75 (7) (c) 1. of the statutes is amended to read:

281.75 **(7)** (c) 1. ~~The~~ If the claim is based on a contaminated private water supply, the cost of obtaining an alternate water supply;

***−0458/2.17* SECTION 2176.** 281.75 (7) (c) 2. (intro.) of the statutes is amended to read:

281.75 **(7)** (c) 2. (intro.) ~~The~~ If the claim is based on a contaminated private water supply, the cost of any one of the following:

***−0458/2.18* SECTION 2177.** 281.75 (7) (c) 3. of the statutes is amended to read:

281.75 **(7)** (c) 3. The cost of abandoning a contaminated private water supply, if a new private water supply is constructed ~~or~~, if connection to a public or private water supply is provided, or if the claim is based on a well subject to abandonment;

***−0458/2.19* SECTION 2178.** 281.75 (7) (c) 4. of the statutes is amended to read:

281.75 **(7)** (c) 4. The cost of obtaining 2 tests to show that the private water supply was contaminated if the claim is based on a contaminated private water supply and the cost of those tests was originally paid by the claimant;

***−0458/2.20* SECTION 2179.** 281.75 (7) (c) 5. of the statutes is amended to read:

281.75 **(7)** (c) 5. ~~Purchasing~~ The cost of purchasing and installing a pump, if the claim is based on a contaminated private water supply and a new pump is necessary for the new or reconstructed private water supply; and

***−0458/2.21* SECTION 2180.** 281.75 (7) (c) 6. of the statutes is amended to read:

281.75 **(7)** (c) 6. ~~Relocating~~ If the claim is based on a contaminated private water supply, the cost of relocating pipes, as necessary, to connect the replacement water supply to the buildings served by it.

***−0458/2.22* SECTION 2181.** 281.75 (8) (intro.) of the statutes is renumbered 281.75 (8) and amended to read:

281.75 **(8)** COPAYMENT. The department shall require a ~~payment by the claimant equal to the total of the following:~~ copayment of $250 unless the claim is solely for well abandonment.

***−0458/2.23* SECTION 2182.** 281.75 (8) (a) and (b) of the statutes are repealed.

***−0458/2.24* SECTION 2183.** 281.75 (11) (a) 4. of the statutes is amended to read:

281.75 **(11)** (a) 4. ~~One~~ If the claim is based on a contaminated private water supply, one or more of the contaminants upon which the claim is based was introduced into the well through the plumbing connected to the well.

***−0458/2.25* SECTION 2184.** 281.75 (11) (a) 5. of the statutes is amended to read:

281.75 **(11)** (a) 5. ~~One~~ If the claim is based on a contaminated private water supply, one or more of the contaminants upon which the claim is based was introduced into the well intentionally by a claimant or a person who would be directly benefited by payment of the claim.

***−0458/2.26* SECTION 2185.** 281.75 (11) (a) 6. of the statutes is amended to read:

281.75 **(11)** (a) 6. ~~All~~ If the claim is based on a contaminated private water supply, all of the contaminants upon which the claim is based are naturally occurring substances and the concentration of the contaminants in water produced by the well does not significantly exceed the background concentration of the contaminants in groundwater at that location.

***−0458/2.27* SECTION 2186.** 281.75 (11) (a) 7. of the statutes is amended to read:

281.75 **(11)** (a) 7. Except as provided in sub. (14), an award has been made under this section within the previous 10 years for the parcel of land where the private water supply is located and the claim is based on a contaminated private water supply.

***−0458/2.28* SECTION 2187.** 281.75 (11) (a) 8. of the statutes is amended to read:

281.75 **(11)** (a) 8. ~~A~~ If the claim is based on a contaminated private water supply, the contaminated private water supply is a residential water supply, is contaminated by bacteria or nitrates or both, and is not contaminated by any other substance.

***−0458/2.29* SECTION 2188.** 281.75 (11) (a) 9. of the statutes is amended to read:

281.75 **(11)** (a) 9. ~~A~~ If the claim is based on a contaminated private water supply, the contaminated private water supply is a livestock water supply, is contaminated by bacteria, and is not contaminated by any other substance.

***−0458/2.30* SECTION 2189.** 281.75 (11) (b) (title) of the statutes is amended to read:

281.75 **(11)** (b) (title) *Limits on awards for contaminated wells; purposes.*

***−0458/2.31* SECTION 2190.** 281.75 (11) (d) (title) of the statutes is amended to read:

281.75 **(11)** (d) (title) *Limits on awards for contaminated wells; amount.*

***−0458/2.32* SECTION 2191.** 281.75 (17) (a) of the statutes is amended to read:

281.75 **(17)** (a) A claim based on a contaminated private water supply may be submitted irrespective of the time when the contamination is or could have been discovered in the private water supply. A claim may be submitted for contamination which commenced before May 11, 1984, and continues at the time a claim is submitted under this section.

***−1360/2.3* SECTION 2192.** 285.01 (17m) of the statutes is created to read:

285.01 **(17m)** "Entire facility" means all stationary sources that are under the control of one person or under the control of persons who are under common control and that are located on contiguous properties.

***−1360/2.4* SECTION 2193.** 285.69 (1d) of the statutes is created to read:

285.69 **(1d)** REQUEST FOR WAIVER OF CONSTRUCTION PERMIT REQUIREMENT. An owner or operator that requests a waiver under s. 285.60 (5m) of the requirement to obtain a construction permit shall pay to the department a fee of $300.

***−1360/2.5* SECTION 2194.** 285.69 (1g) of the statutes is created to read:

285.69 **(1g)** ANNUAL FEES FOR OPERATION PERMIT EXEMPTION. The owner or operator of a stationary source that is exempt from the requirement to obtain an operation permit under s. 285.62 shall pay to the department a fee of $300 per year if the stationary source had actual emissions of a regulated pollutant in excess of 3 tons in the preceding year.

***−1360/2.6* SECTION 2195.** 285.69 (2) (title) of the statutes is amended to read:

285.69 **(2)** (title) FEES FOR PERSONS REQUIRED TO HAVE OPERATION PERMITS UNDER FEDERAL LAW.

***−1360/2.7* SECTION 2196.** 285.69 (2) (a) (intro.) of the statutes is amended to read:

285.69 **(2)** (a) (intro.) The department shall promulgate rules for the payment and collection of fees by the owner or operator of a stationary source for which an operation permit is required under the federal clean air act. The rules shall provide all of the following:

***−1360/2.8* SECTION 2197.** 285.69 (2m) of the statutes is created to read:

285.69 **(2m)** FEES FOR PERSONS REQUIRED TO HAVE OPERATION PERMITS UNDER STATE LAW. (a) *Registration operation permits.* The owner or operator of an entire facility for which an operation permit is required under s. 285.60 but not under the federal clean air act shall pay to the department a fee of $1,500 per year if the entire facility was covered by a registration operation permit under s. 285.60 (2g) in the preceding year.

(b) *General operation permits.* The owner or operator of an entire facility for which an operation permit is required under s. 285.60 but not under the federal clean air act shall pay to the department a fee of $1,500 per year if the entire facility was covered by a general operation permit under s. 285.60 (3) in the preceding year.

(c) *Operation permits for other sources.* The owner or operator of an entire facility for which an operation permit is required under s. 285.60 but not under the federal clean air act shall pay to the department a fee of $3,000 per year if the entire facility was not covered by a registration operation permit under s. 285.60 (2g) or by a general operation permit under s. 285.60 (3) in the preceding year.

(d) *Use of fees.* The fees collected under this subsection and sub. (1g) shall be credited to the appropriation account under s. 20.370 (2) (bh) for the following purposes as they relate to stationary sources for which an operation permit is required under s. 285.60 but not under the federal clean air act:

1. The costs of reviewing and acting on applications for operation permits; implementing and enforcing operation permits except for court costs or other costs associated with an enforcement action; monitoring emissions and ambient air quality; preparing rules and materials to assist persons who are subject to the operation permit program; ambient air quality modeling; preparing and maintaining emission inventories; and any other direct and indirect costs of the operation permit program.

2. Costs of any other activities related to stationary sources of air contaminants.

***−1362/1.2* SECTION 2198.** 287.26 of the statutes is created to read:

287.26 Business waste reduction and recycling assistance. The department may contract with a nonprofit organization for services to assist businesses to reduce the amount of solid waste generated or to reuse or recycle solid waste. The department may not provide more than $500,000 annually under a contract under this section.

***−1612/3.1* SECTION 2199.** 289.645 (4) (e) of the statutes is created to read:

289.645 **(4)** (e) 1. Subject to subd. 2., the recycling fee does not apply to waste material that is acquired during the normal course of recycling operations by a person that makes paper or paperboard from wastepaper, if the waste material cannot be used to make paper or paperboard.

2. The maximum weight of waste material to which the exemption in subd. 1. applies in a year is 5 percent of the weight of all waste material from the facility at which the person makes paper or paperboard from wastepaper that is disposed of in that year.

***−0774/P4.7* SECTION 2200.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

292.11 **(7)** (d) 1m. b. An area designated by the local governmental unit if the area consists of 2 or more properties affected by a contiguous region of groundwater contamination or contains 2 or more properties that are brownfields, as defined in s. ~~560.60 (1v)~~ 560.13 (1) (a).

***−0774/P4.8* SECTION 2201.** 292.255 of the statutes is amended to read:

292.255 Report on brownfield efforts. The department of natural resources, the department of administration, and the department of commerce shall submit a report evaluating the effectiveness of this state's efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. ~~560.60 (1v)~~ 560.13 (1) (a).

***−0455/1.2* SECTION 2202.** 292.57 (2) (b) of the statutes is amended to read:

292.57 **(2)** (b) Any moneys collected under this subsection shall be credited to the appropriation account under s. 20.370 (2) ~~(mi)~~ (dh).

***−0461/2.2* SECTION 2203.** 299.19 of the statutes is created to read:

299.19 Processing electronic information. The department may promulgate rules specifying fees to cover the costs of electronically receiving and providing information under the programs in chs. 280 to 299 through agreements authorizing the electronic receipt and provision of information, as provided in ss.

137.13, 137.15, and 137.25. The department shall consult with persons regulated under chs. 280 to 299 concerning rules under this section.

***−1513/4.20* SECTION 2204.** 301.235 (2) (a) (intro.) of the statutes is amended to read:

301.235 **(2)** (a) (intro.) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness created by a nonprofit corporation for the purpose of providing a new building or buildings or additions or improvements thereto which are located on land owned by, or owned by the state and held for, the department or on lands of the institutions under the jurisdiction of the department or owned by the nonprofit corporation, or for any one or more of those purposes, but for no other purpose unless authorized by law, the department, subject to s. 16.848, has the following powers and duties:

***−1513/4.21* SECTION 2205.** 301.235 (2) (a) 1. of the statutes is amended to read:

301.235 **(2)** (a) 1. Without limitation by reason of any other statute except s. 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation any land and any existing buildings thereon owned by, or owned by the state and held for, the department or any of the institutions under the jurisdiction of the department for such consideration and upon such terms and conditions as in the judgment of the secretary are in the public interest.

***−1513/4.22* SECTION 2206.** 301.24 (4) of the statutes is amended to read:

301.24 **(4)** SALES. ~~The~~ Except where a sale occurs under s. 16.848, the department, with the approval of the building commission, may sell and convey such lands under the jurisdiction of the department as the secretary deems to be in excess of the present or future requirements of the department for either the operation of

its facilities or programs, for the maintenance of buffer zones adjacent to its facilities or for other public purposes. The proceeds of the sales shall be credited to the state building trust fund.

***−1513/4.23* SECTION 2207.** 301.24 (4m) of the statutes is amended to read:

301.24 **(4m)** CORRECTIONAL INSTITUTION PROPERTY DISPOSITION. In addition to any other requirements under this section, <u>except where a sale occurs under s. 16.848,</u> the department may sell or otherwise transfer or dispose of the property acquired for the correctional institution under s. 46.05 (1o), 1985 stats., only if the sale, transfer or disposition is approved by the joint committee on finance. The department shall submit a plan for any such proposed sale, transfer or disposition to the committee.

***−1513/4.24* SECTION 2208.** 301.25 of the statutes is amended to read:

301.25 Sewer system at Taycheedah Correctional Institution. The department, with the approval of the governor, may enter into an agreement containing terms, conditions and covenants approved by the building commission, to participate in the construction of a sanitary sewer system in the area adjacent to the Taycheedah Correctional Institution in the town of Taycheedah, Fond du Lac County; to connect the sewer system of the Taycheedah Correctional Institution thereto; to pay sewage disposal charges; and to grant easements or<u>, subject to s. 16.848,</u> convey land to meet construction requirements.

***−0247/3.1* SECTION 2209.** 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 **(4)** (d) 2. Beginning on July 1, ~~2003~~ <u>2005</u>, and ending on June 30, ~~2004~~ <u>2006</u>, the per person daily cost assessment to counties shall be ~~$183~~ <u>$218</u> for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$183~~ <u>$218</u> for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),

~~$225~~ $227 for care in a residential care center for children and youth, ~~$142~~ $170 for care in a group home for children, ~~$47~~ $51 for care in a foster home, ~~$88~~ $85 for care in a treatment foster home, ~~$86~~ $89 for departmental corrective sanctions services, and ~~$25~~ $27 for departmental aftercare services.

***−0247/3.2* SECTION 2210.** 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 **(4)** (d) 3. Beginning on July 1, ~~2004~~ 2006, and ending on June 30, ~~2005~~ 2007, the per person daily cost assessment to counties shall be ~~$187~~ $224 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$187~~ $224 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$239~~ $235 for care in a residential care center for children and youth, ~~$149~~ $179 for care in a group home for children, ~~$49~~ $54 for care in a foster home, ~~$92~~ $89 for care in a treatment foster home, ~~$87~~ $91 for departmental corrective sanctions services, and ~~$26~~ $27 for departmental aftercare services.

***−0249/2.1* SECTION 2211.** 301.26 (7) (intro.) of the statutes is amended to read:

301.26 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~2003~~ 2005, and ending on June 30, ~~2005~~ 2007, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

***−0249/2.2* SECTION 2212.** 301.26 (7) (a) of the statutes is amended to read:

301.26 **(7)** (a) For community youth and family aids under this section, amounts not to exceed $44,145,100 for the last 6 months of ~~2003~~ 2005, $88,290,200 for ~~2004~~ 2006, and $44,145,100 for the first 6 months of ~~2005~~ 2007.

***−0249/2.3* SECTION 2213.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

301.26 **(7)** (b) (intro.) Of the amounts specified in par. (a), the department shall allocate $2,000,000 for the last 6 months of ~~2003~~ 2005, $4,000,000 for ~~2004~~ 2006, and $2,000,000 for the first 6 months of ~~2005~~ 2007 to counties based on each of the following factors weighted equally:

***−0249/2.4* SECTION 2214.** 301.26 (7) (c) of the statutes is amended to read:

301.26 **(7)** (c) Of the amounts specified in par. (a), the department shall allocate $1,053,200 for the last 6 months of ~~2003~~ 2005, $2,106,500 for ~~2004~~ 2006, and $1,053,300 for the first 6 months of ~~2005~~ 2007 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93% nor more than 115% of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

***−0249/2.5* SECTION 2215.** 301.26 (7) (e) of the statutes is amended to read:

301.26 **(7)** (e) For emergencies related to community youth and family aids under this section, amounts not to exceed $125,000 for the last 6 months of ~~2003~~ 2005, $250,000 for ~~2004~~ 2006, and $125,000 for the first 6 months of ~~2005~~ 2007. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

***−0249/2.6* SECTION 2216.** 301.26 (7) (h) of the statutes is amended to read:

301.26 **(7)** (h) For counties that are participating in the corrective sanctions program under s. 938.533 (2), $1,062,400 in the last 6 months of ~~2003~~ 2005, $2,124,800 in ~~2004~~ 2006, and $1,062,400 in the first 6 months of ~~2005~~ 2007 for the provision of corrective sanctions services for juveniles from that county. In

distributing funds to counties under this paragraph, the department shall determine a county's distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county.

***−0249/2.7* SECTION 2217.** 301.26 (8) of the statutes is amended to read:

301.26 **(8)** ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the allocations specified in sub. (7) (a), the department shall allocate $666,700 in the last 6 months of ~~2003~~ 2005, $1,333,400 in ~~2004~~ 2006, and $666,700 in the first 6 months of ~~2005~~ 2007 for alcohol and other drug abuse treatment programs.

***−1624/2.2* SECTION 2218.** 301.263 (title) of the statutes is repealed.

***−1624/2.3* SECTION 2219.** 301.263 (1) of the statutes is renumbered 16.964 (11) (a) and amended to read:

16.964 **(11)** (a) From the appropriation under s. ~~20.410 (3) (f)~~ 20.505 (6) (f), the ~~department~~ office shall distribute $3,750,000 in each year to counties for early intervention services for first offenders and for intensive community−based intervention services for seriously chronic offenders.

***−1624/2.4* SECTION 2220.** 301.263 (2) of the statutes is renumbered 16.964 (11) (b) and amended to read:

16.964 **(11)** (b) To determine eligibility for a payment under ~~sub. (1)~~ par. (a), the ~~department~~ office shall require a county to submit a plan for the expenditure of that payment that ensures that the county targets the programs to be funded under that payment appropriately.

***−1624/2.5* SECTION 2221.** 301.263 (3) of the statutes is renumbered 16.964 (11) (c) and amended to read:

16.964 **(11)** (c) The ~~department~~ office shall distribute 33% of the amounts distributed under ~~sub. (1)~~ par. (a) based on each county's proportion of the violent Part I juvenile arrests reported statewide under the uniform crime reporting system of the office ~~of justice assistance in the department of administration~~, during the most recent 2−year period for which that information is available. The ~~department~~ office shall distribute 33% of the amounts distributed under ~~sub. (1)~~ par. (a) based on each county's proportion of the number of juveniles statewide who are placed in a secured correctional facility, a secured child caring institution, or a secured group home during the most recent 2−year period for which that information is available. The ~~department~~ office shall distribute 34% of the amounts distributed under ~~sub. (1)~~ par. (a) based on each county's proportion of the total Part I juvenile arrests reported statewide under the uniform crime reporting system of the office ~~of justice assistance~~, during the most recent 2−year period for which that information is available.

***−1417/P4.4* SECTION 2222.** 301.32 (1) of the statutes is amended to read:

301.32 **(1)** PROPERTY DELIVERED TO WARDEN OR SUPERINTENDENT; CREDIT AND DEBIT. All money and other property delivered to an employee of any state correctional institution for the benefit of a prisoner or resident shall be delivered to the warden or superintendent, who shall enter the property upon his or her accounts to the credit of the prisoner or resident. The property may be used only under the direction and with the approval of the superintendent or warden and for the crime victim and witness assistance surcharge under s. 973.045 (4), the child abuse prevention and child mental health surcharge under s. 973.044 (4), the delinquency victim and

witness assistance surcharge under s. 938.34 (8d) (c), the deoxyribonucleic acid analysis surcharge under s. 973.046 or the benefit of the prisoner or resident. If the money remains uncalled for for one year after the prisoner's or resident's death or departure from the state correctional institution, the superintendent shall deposit it in the general fund. If any prisoner or resident leaves property, other than money, uncalled for at a state correctional institution for one year, the superintendent shall sell the property and deposit the proceeds in the general fund, donate the property to a public agency or private, nonprofit organization or destroy the property. If any person satisfies the department, within 5 years after the deposit, of his or her right to the deposit, the department shall direct the department of administration to draw its warrant in favor of the claimant and it shall charge the same to the appropriation made by s. 20.913 (3) (bm).

***−0251/1.2* SECTION 2223.** 301.45 (10) of the statutes is created to read:

301.45 **(10)** The department may require a person who must register as a sex offender and who is in its custody or on probation, parole, or extended supervision to pay an annual fee to partially offset its costs in monitoring persons on probation, parole, or extended supervision. The department shall establish any such fee by rule, but the fee may not exceed $50.

***−0404/4.119* SECTION 2224.** 301.46 (4) (a) 2. of the statutes is amended to read:

301.46 **(4)** (a) 2. A day care provider that holds a license under s. ~~48.65~~ 49.98, that is certified under s. ~~48.651~~ 49.156, that holds a probationary license under s. ~~48.65~~ 49.99, or that is established or contracted for under s. 120.13 (14).

***−1513/4.25* SECTION 2225.** 302.04 of the statutes is amended to read:

302.04 Duties of warden and superintendents. ~~The~~ Except as provided in s. 16.848, the warden or the superintendent of each state prison shall have charge and custody of the prison and all lands, belongings, furniture, implements, stock and provisions and every other species of property within the same or pertaining thereto. The warden or superintendent shall enforce the ~~regulations~~ rules of the department for the administration of the prison and for the government of its officers and the discipline of its inmates.

***−1660/3.1* SECTION 2226.** 302.05 (1) of the statutes is renumbered 302.05 (1) (a), and 302.05 (1) (a) (intro.), as renumbered, is amended to read:

302.05 **(1)** (a) (intro.) The department of corrections and the department of health and family services may designate a section of a mental health institute as a correctional treatment facility for the treatment of substance abuse of inmates transferred from Wisconsin state prisons. This section shall be administered by the department of corrections ~~and shall be known as the Wisconsin substance abuse program~~. The department of corrections and the department of health and family services shall ensure that the residents at the institution and the residents in the substance abuse program:

***−1660/3.2* SECTION 2227.** 302.05 (1) (b) of the statutes is created to read:

302.05 **(1)** (b) The department of corrections may designate all or part of any state prison as a correctional treatment facility and provide, at that facility, programs for treating the abuse of alcohol or other drugs by inmates.

***−1660/3.3* SECTION 2228.** 302.05 (3) (b) of the statutes is amended to read:

302.05 **(3)** (b) Except as provided in par. (d), if the department determines that an eligible inmate serving a sentence other than one imposed under s. 973.01 has successfully completed ~~the~~ a treatment program described in sub. (1), the parole

commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. If the parole commission grants parole under this paragraph, it shall require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

***−1660/3.4* SECTION 2229.** 302.05 (3) (c) 1. of the statutes is amended to read:

302.05 **(3)** (c) 1. Except as provided in par. (d), if the department determines that an eligible inmate serving the term of confinement in prison portion of a bifurcated sentence imposed under s. 973.01 has successfully completed ~~the~~ a treatment program described in sub. (1), the department shall inform the court that sentenced the inmate.

***−1660/3.5* SECTION 2230.** 302.05 (3) (c) 2. (intro.) of the statutes is amended to read:

302.05 **(3)** (c) 2. (intro.) Upon being informed by the department under subd. 1. that an inmate whom the court sentenced under s. 973.01 has successfully completed ~~the~~ a treatment program described in sub. (1), the court shall modify the inmate's bifurcated sentence as follows:

***−1660/3.6* SECTION 2231.** 302.05 (3) (d) of the statutes is amended to read:

302.05 **(3)** (d) The department may place intensive sanctions program participants in ~~the~~ a treatment program described in sub. (1), but pars. (b) and (c) do not apply to those participants.

***−1417/P4.5* SECTION 2232.** 302.12 (2) of the statutes is amended to read:

302.12 **(2)** Money accruing under this section remains under the control of the department, to be used for the crime victim and witness assistance surcharge under s. 973.045 (4), the child abuse prevention and child mental health surcharge under s. 973.044 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046, and the

benefit of the inmate or the inmate's family or dependents, under rules promulgated by the department as to time, manner and amount of disbursements.

***−1417/P4.6* SECTION 2233.** 302.13 of the statutes is amended to read:

302.13 Preservation of property an inmate brings to prison. The department shall preserve money and effects, except clothes, in the possession of an inmate when admitted to the prison and, subject to the crime victim and witness assistance surcharge under s. 973.045 (4), the child abuse prevention and child mental health surcharge under s. 973.044 (4), and the deoxyribonucleic acid analysis surcharge under s. 973.046, shall restore the money and effects to the inmate when discharged.

***−0252/2.6* SECTION 2234.** 303.01 (2) (em) of the statutes is repealed.

***−1417/P4.7* SECTION 2235.** 303.01 (8) (b) of the statutes is amended to read:

303.01 **(8)** (b) The department shall distribute earnings of an inmate or resident~~, other than an inmate or resident employed under sub. (2) (em),~~ for the crime victim and witness assistance surcharge under s. 973.045 (4), the child abuse prevention and child mental health surcharge under s. 973.044 (4), for the delinquency victim and witness assistance surcharge under s. 938.34 (8d) (c), for the deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance with s. 303.06 (2) and may distribute earnings for the support of the inmate's or resident's dependents and for other obligations either acknowledged by the inmate or resident in writing or which have been reduced to judgment that may be satisfied according to law.

***−0252/2.7* SECTION 2236.** 303.01 (8) (c) of the statutes is repealed.

***−0252/2.8* SECTION 2237.** 303.01 (8) (d) of the statutes is repealed.

***−0252/2.9* SECTION 2238.** 303.01 (8) (e) of the statutes is repealed.

***−0252/2.10* SECTION 2239.** 303.01 (11) of the statutes is repealed.

***−0252/2.11* SECTION 2240.** 303.06 (3) of the statutes is repealed.

***−1417/P4.8* SECTION 2241.** 303.065 (5) (bo) of the statutes is created to read:

303.065 **(5)** (bo) Payment of the child abuse prevention and child mental health surcharge under s. 973.044 (4).

***−0252/2.12* SECTION 2242.** 303.21 (1) (b) of the statutes is amended to read:

303.21 **(1)** (b) Inmates are included under par. (a) if they are participating in a structured work program away from the institution grounds under s. 302.15 or a secure work program under s. 303.063. Inmates are not included under par. (a) if they are employed in a prison industry under s. 303.06 (2), participating in a work release program under s. 303.065 (2), ~~participating in employment with a private business under s. 303.01 (2) (em)~~ or participating in the transitional employment program, but they are eligible for worker's compensation benefits under ch. 102. Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are eligible for worker's compensation benefits under ch. 102.

***−1394/1.3* SECTION 2243.** 341.09 (2m) (a) 1., 2. and 3. and (d) of the statutes are amended to read:

341.09 **(2m)** (a) 1. Upon request by a dealer licensed in this state, the department may issue any number of temporary operation plates <u>and temporary permits</u> to a dealer under sub. (2) at a fee of $3 per ~~plate~~ <u>item</u>. The dealer may issue the temporary operation plate <u>or permit</u> at a fee of $3 to any of the following:

2. Notwithstanding subd. 1., the department shall issue a sufficient number of temporary operation plates <u>and temporary permits</u> without charge to each dealer licensed in this state for issuance under this subdivision. Each dealer shall issue a temporary operation plate <u>or a temporary permit</u> without charge to any state

resident who purchases or leases from the dealer an automobile or motor truck having a registered weight of 8,000 pounds or less, for use on such vehicle if the state resident submits to the dealer a complete application for registration of the vehicle, including evidence of inspection under s. 110.20 when required, and for a new certificate of title for a purchased vehicle, together with a check or money order made payable to the department for all applicable title, registration, security interest and sales tax moneys, for transmittal to the department by the dealer.

3. The department shall prescribe the manner in which a dealer shall keep records of temporary operation plates and temporary permits issued by the dealer.

(d) If the department determines that a dealer has misused plates or permits issued under this subsection or sub. (4) or has failed to comply with the requirements of this section or rules issued under this section, the department may order the dealer to return all temporary operation plates and permits in the dealer's possession. Within 30 days after the issuance of the order, the dealer may request a hearing before the division of hearings and appeals. The division of hearings and appeals shall schedule a hearing with reasonable promptness. The dealer may not issue any temporary operation plates or permits until after the division of hearings and appeals holds its scheduled hearing and issues its findings.

***−1394/1.4* SECTION 2244.** 341.09 (9) of the statutes is amended to read:

341.09 **(9)** Notwithstanding any other provision of this section, the department shall issue a temporary operation plate or a temporary permit without charge for an automobile or motor truck having a registered weight of 8,000 pounds or less upon receipt of a complete application accompanied by the required fee for registration of the vehicle, including evidence of any inspection under s. 110.20 when required, if the department does not immediately issue the regular registration plates for the

vehicle and the department determines that the applicant has not otherwise been issued a temporary operation plate or a temporary permit under this section.

***−1559/1.1* SECTION 2245.** 341.135 of the statutes is repealed.

***−0374/3.1* SECTION 2246.** 341.14 (6r) (b) 9. of the statutes is created to read:

341.14 **(6r)** (b) 9. An additional fee of $15 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for a special group specified under par. (f) 1. to 32., 49., 49m., 51., or 56. An additional fee of $30 that is in addition to the fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on the biennial basis for a special group specified under par. (f) 1. to 32., 49., 49m., 51., or 56. if the plate is issued or renewed during the first year of the biennial registration period or $15 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. All moneys received under this subdivision shall be deposited in the veterans trust fund. To the extent permitted under ch. 71, the fee collected under this subdivision for the issuance or reissuance of a special plate under par. (f) 1. to 32., 49., 49m., 51., or 56. is deductible as a charitable contribution for purposes of taxes under ch. 71.

***−0374/3.2* SECTION 2247.** 341.14 (6r) (f) 56. of the statutes is created to read:

341.14 **(6r)** (f) 56. Persons interested in supporting veterans.

***−1051/1.1* SECTION 2248.** 341.25 (1) (a) of the statutes is amended to read:

341.25 **(1)** (a) For each automobile, a fee of ~~$55~~ $65, except that an automobile registered in this state prior to September 1, 1947, at a fee of less than $18 shall be registered at such lesser fee plus an additional fee of $2.

***−1051/1.2* SECTION 2249.** 341.25 (2) (a) of the statutes is amended to read:

341.25 **(2)** (a) Not more than 4,500 . . . . . $ ~~48.50~~ 65.00

***−1051/1.3* SECTION 2250.** 341.25 (2) (b) of the statutes is amended to read:

341.25 **(2)** (b) Not more than 6,000 . . . . . ~~61.50~~ 71.00

***−1051/1.4* SECTION 2251.** 341.25 (2) (c) of the statutes is amended to read:

341.25 **(2)** (c) Not more than 8,000 . . . . . ~~77.50~~ 87.00

***−0299/2.5* SECTION 2252.** 342.06 (1) (intro.) of the statutes is amended to read:

342.06 **(1)** (intro.) An application for a certificate of title shall be made to the department upon a form or in an automated format prescribed by it and shall be accompanied by the required fee and any applicable taxes. The department shall provide the information it obtains under this subsection to the department of revenue for the sole purpose of administering state taxes. Each application for certificate of title shall include the following information:

***−0299/2.6* SECTION 2253.** 342.06 (1) (eg) of the statutes is amended to read:

342.06 **(1)** (eg) Except as provided in par. (eh), if the applicant is an individual, the social security number of the applicant. The department of transportation may not disclose a social security number obtained under this paragraph to any person except to the department of workforce development for the sole purpose of administering s. 49.22 and to the department of revenue for the sole purpose of administering state taxes.

***−1053/3.1* SECTION 2254.** 342.14 (1) of the statutes is amended to read:

342.14 **(1)** For filing an application for the first certificate of title, ~~$18.50~~ $28.50, by the owner of the vehicle.

***−0452/2.1* SECTION 2255.** 342.14 (1r) of the statutes is amended to read:

342.14 **(1r)** Upon filing an application under sub. (1) or (3), an environmental impact fee of $9, by the person filing the application. All moneys collected under this

subsection shall be credited to the environmental fund for environmental management. ~~This subsection does not apply after December 31, 2005.~~

***−1053/3.2* SECTION 2256.** 342.14 (3) of the statutes is amended to read:

342.14 **(3)** For a certificate of title after a transfer, ~~$18.50~~ $28.50, by the owner of the vehicle.

***−1560/3.29* SECTION 2257.** 342.14 (3m) of the statutes is amended to read:

342.14 **(3m)** Upon filing an application under sub. (1) or (3), a supplemental title fee of $7.50 by the owner of the vehicle, except that this fee shall be waived with respect to an application under sub. (3) for transfer of a decedent's interest in a vehicle to his or her surviving spouse. The fee specified under this subsection is in addition to any other fee specified in this section. The department shall deposit into the environmental fund all fees collected under this subsection.

***−1053/3.3* SECTION 2258.** 342.14 (5) of the statutes is amended to read:

342.14 **(5)** For a replacement certificate of title, ~~$8~~ $20, by the owner of the vehicle.

***−1394/1.5* SECTION 2259.** 342.16 (1) (a) of the statutes is amended to read:

342.16 **(1)** (a) Except as provided in par. (c), if a dealer acquires a new or used vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for sale on consignment, the dealer may not submit to the department the certificate of title or application for certificate of title naming the dealer as owner of the vehicle. Upon transferring the vehicle to another person, the dealer shall immediately give the transferee on a form prescribed by the department a receipt for all title, registration, security interest and sales tax moneys paid to the dealer for transmittal to the department when required. The dealer shall promptly execute the

assignment and warranty of title, showing the name and address of the transferee and of any secured party holding a security interest created or reserved at the time of the resale or sale on consignment, in the spaces provided therefor on the certificate or as the department prescribes. ~~Within 7 business days following the sale or transfer, the dealer shall mail or deliver the certificate or application for certificate to the department with the transferee's application for a new certificate.~~ A nonresident who purchases a motor vehicle from a dealer in this state may not, unless otherwise authorized by rule of the department, apply for a certificate of title issued for the vehicle in this state unless the dealer determines that a title is necessary to protect the interests of a secured party. The dealer is responsible for determining whether a title and perfection of security interest is required. The dealer is liable for any damages incurred by the department or any secured party for the dealer's failure to perfect a security interest which the dealer had knowledge of at the time of sale.

***−1394/1.6* SECTION 2260.** 342.16 (1) (am) of the statutes is created to read:

342.16 **(1)** (am) 1. Except as provided in subd. 2., a motor vehicle dealer, as defined in s. 218.0101 (23), who processes an application for transfer of title and registration as provided in par. (a) shall utilize an electronic process prescribed by the department under this paragraph or provided for under ss. 341.20 and 341.21. The dealer may charge a reasonable fee for electronic processing under this paragraph.

2. The department may, by rule, exempt a motor vehicle dealer from the requirements of this paragraph. A motor vehicle dealer who is exempted shall pay a fee to the department to process applications for transfer of title and registration that are submitted to the department by the exempted dealer.

3. The department shall promulgate rules to implement and administer this paragraph.

***−0299/2.7* SECTION 2261.** 343.027 of the statutes is amended to read:

343.027 Confidentiality of signatures. Any signature collected under this chapter may be maintained by the department and shall be kept confidential~~. The~~, except that the department may release a signature or a facsimile of a signature ~~only~~ to the person to whom the signature relates and to the department of revenue for the sole purpose of investigating allegations of tax fraud.

***−0299/2.8* SECTION 2262.** 343.14 (1) of the statutes is amended to read:

343.14 **(1)** Every application to the department for a license or identification card or for renewal thereof shall be made upon the appropriate form furnished by the department and shall be accompanied by the required fee. The department shall provide the information it obtains under this subsection, excluding medical information, to the department of revenue for the purpose of administering setoffs under ss. 71.93 and 71.935 and state taxes.

***−0299/2.9* SECTION 2263.** 343.14 (2j) (b) of the statutes is amended to read:

343.14 **(2j)** (b) Except as otherwise required to administer and enforce this chapter, the department of transportation may not disclose a social security number obtained from an applicant for a license under sub. (2) (bm) to any person except to the department of workforce development for the sole purpose of administering s. 49.22 or to the department of revenue for the purpose of administering setoffs under ss. 71.93 and 71.935 and state taxes.

***−0955/10.11* SECTION 2264.** 343.33 (2) of the statutes is amended to read:

343.33 **(2)** Upon the hearing, the department or ~~its~~ a hearing examiner may administer oaths, issue subpoenas for the attendance of witnesses and the

production of relevant books and papers and may require a reexamination of the licensee. No law enforcement officer or other witness produced by the person who has requested a hearing to testify on his or her behalf shall be paid a witness fee by the department nor shall any law enforcement officer called to appear for the department be paid any witness fee. All testimony shall be taken and transcribed.

***−1652/2.1* SECTION 2265.** 343.44 (2) (as) of the statutes is created to read:

343.44 **(2)** (as) Any person who violates sub. (1) (b) after the effective date of this paragraph .... [revisor inserts date], shall forfeit not more than $600, except that, if the person has been convicted of a previous violation of sub. (1) (b) within the preceding 5−year period or if the revocation identified under sub. (1) (b) resulted from an offense that may be counted under s. 343.307 (2), the penalty under par. (b) shall apply.

***−1652/2.2* SECTION 2266.** 343.44 (2) (b) (intro.) of the statutes is amended to read:

343.44 **(2)** (b) (intro.) Except as provided in ~~par.~~ pars. (am) and (as), any person who violates sub. (1) (b), (c) or (d) shall be fined not more than $2,500 or imprisoned for not more than one year in the county jail or both. In imposing a sentence under this paragraph, or a local ordinance in conformity with this paragraph, the court shall review the record and consider the following:

***−1243/P3.97* SECTION 2267.** 344.576 (3) (a) 5. of the statutes is amended to read:

344.576 **(3)** (a) 5. The address and telephone number of the department of ~~agriculture, trade and consumer protection~~ justice.

***−1243/P3.98* SECTION 2268.** 344.576 (3) (c) of the statutes is amended to read:

344.576 **(3)** (c) The department of ~~agriculture, trade and consumer protection~~ justice shall promulgate rules specifying the form of the notice required under par. (a), including the size of the paper ~~and~~, the type size, and any highlighting of the information described in par. (a). The rule may specify additional information that must be included in the notice and the precise language that must be used.

***−1243/P3.99* SECTION 2269.** 344.579 (2) (intro.) of the statutes is amended to read:

344.579 **(2)** ENFORCEMENT. (intro.) The department of ~~agriculture, trade and consumer protection~~ justice shall investigate violations of ss. 344.574, 344.576 (1), (2), and (3) (a) and (b), 344.577, and 344.578. The department of ~~agriculture, trade and consumer protection~~ justice may on behalf of the state:

***−0355/2.20* SECTION 2270.** 350.12 (3h) (a) 1. of the statutes is amended to read:

350.12 **(3h)** (a) 1. Directly issue, transfer, or renew the registration documentation with or without using the ~~expedited~~ services specified in par. (ag) 1.

***−0355/2.21* SECTION 2271.** 350.12 (3h) (a) 3. of the statutes is amended to read:

350.12 **(3h)** (a) 3. Appoint persons who are not employees of the department as agents of the department to issue, transfer, or renew the registration documentation using either or both of the ~~expedited~~ services specified in par. (ag) 1.

***−0355/2.22* SECTION 2272.** 350.12 (3h) (ag) 1. (intro.) of the statutes is amended to read:

350.12 **(3h)** (ag) 1. (intro.) For the issuance of original or duplicate registration documentation and for the transfer or renewal of registration documentation, the

department may implement either or both of the following ~~expedited~~ procedures to be provided by the department and any agents appointed under par. (a) 3.:

***−0355/2.23* SECTION 2273.** 350.12 (3h) (ag) 1. a. of the statutes is amended to read:

350.12 **(3h)** (ag) 1. a. A ~~noncomputerized~~ procedure under which the department or agent may accept applications for registration ~~certificates~~ documentation and issue a validated registration receipt at the time the applicant submits the application accompanied by the required fees.

***−0355/2.24* SECTION 2274.** 350.12 (3h) (ag) 1. b. of the statutes is amended to read:

350.12 **(3h)** (ag) 1. b. A ~~computerized~~ procedure under which the department or agent may accept applications for registration documentation and issue to each applicant all or some of the items of the registration documentation at the time the applicant submits the application accompanied by the required fees.

***−0355/2.25* SECTION 2275.** 350.12 (3h) (ag) 2. of the statutes is amended to read:

350.12 **(3h)** (ag) 2. Under either procedure under subd. 1., the applicant shall receive any remaining items of registration documentation directly from the department at a later date. The items of registration documentation issued at the time of the submittal of the application under either procedure shall be sufficient to allow the snowmobile for which the application is submitted to be operated in compliance with the registration requirements under this section. The items of registration documentation issued under subd. 1. b. shall include at least one registration decal.

***−0355/2.26* SECTION 2276.** 350.12 (3h) (ar) (title) of the statutes is repealed and recreated to read:

350.12 **(3h)** (ar) (title) *Registration; supplemental fees.*

***−0355/2.27* SECTION 2277.** 350.12 (3h) (ar) 1. of the statutes is amended to read:

350.12 **(3h)** (ar) 1. In addition to the applicable fee under sub. (3) (a), each agent appointed under par. (a) 3. shall collect ~~an expedited~~ a service fee of $3 each time the agent issues a validated registration receipt under par. (ag) 1. a. The agent shall retain the entire amount of each ~~expedited~~ service fee the agent collects.

***−0355/2.28* SECTION 2278.** 350.12 (3h) (ar) 2. of the statutes is amended to read:

350.12 **(3h)** (ar) 2. In addition to the applicable fee under sub. (3) (a), the department or the agent appointed under par. (a) 3. shall collect ~~an expedited~~ a service fee of ~~$3~~ $5 each time the ~~expedited~~ service under par. (ag) 1. b. is provided. The agent shall remit to the department $1 of each ~~expedited~~ service fee the agent collects.

***−0351/1.1* SECTION 2279.** 350.12 (4) (bm) 2. of the statutes is amended to read:

350.12 **(4)** (bm) 2. Of the actual cost incurred by the department or the county in maintaining its trails that are qualified under par. (b) 1. or 4. for the fiscal year applicable under subd. 1., the actual cost incurred in grooming the trails exceeds a maximum of ~~$130~~ $150 per mile per year.

***−0355/2.29* SECTION 2280.** 350.125 (1) (am) of the statutes is repealed.

***−1192/2.1* SECTION 2281.** 351.02 (1) (b) of the statutes is amended to read:

351.02 **(1)** (b) Twelve or more convictions of ~~moving~~ violations of ch. 346, including violations under par. (a)~~, of traffic regulations or of crimes in the operation of a motor vehicle which are required to be reported under s. 343.28 or 345.37 (5)~~.

***−1192/2.2* SECTION 2282.** 351.02 (1) (f) of the statutes is amended to read:

351.02 **(1)** (f) The department may, by rule, exempt specific ~~moving~~ violations of ch. 346 from being counted under par. (b) if the department determines that the violation is a petty offense, except that the department may not exempt any violation for which the department assigns demerit points under s. 343.32 (2) or rules promulgated thereunder.

***−1192/2.3* SECTION 2283.** 351.02 (2) of the statutes is repealed.

***−0299/2.10* SECTION 2284.** 440.03 (11m) (c) of the statutes is amended to read:

440.03 **(11m)** (c) The department of regulation and licensing may not disclose a social security number obtained under par. (a) to any person except the coordinated licensure information system under s. 441.50 (7); the department of workforce development for purposes of administering s. 49.22; and, for a social security number obtained under par. (a) 1., the department of revenue for the ~~sole~~ purpose of requesting certifications under s. 73.0301 and administering state taxes.

***−0347/2.15* SECTION 2285.** 440.03 (13) (b) 66d. of the statutes is created to read:

440.03 **(13)** (b) 66d. Sanitarian.

***−0347/2.16* SECTION 2286.** 440.05 (intro.) of the statutes is amended to read:

440.05 Standard fees. (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 440.70 (6), 440.9935, 444.03, 444.11, 447.04 (2) (c) 2., 449.17, and 449.18:

***−0558/P1.1* SECTION 2287.** 440.08 (2) (a) 1. of the statutes is amended to read:

440.08 **(2)** (a) 1. Accountant, certified public: ~~January 1~~ December 15 of each even−numbered year; $59.

***−0558/P1.2* SECTION 2288.** 440.08 (2) (a) 3. of the statutes is amended to read:

440.08 **(2)** (a) 3. Accounting corporation or partnership: ~~January 1~~ December 15 of each even−numbered year; $56.

***−0558/P1.3* SECTION 2289.** 440.08 (2) (a) 5. of the statutes is amended to read:

440.08 **(2)** (a) 5. Aesthetician: ~~July~~ April 1 of each odd−numbered year; $87.

***−0558/P1.4* SECTION 2290.** 440.08 (2) (a) 6. of the statutes is amended to read:

440.08 **(2)** (a) 6. Aesthetics establishment: ~~July~~ April 1 of each odd−numbered year; $70.

***−0558/P1.5* SECTION 2291.** 440.08 (2) (a) 7. of the statutes is amended to read:

440.08 **(2)** (a) 7. Aesthetics instructor: ~~July~~ April 1 of each odd−numbered year; $70.

***−0558/P1.6* SECTION 2292.** 440.08 (2) (a) 8. of the statutes is amended to read:

440.08 **(2)** (a) 8. Aesthetics school: ~~July~~ April 1 of each odd−numbered year; $115.

***−0558/P1.7* SECTION 2293.** 440.08 (2) (a) 9. of the statutes is amended to read:

440.08 **(2)** (a) 9. Aesthetics specialty school: ~~July~~ April 1 of each odd−numbered year; $53.

***−0558/P1.8* SECTION 2294.** 440.08 (2) (a) 11. of the statutes is amended to read:

440.08 **(2)** (a) 11. Appraiser, real estate, certified general: ~~January 1~~ December 15 of each even−numbered year; $162.

***−0558/P1.9* SECTION 2295.** 440.08 (2) (a) 11m. of the statutes is amended to read:

440.08 **(2)** (a) 11m. Appraiser, real estate, certified residential: ~~January 1~~ December 15 of each even−numbered year; $167.

***−0558/P1.10* SECTION 2296.** 440.08 (2) (a) 12. of the statutes is amended to read:

440.08 **(2)** (a) 12. Appraiser, real estate, licensed: ~~January 1~~ December 15 of each even−numbered year; $185.

***−0558/P1.11* SECTION 2297.** 440.08 (2) (a) 14g. of the statutes is amended to read:

440.08 **(2)** (a) 14g. Auction company: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $56.

***−0558/P1.12* SECTION 2298.** 440.08 (2) (a) 14r. of the statutes is amended to read:

440.08 **(2)** (a) 14r. Auctioneer: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $174.

***−0558/P1.13* SECTION 2299.** 440.08 (2) (a) 16. of the statutes is amended to read:

440.08 **(2)** (a) 16. Barbering or cosmetology establishment: ~~July~~ April 1 of each odd−numbered year; $56.

***−0558/P1.14* SECTION 2300.** 440.08 (2) (a) 17. of the statutes is amended to read:

440.08 **(2)** (a) 17. Barbering or cosmetology instructor: ~~July~~ April 1 of each odd−numbered year; $91.

***−0558/P1.15* SECTION 2301.** 440.08 (2) (a) 18. of the statutes is amended to read:

440.08 **(2)** (a) 18. Barbering or cosmetology manager: ~~July~~ April 1 of each odd−numbered year; $71.

***−0558/P1.16* SECTION 2302.** 440.08 (2) (a) 19. of the statutes is amended to read:

440.08 **(2)** (a) 19. Barbering or cosmetology school: ~~July~~ April 1 of each odd−numbered year; $138.

***−0558/P1.17* SECTION 2303.** 440.08 (2) (a) 20. of the statutes is amended to read:

440.08 **(2)** (a) 20. Barber or cosmetologist: ~~July~~ April 1 of each odd−numbered year; $63.

***−0558/P1.18* SECTION 2304.** 440.08 (2) (a) 21. of the statutes is amended to read:

440.08 **(2)** (a) 21. Cemetery authority: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $343.

***−0558/P1.19* SECTION 2305.** 440.08 (2) (a) 22. of the statutes is amended to read:

440.08 **(2)** (a) 22. Cemetery preneed seller: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $61.

***−0558/P1.20* SECTION 2306.** 440.08 (2) (a) 23. of the statutes is amended to read:

440.08 **(2)** (a) 23. Cemetery salesperson: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $90.

***−0558/P1.21* SECTION 2307.** 440.08 (2) (a) 24. of the statutes is amended to read:

440.08 **(2)** (a) 24. Chiropractor: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $168.

***−0558/P1.22* SECTION 2308.** 440.08 (2) (a) 30. of the statutes is amended to read:

440.08 **(2)** (a) 30. Electrologist: ~~July~~ April 1 of each odd−numbered year; $76.

***−0558/P1.23* SECTION 2309.** 440.08 (2) (a) 31. of the statutes is amended to read:

440.08 **(2)** (a) 31. Electrology establishment: ~~July~~ April 1 of each odd−numbered year; $56.

***−0558/P1.24* SECTION 2310.** 440.08 (2) (a) 32. of the statutes is amended to read:

440.08 **(2)** (a) 32. Electrology instructor: ~~July~~ April 1 of each odd−numbered year; $86.

***−0558/P1.25* SECTION 2311.** 440.08 (2) (a) 33. of the statutes is amended to read:

440.08 **(2)** (a) 33. Electrology school: ~~July~~ April 1 of each odd−numbered year; $71.

***−0558/P1.26* SECTION 2312.** 440.08 (2) (a) 34. of the statutes is amended to read:

440.08 **(2)** (a) 34. Electrology specialty school: ~~July~~ April 1 of each odd−numbered year; $53.

***−0558/P1.27* SECTION 2313.** 440.08 (2) (a) 36. of the statutes is amended to read:

440.08 **(2)** (a) 36. Funeral director: ~~January 1~~ December 15 of each even−numbered year; $135.

***−0558/P1.28* SECTION 2314.** 440.08 (2) (a) 38g. of the statutes is amended to read:

440.08 **(2)** (a) 38g. Home inspector: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $53.

***−0558/P1.29* SECTION 2315.** 440.08 (2) (a) 42. of the statutes is amended to read:

440.08 **(2)** (a) 42. Manicuring establishment: ~~July~~ April 1 of each odd−numbered year; $53.

***−0558/P1.30* SECTION 2316.** 440.08 (2) (a) 43. of the statutes is amended to read:

440.08 **(2)** (a) 43. Manicuring instructor: ~~July~~ April 1 of each odd−numbered year; $53.

***−0558/P1.31* SECTION 2317.** 440.08 (2) (a) 44. of the statutes is amended to read:

440.08 **(2)** (a) 44. Manicuring school: ~~July~~ April 1 of each odd−numbered year; $118.

***−0558/P1.32* SECTION 2318.** 440.08 (2) (a) 45. of the statutes is amended to read:

440.08 **(2)** (a) 45. Manicuring specialty school: ~~July~~ April 1 of each odd−numbered year; $53.

***−0558/P1.33* SECTION 2319.** 440.08 (2) (a) 46. of the statutes is amended to read:

440.08 **(2)** (a) 46. Manicurist: ~~July~~ April 1 of each odd−numbered year; $133.

***−0558/P1.34* SECTION 2320.** 440.08 (2) (a) 46m. of the statutes is amended to read:

440.08 **(2)** (a) 46m. Marriage and family therapist: ~~July~~ April 1 of each odd−numbered year; $84.

***−0558/P1.35* SECTION 2321.** 440.08 (2) (a) 54. of the statutes is amended to read:

440.08 **(2)** (a) 54. Optometrist: ~~January 1~~ December 15 of each even−numbered year; $65.

***−0558/P1.36* SECTION 2322.** 440.08 (2) (a) 62. of the statutes is amended to read:

440.08 **(2)** (a) 62. Private detective agency: September 1 of each ~~even−numbered~~ odd−numbered year; $53.

***−0558/P1.37* SECTION 2323.** 440.08 (2) (a) 63m. of the statutes is amended to read:

440.08 **(2)** (a) 63m. Professional counselor: ~~July~~ April 1 of each odd−numbered year; $76.

***−0558/P1.38* SECTION 2324.** 440.08 (2) (a) 65. of the statutes is amended to read:

440.08 **(2)** (a) 65. Real estate broker: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $128.

***−0558/P1.39* SECTION 2325.** 440.08 (2) (a) 66. of the statutes is amended to read:

440.08 **(2)** (a) 66. Real estate business entity: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $56.

***−0558/P1.40* SECTION 2326.** 440.08 (2) (a) 67. of the statutes is amended to read:

440.08 **(2)** (a) 67. Real estate salesperson: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $83.

***−0347/2.17* SECTION 2327.** 440.08 (2) (a) 68b. of the statutes is created to read:

440.08 **(2)** (a) 68b. Sanitarian: December 16 of each even−numbered year, $25.

***−0558/P1.41* SECTION 2328.** 440.08 (2) (a) 68d. of the statutes is amended to read:

440.08 **(2)** (a) 68d. Social worker: ~~July~~ April 1 of each odd−numbered year; $63.

***−0558/P1.42* SECTION 2329.** 440.08 (2) (a) 68h. of the statutes is amended to read:

440.08 **(2)** (a) 68h. Social worker, advanced practice: ~~July~~ April 1 of each odd−numbered year; $70.

***−0558/P1.43* SECTION 2330.** 440.08 (2) (a) 68p. of the statutes is amended to read:

440.08 **(2)** (a) 68p. Social worker, independent: ~~July~~ April 1 of each odd−numbered year; $58.

***−0558/P1.44* SECTION 2331.** 440.08 (2) (a) 68t. of the statutes is amended to read:

440.08 **(2)** (a) 68t. Social worker, independent clinical: ~~July~~ April 1 of each odd−numbered year; $73.

***−0558/P1.45* SECTION 2332.** 440.08 (2) (a) 69. of the statutes is amended to read:

440.08 **(2)** (a) 69. Time−share salesperson: ~~January 1~~ December 15 of each ~~odd−numbered~~ even−numbered year; $119.

***−0558/P1.46* SECTION 2333.** 440.08 (2) (a) 70. of the statutes is amended to read:

440.08 **(2)** (a) 70. Veterinarian: ~~January 1~~ December 15 of each even−numbered year; $105.

***−0558/P1.47* SECTION 2334.** 440.08 (2) (a) 71. of the statutes is amended to read:

440.08 **(2)** (a) 71. Veterinary technician: ~~January 1~~ December 15 of each even−numbered year; $58.

***−0347/2.18* SECTION 2335.** 440.23 (1) of the statutes is amended to read:

440.23 **(1)** If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.08, 440.70 (6), 444.03, or 444.11 by check or debit or credit card and the check is not paid by the financial institution upon which the check is drawn or if the demand for payment under the debit or credit card transaction is not paid by the financial institution upon which demand is made, the department may cancel the credential on or after the 60th day after the department receives the notice from the financial institution, subject to sub. (2).

***−0347/2.19* SECTION 2336.** Subchapter VI of chapter 440 [precedes 440.70] of the statutes is created to read:

CHAPTER 440

SUBCHAPTER VI

SANITARIANS

***−0347/2.20* SECTION 2337.** 440.70 (9) of the statutes is created to read:

440.70 **(9)** FORFEITURE. In addition to or in lieu of a reprimand or a denial, limitation, suspension, or revocation of a registration under sub. (8), the department may assess against any person a forfeiture of not less than $100 nor more than $1,000 for each violation under sub. (8).

***−0430/P1.1* SECTION 2338.** 452.13 (2) (b) 3. of the statutes is amended to read:

452.13 **(2)** (b) 3. Furnish the department of regulation and licensing with a letter authorizing the department of regulation and licensing and the department of ~~administration~~ commerce to examine and audit the interest−bearing common trust account whenever the department of regulation and licensing or the department of ~~administration~~ commerce considers it necessary.

***−0430/P1.2* SECTION 2339.** 452.13 (2) (bm) of the statutes is amended to read:

452.13 **(2)** (bm) The department of regulation and licensing shall forward to the department of ~~administration~~ commerce the information and documents furnished under par. (b).

***−0430/P1.3* SECTION 2340.** 452.13 (2) (d) of the statutes is amended to read:

452.13 **(2)** (d) The department of ~~administration~~ commerce is the beneficial owner of the interest accruing to the interest−bearing common trust account, minus any service charges or fees.

***−0430/P1.4* SECTION 2341.** 452.13 (2) (e) 1. of the statutes is amended to read:

452.13 **(2)** (e) 1. Annually, before February 1, remit to the department of ~~administration~~ commerce the total interest or dividends, minus service charges or fees, earned on the average daily balance in the interest−bearing common trust account during the 12 months ending on the previous December 31. A depository institution is not required to remit any amount if the total interest or dividends for that period is less than $10 before any deduction for service charges or fees.

***−0430/P1.5* SECTION 2342.** 452.13 (2) (e) 2. of the statutes is amended to read:

452.13 **(2)** (e) 2. When the interest remittance is sent, furnish to the department of ~~administration~~ commerce and to the broker maintaining the interest−bearing common trust account a statement that includes the name of the broker for whose account the remittance is made, the rate of interest applied, the amount of service charges or fees deducted, if any, and the account balance for the period that the statement covers.

***−0430/P1.6* SECTION 2343.** 452.13 (2) (f) 2. of the statutes is amended to read:

452.13 **(2)** (f) 2. May not assess a service charge or fee for an interest−bearing common trust account against the department of ~~administration~~ commerce.

***−0430/P1.7* SECTION 2344.** 452.13 (2) (f) 3. of the statutes is amended to read:

452.13 **(2)** (f) 3. May deduct a service charge or fee from the interest earned by an interest−bearing common trust account, and if a balance remains, may deduct the remaining charge or fee from the interest earned on any other interest−bearing common trust account maintained in that depository institution, before remitting interest to the department of ~~administration~~ commerce.

***−0430/P1.8* SECTION 2345.** 452.13 (5) of the statutes is amended to read:

452.13 **(5)** RULES. In consultation with the department of regulation and licensing, the department of ~~administration~~ commerce shall promulgate rules necessary to administer this section.

***−1510/2.32* SECTION 2346.** 460.05 (1) (e) 1. of the statutes is amended to read:

460.05 **(1)** (e) 1. Graduated from a school of massage therapy or bodywork approved by the educational approval board under s. ~~45.54~~ 38.50 or completed a training program approved by the department under the rules promulgated under s. 460.04 (2) (b).

***−0330/P2.3* SECTION 2347.** 460.05 (3) of the statutes is repealed and recreated to read:

460.05 **(3)** The department shall grant a certificate as a massage therapist or bodyworker to a person who satisfies the requirements specified in sub. (1) (a) to (d), (g), and (h) and who includes with the application specified in sub. (1) (c) all of the following:

(a) Evidence satisfactory to the department that, during the 2−year period after March 1, 2003, the person was actively engaged in the practice of massage therapy or bodywork.

(b) An attestation that the person only recently became aware of the requirements of this chapter.

***−0774/P4.9* SECTION 2348.** 560.045 (1) of the statutes is amended to read:

560.045 **(1)** To the extent allowed under federal law or regulation, the department shall give priority in the awarding of grants under housing programs to grants for projects related to the redevelopment of brownfields, as defined in s. ~~560.60 (1v)~~ 560.13 (1) (a).

***−0774/P4.10* SECTION 2349.** 560.135 (5) (a) of the statutes is amended to read:

560.135 **(5)** (a) The factors under s. 560.605 ~~(2) (a) to (e)~~ (1) (j) to (n).

***−0774/P4.11* SECTION 2350.** 560.135 (5) (b) of the statutes is amended to read:

560.135 **(5)** (b) Whether the project will be located in a targeted area, as determined by the board after considering the factors under s. 560.605 ~~(2m) (a) to (h)~~ (2m) (a), (b), and (f) to (h).

***−0470/P2.1* SECTION 2351.** 560.137 (2) (f) of the statutes is created to read:

560.137 **(2)** (f) If the department awards a grant under this subsection, the department may contract directly with and pay grant proceeds directly to any person providing technical or management assistance to the grant recipient.

***−0470/P2.2* SECTION 2352.** 560.138 (6) of the statutes is created to read:

560.138 **(6)** If the department awards a grant under this section, the department may contract directly with and pay grant proceeds directly to any person providing technical or management assistance to the grant recipient.

***−0774/P4.12* SECTION 2353.** 560.14 (1) (ar) of the statutes is amended to read:

560.14 **(1)** (ar) "Brownfields" has the meaning given in s. ~~560.60 (1v)~~ 560.13 (1) (a).

***−0774/P4.13* SECTION 2354.** 560.145 of the statutes is repealed.

***−0774/P4.14* SECTION 2355.** 560.147 of the statutes is repealed.

***−0774/P4.15* SECTION 2356.** 560.15 (2) (d) of the statutes is repealed.

***−0470/P2.3* SECTION 2357.** 560.155 (2) (e) of the statutes is created to read:

560.155 **(2)** (e) If the department awards a grant under this section, the department may contract directly with and pay grant proceeds directly to any person providing technical or management assistance to the grant recipient.

***−0774/P4.16* SECTION 2358.** 560.16 of the statutes is repealed.

***−0774/P4.17* SECTION 2359.** 560.17 (1) (am) of the statutes is amended to read:

560.17 **(1)** (am) "Brownfields" has the meaning given in s. ~~560.60 (1v)~~ 560.13 (1) (a).

***−0774/P4.18* SECTION 2360.** 560.17 (1) (bm) of the statutes is amended to read:

560.17 **(1)** (bm) "Job" ~~has the meaning given in s. 560.60 (10)~~ means a position providing full−time equivalent employment. "Job" does not include initial training before an employment position begins.

***−0774/P4.19* SECTION 2361.** 560.175 of the statutes is repealed.

***−1614/P3.2* SECTION 2362.** 560.24 of the statutes is created to read:

560.24 Training assistance grant program. (1) (a) The department may award a grant to an employer for training the employer's employees if all of the following apply:

1. The employer satisfies any of the following:

a. The employer will create significant numbers of new, high−paying jobs in the state, as determined by the department.

b. The employer will introduce new capital investment to retain a significant number of jobs in the state, as determined by the department.

c. The employer agrees to pay a family−supporting wage to employees who successfully complete a job training program, and the department determines that there is significant potential for those employees to obtain additional wage increases.

2. The employer submits, and the department approves, a training plan that has been developed jointly by the employer with a technical college or other training provider and that details the proposed use of the grant proceeds.

3. The employer enters into an agreement for the use of the grant proceeds.

4. The employer agrees to submit the report required under par. (b) by the time the report is required under par. (b).

(b) An employer that is awarded a grant under this section shall submit to the department, within 6 months after the full amount of the grant has been spent, a report detailing how the grant proceeds were used.

(2) In awarding grants under sub. (1), the department shall give preference to employers who submit training plans under which the training will be provided by a technical college.

(3) The department shall award grants under sub. (1) from the appropriation under s. 20.143 (1) (cs). If the department exhausts the moneys in the appropriation under s. 20.143 (1) (cs), the department may award grants under sub. (1) from the appropriation under s. 20.143 (1) (c).

(4) The department may pay the proceeds of a grant under sub. (1) directly to the technical college or other training provider that participated in developing the training plan under sub. (1) (a) 2.

(5) The department shall promulgate rules defining, for purposes of the program under this section, all of the following terms:

(a) Capital investment.

(b) Family−supporting wage.

(c) High−paying job.

(d) Significant numbers.

***−1594/P2.3* SECTION 2363.** 560.25 (title) and (1) of the statutes are renumbered 38.34 (title) and (1).

***−1594/P2.4* SECTION 2364.** 560.25 (2) of the statutes is renumbered 38.34 (2) and amended to read:

38.34 **(2)** GRANTS. Subject to sub. ~~(4)~~ (3), the ~~department~~ board may make a grant from the appropriation under s. ~~20.143 (1) (fj)~~ 20.292 (1) (fj) to a technology−based nonprofit organization to provide support for a manufacturing extension center if all of the following apply:

(a) The technology−based nonprofit organization submits to the ~~department~~ board a plan detailing its proposed expenditures and performance measures related to the project.

(b) The ~~secretary~~ state director approves the plan submitted under par. (a).

***−1594/P2.5* SECTION 2365.** 560.25 (4) of the statutes is repealed.

***−0774/P4.20* SECTION 2366.** 560.26 of the statutes is repealed.

***−0774/P4.21* SECTION 2367.** 560.60 (1m) of the statutes is repealed.

***−0774/P4.22* SECTION 2368.** 560.60 (1v) of the statutes is repealed.

***−0774/P4.23* SECTION 2369.** 560.60 (3) of the statutes is repealed.

***−0774/P4.24* SECTION 2370.** 560.60 (3m) of the statutes is created to read:

560.60 **(3m)** "Eligible activities" means any of the following:

(a) Capital financing.

(b) Worker training.

(c) Entrepreneurial development.

(d) Providing assistance to technology−based businesses or to businesses at a foreign trade show or event.

(e) Promoting urban or regional economic development.

(f) Establishing revolving loan funds.

(g) Providing working capital.

(h) Promoting employee ownership through all of the following:

1. Conducting feasibility studies to investigate the reorganization or new incorporation of existing businesses as employee−owned businesses.

2. Implementing feasibility studies under subd. 1.

***−0774/P4.25* SECTION 2371.** 560.60 (4) of the statutes is amended to read:

560.60 **(4)** "Eligible recipient" means a governing body or a person who is eligible to receive a grant or loan under s. ~~560.62, a grant or loan under s. 560.63 or a grant or loan under s. 560.65~~ 560.61.

***−0774/P4.26* SECTION 2372.** 560.60 (8) of the statutes is repealed.

***−0774/P4.27* SECTION 2373.** 560.60 (10) of the statutes is repealed.

***−0774/P4.28* SECTION 2374.** 560.60 (11) of the statutes is repealed.

***−0774/P4.29* SECTION 2375.** 560.60 (13) of the statutes is repealed.

***−0774/P4.30* SECTION 2376.** 560.60 (15) of the statutes is amended to read:

560.60 **(15)** "Small business" means a business ~~operating for profit,~~ with ~~250 or~~ fewer than 100 employees, including employees of any subsidiary or affiliated organization.

***−0774/P4.31* SECTION 2377.** 560.60 (17) of the statutes is repealed.

***−0774/P4.32* SECTION 2378.** 560.60 (18m) of the statutes is repealed.

***−0774/P4.33* SECTION 2379.** 560.605 (1) (intro.) of the statutes is amended to read:

560.605 **(1)** (intro.) ~~The~~ Upon receipt of an application by an eligible recipient, the board may consider any of the following in determining whether to award a grant or loan under s. 560.61 ~~upon the receipt and consideration of an application by an eligible recipient for a project under ss. 560.62 to 560.66, if the board determines all of the following~~:

***−0774/P4.34* SECTION 2380.** 560.605 (1) (a) of the statutes is amended to read:

560.605 **(1)** (a) ~~The~~ Whether the project serves a public purpose.

***−0774/P4.35* SECTION 2381.** 560.605 (1) (b) of the statutes is amended to read:

560.605 **(1)** (b) ~~The~~ Whether the project will retain or increase employment in this state.

***−0774/P4.36* SECTION 2382.** 560.605 (1) (c) of the statutes is amended to read:

560.605 **(1)** (c) ~~The~~ Whether the project ~~is not likely to~~ might not occur without the grant or loan.

***−0774/P4.37* SECTION 2383.** 560.605 (1) (d) of the statutes is amended to read:

560.605 **(1)** (d) ~~Financing~~ Whether financing is ~~unavailable~~ available from ~~any other~~ another source on reasonably equivalent terms.

***−0774/P4.38* SECTION 2384.** 560.605 (1) (e) of the statutes is amended to read:

560.605 **(1)** (e) ~~Except as provided in s. 560.68 (6), the eligible recipient receiving the grant or loan will contribute, from~~ The extent to which the project will be financed with funds not provided by this state~~, not less than 25% of the cost of the project~~.

***−0774/P4.39* SECTION 2385.** 560.605 (1) (f) of the statutes is repealed.

***−0774/P4.40* SECTION 2386.** 560.605 (1) (g) of the statutes is amended to read:

560.605 **(1)** (g) ~~Funds~~ Whether funds from the grant or loan ~~under s. 560.62, 560.63, 560.65 or 560.66~~ will be used to pay overhead costs~~, except as provided in s. 560.65 (1m) (b),~~ or to replace funds from ~~any other~~ another source.

***−0774/P4.41* SECTION 2387.** 560.605 (1) (h) of the statutes is amended to read:

560.605 **(1)** (h) ~~The~~ Whether the project will ~~not~~ displace ~~any~~ workers in this state.

***−0774/P4.42* SECTION 2388.** 560.605 (1) (i) of the statutes is repealed.

***−0774/P4.43* SECTION 2389.** 560.605 (2) (intro.) of the statutes is repealed.

***−0774/P4.44* SECTION 2390.** 560.605 (2) (a) of the statutes is renumbered 560.605 (1) (j).

***−0774/P4.45* SECTION 2391.** 560.605 (2) (b) of the statutes is renumbered 560.605 (1) (k).

***−0774/P4.46* SECTION 2392.** 560.605 (2) (c) of the statutes is renumbered 560.605 (1) (L).

***−0774/P4.47* SECTION 2393.** 560.605 (2) (d) of the statutes is renumbered 560.605 (1) (m) and amended to read:

560.605 **(1)** (m) The financial soundness of the ~~business~~ eligible recipient.

***−0774/P4.48* SECTION 2394.** 560.605 (2) (e) of the statutes is renumbered 560.605 (1) (n).

***−0774/P4.49* SECTION 2395.** 560.605 (2) (f) of the statutes is renumbered 560.605 (1) (o).

***−0774/P4.50* SECTION 2396.** 560.605 (2m) (intro.) of the statutes is amended to read:

560.605 **(2m)** (intro.) When considering whether a project ~~under s. 560.62, 560.63 or 560.66~~ will be located in a targeted area, the board ~~shall~~ may consider ~~all~~ any of the following:

***−0774/P4.51* SECTION 2397.** 560.605 (2m) (c) of the statutes is repealed.

***−0774/P4.52* SECTION 2398.** 560.605 (2m) (d) of the statutes is repealed.

***−0774/P4.53* SECTION 2399.** 560.605 (2m) (e) of the statutes is repealed.

***−0774/P4.54* SECTION 2400.** 560.605 (4) of the statutes is repealed.

***−0774/P4.55* SECTION 2401.** 560.605 (5) of the statutes is repealed.

***−0774/P4.56* SECTION 2402.** 560.605 (5m) of the statutes is repealed.

***−0774/P4.57* SECTION 2403.** 560.605 (6) of the statutes is repealed.

***−0774/P4.58* SECTION 2404.** 560.607 (1) of the statutes is amended to read:

560.607 **(1)** Evaluations of proposed technical research projects ~~under s. 560.62~~.

***−0774/P4.59* SECTION 2405.** 560.61 (intro.) of the statutes is repealed.

***−0774/P4.60* SECTION 2406.** 560.61 (1) of the statutes is renumbered 560.61 and amended to read:

560.61 ~~Make~~ At the request of the board, the department may make a grant or loan to an eligible recipient ~~for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63, 560.65 or 560.66, whichever is appropriate,~~ from the appropriations under s. 20.143 (1) (c)~~, (cb)~~ and (ie) for eligible activities.

***−0774/P4.61* SECTION 2407.** 560.61 (3) of the statutes is repealed.

***−0774/P4.62* SECTION 2408.** 560.62 of the statutes is repealed.

***−0774/P4.63* SECTION 2409.** 560.63 of the statutes is repealed.

***−0774/P4.64* SECTION 2410.** 560.65 of the statutes is repealed.

***−0774/P4.65* SECTION 2411.** 560.66 of the statutes is repealed.

***−0774/P4.66* SECTION 2412.** 560.68 (1m) of the statutes is created to read:

560.68 **(1m)** The department shall establish criteria for the award of grants and loans under s. 560.61, including the types of projects that are eligible for funding and the types of eligible projects that will receive priority.

***−0774/P4.67* SECTION 2413.** 560.68 (2m) of the statutes is created to read:

560.68 **(2m)** The department shall determine conditions applicable to a grant or loan under s. 560.61.

***−0774/P4.68* SECTION 2414.** 560.68 (3) of the statutes is amended to read:

560.68 **(3)** The department may charge a grant or loan recipient an origination fee of ~~up to~~ not more than 2% of the grant or loan amount if the grant or loan equals or exceeds $200,000 ~~and is awarded under s. 560.63 or 560.66~~. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

***−0774/P4.69* SECTION 2415.** 560.68 (5) of the statutes is renumbered 560.68 (5) (intro.) and amended to read:

560.68 **(5)** (intro.) The department, with the approval of the board, shall develop procedures ~~to evaluate~~ related to grants and loans under s. 560.61 for all of the following:

(b) Evaluating applications~~, monitor~~.

(c) Monitoring project performance ~~and audit~~.

(d) Auditing the grants and loans ~~awarded under this subchapter~~.

***−0774/P4.70* SECTION 2416.** 560.68 (5) (a) of the statutes is created to read:

560.68 **(5)** (a) Submitting applications for grants and loans.

***−0774/P4.71* SECTION 2417.** 560.68 (6) of the statutes is amended to read:

560.68 **(6)** ~~If appropriate, the~~ The board ~~may~~ shall require ~~that more~~, as a condition of a grant or loan, that a recipient contribute to a project an amount that is not less than 25% of the ~~cost of any project or category of projects be paid from funds not provided by this state~~ amount of the grant or loan.

***−0774/P4.72* SECTION 2418.** 560.68 (7) (a) of the statutes is amended to read:

560.68 **(7)** (a) Publish and disseminate information about ~~the~~ projects ~~under ss. 560.62 to 560.66~~ that may be funded by a grant or loan under s. 560.61 and ~~the~~ about procedures for applying for grants and loans under s. 560.61.

***−0718/P3.1* SECTION 2419.** 560.797 (2) (d) of the statutes is amended to read:

560.797 **(2)** (d) ~~The department may not designate more than 79 enterprise development zones unless the department obtains the approval of the joint committee on finance to do so.~~ Of the enterprise development zones that the department designates, at least 10 shall be designated under par. (bg).

***−0718/P3.2* SECTION 2420.** 560.797 (5) (b) of the statutes is amended to read:

560.797 **(5)** (b) When the department designates an area as an enterprise development zone under this section, the department shall establish a limit, not to exceed $3,000,000, for tax benefits for the enterprise development zone. The total amount of tax benefits authorized under this paragraph for all enterprise development zones may not exceed $243,000,000.

***−1272/P1.2* SECTION 2421.** 560.799 of the statutes is created to read:

560.799 Super employment and economic development zone grant program. (1) Beginning on July 1, 2006, from the appropriation under s. 20.143 (1) (cm), the department may award a grant to an eligible business that locates in an extremely depressed area designated under sub. (3) (a), for reimbursing the business's eligible costs, if all of the following apply:

(a) The department determines that the business will create not fewer than 100 qualifying jobs in the extremely depressed area.

(b) The business enters into a written agreement with the department that specifies the conditions for use of the grant proceeds and in which the business agrees to do all of the following:

1. Compensate at a family−supporting wage not less than 90 percent of the employees in the qualifying jobs created under par. (a).

2. Make every reasonable effort to hire individuals who reside in the extremely depressed area to fill at least 75 percent of the qualifying jobs created under par. (a).

3. Submit the report required under sub. (2) by the time the report is required under sub. (2).

(2) A business that is awarded a grant under this section shall, by March 31 of the year following a year in which the department disburses grant moneys to the business, submit to the department a report detailing how the grant moneys received in that year were used.

(3) The department shall do all of the following:

(a) Designate areas in this state as extremely depressed areas. The department may not designate an area under this paragraph unless the department determines that the unemployment rate for the area equals or exceeds 150 percent of the average unemployment rate for this state.

(b) Promulgate rules defining all of the following terms:

1. "Eligible costs," which may include property taxes, utilities, job training, employee transportation, a portion of wages paid by the business to employees who reside in the extremely depressed area, and a portion of the costs incurred by the business to provide child care at the business for employees.

2. "Extremely depressed area."

3. "Family−supporting wage."

4. "Qualifying jobs."

(4) The department may pay grant proceeds to an eligible business that is awarded a grant under this section for up to 5 years.

***−1513/4.26* SECTION 2422.** 560.9810 (5) of the statutes is created to read:

560.9810 **(5)** NONAPPLICATION. This section does not apply to property that is authorized to be sold under s. 16.848.

***−0404/4.120* SECTION 2423.** 562.06 (3) of the statutes is amended to read:

562.06 **(3)** DAY CARE. Nothing in this section prohibits a licensee from operating a day care area at a track if the day care area is licensed by the department of ~~health and family services~~ workforce development under s. ~~48.65~~ 49.98.

***−1795/4.1* SECTION 2424.** 565.05 (1) (intro.) of the statutes is amended to read:

565.05 **(1)** (intro.) ~~No~~ Except as provided in sub. (1m), no employee in the lottery division of the department or the executive assistant or the secretary or deputy secretary of revenue may do any of the following:

***−1795/4.2* SECTION 2425.** 565.05 (1m) of the statutes is created to read:

565.05 **(1m)** An employee in the lottery division of the department who terminates employment with the department may be employed by a vendor at any time after his or her date of termination if the department has entered into a contract, on or after the effective date of this subsection .... [revisor inserts date], with the vendor to perform lottery functions that were previously performed by the employee while he or she was employed in the lottery division.

***−1795/4.3* SECTION 2426.** 565.05 (3) of the statutes is created to read:

565.05 **(3)** No employee in the lottery division may discuss with a vendor who is attempting to obtain a major procurement contract under s. 565.25 any matter relating to the future employment of the employee with the vendor unless the discussion relates to employment under s. 565.25 (3) (cm) and the administrator provides prior written consent.

***−0307/2.1* SECTION 2427.** 565.10 (3) (b) of the statutes is amended to read:

565.10 **(3)** (b) No lottery retailer contract may be entered into with a person who has been finally adjudged to be delinquent in the payment of taxes under ch. 71, 72, 76, 77, 78, or 139 ~~or~~, who has been found delinquent in the payment of contributions to the unemployment reserve fund under s. 108.16 in a proceeding under s. 108.10, or who owes a payment to the uninsured employers fund under s. 102.82 or 102.85 (4) or to the work injury supplemental benefit fund under s. 102.49 (5) (a), 102.59 (2), or 102.60 (5) (b) if the person remains ~~delinquent in the payment of~~ liable for those taxes ~~or~~, contributions, or payments at the time the person seeks to enter into the lottery retailer contract.

***−1795/4.4* SECTION 2428.** 565.25 (3) (cm) of the statutes is created to read:

565.25 **(3)** (cm) If a contract for a major procurement is for services that were performed by employees in the lottery division before the effective date of this paragraph .... [revisor inserts date], the contract may not be entered into unless the contract requires the vendor to offer employment to those employees in the lottery division who performed those services and whose positions were terminated on or after the effective date of this paragraph .... [revisor inserts date].

***−0304/P2.1* SECTION 2429.** 565.48 of the statutes is created to read:

565.48 Collection of unpaid liabilities. Any unpaid amount owed by a retailer to the department under this chapter shall be assessed, collected, and reviewed in the same manner as income taxes are assessed, collected, and reviewed under ch. 71.

***−1219/2.15* SECTION 2430.** 655.27 (2) of the statutes is amended to read:

655.27 **(2)** FUND ADMINISTRATION AND OPERATION. Management of the fund shall be vested with the board of governors. The commissioner shall either provide staff

services necessary for the operation of the fund or, with the approval of the board of governors, contract for all or part of these services. Such a contract is subject to ~~s.~~ ss. 16.765 and 16.771, but is otherwise exempt from subch. IV of ch. 16. The commissioner shall adopt rules governing the procedures for creating and implementing these contracts before entering into the contracts. At least annually, the contractor shall report to the commissioner and to the board of governors regarding all expenses incurred and subcontracting arrangements. If the board of governors approves, the contractor may hire legal counsel as needed to provide staff services. The cost of contracting for staff services shall be funded from the appropriation under s. 20.145 (2) (u).

***−1649/7.62* SECTION 2431.** 655.27 (6) of the statutes is amended to read:

655.27 **(6)** PURPOSE AND INTEGRITY OF FUND. The fund is established to ensure the availability of health care providers in this state, to curb the rising costs of health care by financing part of the liability incurred by health care providers as a result of medical malpractice claims ~~and~~, to ensure that proper claims are satisfied, and to enable the deployment of health care information systems technology for health care quality, safety, and efficiency, as specified in s. 153.076 (2). The fund, including any net worth of the fund, is held in irrevocable trust for the sole benefit of health care providers participating in the fund and proper claimants and for the deployment of health care information systems technology for health care quality, safety, and efficiency by the health care quality and patient safety board. Moneys in the fund may not be used for any other purpose of the state.

***−1243/P3.100* SECTION 2432.** 704.90 (9) of the statutes is amended to read:

704.90 **(9)** RULES. The department of ~~agriculture, trade and consumer protection~~ justice may promulgate rules necessary to carry out the purposes of this section.

***−1243/P3.101* SECTION 2433.** 704.90 (11) (title) of the statutes is amended to read:

704.90 **(11)** (title) DUTIES OF THE DEPARTMENT OF ~~AGRICULTURE, TRADE AND CONSUMER PROTECTION~~ JUSTICE.

***−1243/P3.102* SECTION 2434.** 704.90 (11) (a) of the statutes is amended to read:

704.90 **(11)** (a) Except as provided in par. (c), the department of ~~agriculture, trade and consumer protection~~ justice shall investigate alleged violations of this section and rules promulgated under sub. (9). To facilitate its investigations, the department may subpoena persons and records and may enforce compliance with the subpoenas as provided in s. 885.12.

***−1243/P3.103* SECTION 2435.** 707.49 (4) of the statutes is amended to read:

707.49 **(4)** SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an escrow account, a developer may obtain a surety bond issued by a company authorized to do business in this state, an irrevocable letter of credit, or a similar arrangement, in an amount which at all times is not less than the amount of the deposits otherwise subject to the escrow requirements of this section. The bond, letter of credit, or similar arrangement shall be filed with the department of ~~agriculture, trade and consumer protection~~ justice and made payable to the department of ~~agriculture, trade and consumer protection~~ justice for the benefit of aggrieved parties.

***−1243/P3.104* SECTION 2436.** 707.57 (2) of the statutes is amended to read:

707.57 **(2)** DEPARTMENT OF ~~AGRICULTURE, TRADE AND CONSUMER PROTECTION~~ JUSTICE AUTHORITY. (a) The department of ~~agriculture, trade and consumer protection~~ justice, or any district attorney upon informing the department of ~~agriculture, trade and consumer protection~~ justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this chapter. Before entry of final judgment, the court may make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of these acts or practices is submitted to the satisfaction of the court.

(b) The department of ~~agriculture, trade and consumer protection~~ justice may conduct hearings, administer oaths, issue subpoenas, and take testimony to aid in its investigation of violations of this chapter.

***−1243/P3.105* SECTION 2437.** 707.57 (3) of the statutes is amended to read:

707.57 **(3)** PENALTY. Any person who violates this chapter shall be required to forfeit not more than $5,000 for each offense. Forfeitures under this subsection shall be enforced by action on behalf of the state by the department of ~~agriculture, trade and consumer protection~~ justice or by the district attorney of the county where the violation occurs.

***−1736/1.1* SECTION 2438.** 757.05 (1) (title) of the statutes is amended to read:

757.05 **(1)** (title) LEVY OF PENALTY ~~ASSESSMENT~~ SURCHARGE.

***−1736/1.2* SECTION 2439.** 757.05 (1) (a) of the statutes is amended to read:

757.05 **(1)** (a) Whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who

committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), there shall be imposed in addition a penalty surcharge under ch. 814 in an amount of ~~24%~~ 25% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty surcharge shall be reduced in proportion to the suspension.

***−1736/1.3* SECTION 2440.** 757.05 (2) (a) of the statutes is amended to read:

757.05 **(2)** (a) *Law enforcement training fund.* ~~Forty−eight~~ Forty−nine and one−half percent of all moneys collected from penalty surcharges under sub. (1) shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and 165.85 (5). The moneys credited to the appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb), constitute the law enforcement training fund.

***−0084/3.60* SECTION 2441.** 767.078 (1) (a) 2. of the statutes is amended to read:

767.078 **(1)** (a) 2. The child's right to support is assigned to the state under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., or 49.19 (4) (h) 1. b.

***−0084/3.61* SECTION 2442.** 767.29 (1m) (c) of the statutes is amended to read:

767.29 **(1m)** (c) The party entitled to the support or maintenance money or a minor child of the party has applied for or is receiving ~~aid to families with dependent children~~ aid under s. 46.261 or public assistance under ch. 49 and there is an assignment to the state under s. 46.261 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance money.

***−0084/3.62* SECTION 2443.** 767.29 (2) of the statutes is amended to read:

767.29 **(2)** If any party entitled to maintenance payments or support money, or both, is receiving public assistance under ch. 49, the party may assign the party's right thereto to the county department under s. 46.215, 46.22, or 46.23 granting such assistance. Such assignment shall be approved by order of the court granting the maintenance payments or support money, and may be terminated in like manner; except that it shall not be terminated in cases where there is any delinquency in the amount of maintenance payments and support money previously ordered or adjudged to be paid to the assignee without the written consent of the assignee or upon notice to the assignee and hearing. When an assignment of maintenance payments or support money, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 but solely for the purpose of securing payment of unpaid maintenance payments or support money adjudged or ordered to be paid, by participating in proceedings to secure the payment thereof. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor child of the parties is receiving aid under s. 46.261 or public assistance under ch. 49 or that a kinship care relative or long−term kinship care relative of the minor child is receiving kinship care payments or long−term kinship care payments for the minor child, shall forward all support assigned under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4) (h) 1., or 49.45 (19).

***−0084/3.63* SECTION 2444.** 767.29 (4) of the statutes is amended to read:

767.29 **(4)** If an order or judgment providing for the support of one or more children not receiving aid under s. 46.261, 48.57 (3m) or (3n), or 49.19 includes

support for a minor who is the beneficiary of aid under s. 46.261, 48.57 (3m) or (3n), or 49.19, any support payment made under the order or judgment is assigned to the state under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., or 49.19 (4) (h) 1. b. in the amount that is the proportionate share of the minor receiving aid under s. 46.261, 48.57 (3m) or (3n), or 49.19, except as otherwise ordered by the court on the motion of a party.

***−1243/P3.106* SECTION 2445.** 779.41 (1m) of the statutes is amended to read:

779.41 **(1m)** Annually, on January 1, the department of ~~agriculture, trade and consumer protection~~ justice shall adjust the dollar amounts identified under sub. (1) (intro.), (a), (b), and (c) 1. to 4. by the annual change in the consumer price index, as determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

***−1243/P3.107* SECTION 2446.** 779.93 (title) of the statutes is amended to read:

779.93 (title) **Duties of the department of ~~agriculture, trade and consumer protection~~ justice.**

***−1243/P3.108* SECTION 2447.** 779.93 (1) of the statutes is amended to read:

779.93 **(1)** The department of ~~agriculture, trade and consumer protection~~ justice shall investigate violations of this subchapter and attempts to circumvent this subchapter. The department of ~~agriculture, trade and consumer protection~~ justice may subpoena persons and records to facilitate its investigations, and may enforce compliance with such subpoenas as provided in s. 885.12.

***−1243/P3.109* SECTION 2448.** 779.93 (2) (intro.) of the statutes is amended to read:

779.93 **(2)** (intro.) The department of ~~agriculture, trade and consumer protection~~ justice may ~~in~~, on behalf of the state or ~~in~~ on behalf of any person who holds a prepaid maintenance lien:

***−1417/P4.9* SECTION 2449.** 814.75 (5m) of the statutes is created to read:

814.75 **(5m)** The child abuse prevention and child mental health surcharge under s. 973.044.

***−1417/P4.10* SECTION 2450.** 814.76 (4m) of the statutes is created to read:

814.76 **(4m)** The child abuse prevention and child mental health surcharge under s. 973.044.

***−1118/P1.3* SECTION 2451.** 814.86 (1) of the statutes is amended to read:

814.86 **(1)** Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a ~~$9~~ $12 justice information system surcharge from any person, including any governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system surcharge is in addition to the surcharge listed in sub. (1m).

***−0550/2.1* SECTION 2452.** 885.38 (3) (a) (intro.) of the statutes is amended to read:

885.38 **(3)** (a) (intro.) ~~In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938, if~~ If the court determines that the person has limited English proficiency and that an interpreter is necessary, the court shall advise the person that he or she has the right to a qualified interpreter ~~and that, if the person cannot~~

~~afford one, an interpreter will be provided~~ at the public's expense if the person is one of the following:

***−0550/2.2* SECTION 2453.** 885.38 (8) (a) (intro.) of the statutes is amended to read:

885.38 **(8)** (a) (intro.) Except as provided in par. (b), the necessary expenses of providing qualified interpreters to ~~indigent~~ persons with limited English proficiency under this section shall be paid as follows:

***−1598/7.79* SECTION 2454.** 891.455 (4) of the statutes is amended to read:

891.455 **(4)** The presumption under sub. (2) for cancers caused by smoking or tobacco product use shall not apply to any municipal fire fighter who smokes cigarettes, as defined in s. 139.30 ~~(1)~~ (1m), or who uses a tobacco product, as defined in s. 139.75 (12), after January 1, 2001.

***−1400/1.1* SECTION 2455.** 909.02 (4) of the statutes is amended to read:

909.02 **(4)** CERTIFIED COPIES OF PUBLIC RECORDS. A copy of an official record or report or entry therein, or of a document authorized by law to be recorded or filed and actually recorded or filed in a public office, including data compilations in any form, certified as correct by the custodian or other person authorized to make the certification, by certificate complying with sub. (1), (2) or (3) or complying with any statute or rule adopted by the supreme court, or, with respect to records maintained under s. 343.23, certified electronically in any manner determined by the department of transportation to conform with the requirements of s. 909.01.

***−1737/2.10* SECTION 2456.** 938.09 (2) of the statutes is amended to read:

938.09 **(2)** By the district attorney or, if designated by the county board of supervisors, by the corporation counsel, in any matter concerning a civil law violation arising under s. 938.125. If the county board transfers this authority to or

from the district attorney on or after May 11, 1990, the board may do so only if the action is effective on September 1 of an odd−numbered year and the board notifies the department of ~~administration~~ justice of that change by January 1 of that odd−numbered year.

***−1737/2.11* SECTION 2457.** 938.09 (5) of the statutes is amended to read:

938.09 **(5)** By the district attorney or, if designated by the county board of supervisors, by the corporation counsel, in any matter arising under s. 938.13. If the county board transfers this authority to or from the district attorney on or after May 11, 1990, the board may do so only if the action is effective on September 1 of an odd−numbered year and the board notifies the department of ~~administration~~ justice of that change by January 1 of that odd−numbered year.

***−0084/3.64* SECTION 2458.** 938.33 (4) (intro.) of the statutes is amended to read:

938.33 **(4)** OTHER OUT−OF−HOME PLACEMENTS. (intro.) A report recommending placement in a foster home, treatment foster home, group home, or nonsecured residential care center for children and youth ~~or~~, in the home of a relative other than a parent, or in the home of a guardian under s. 48.977 (2) shall be in writing, except that the report may be presented orally at the dispositional hearing if all parties consent. A report that is presented orally shall be transcribed and made a part of the court record. The report shall include all of the following:

***−0084/3.65* SECTION 2459.** 938.345 (4) of the statutes is created to read:

938.345 **(4)** If the court finds that a juvenile is in need of protection or services under s. 938.13 (4), the court, instead of or in addition to any other disposition imposed under sub. (1), may place the juvenile in the home of a guardian under s. 48.977 (2).

***−0084/3.66* SECTION 2460.** 938.57 (1) (c) of the statutes is amended to read:

938.57 **(1)** (c) Provide appropriate protection and services for juveniles in its care, including providing services for juveniles and their families in their own homes, placing the juveniles in licensed foster homes, licensed treatment foster homes, or licensed group homes in this state or another state within a reasonable proximity to the agency with legal custody, placing the juveniles in the homes of guardians under s. 48.977 (2), or contracting for services for them by licensed child welfare agencies or replacing them in secured correctional facilities, secured child caring institutions, or secured group homes in accordance with rules promulgated under ch. 227, except that the county department may not purchase the educational component of private day treatment programs unless the county department, the school board, as defined in s. 115.001 (7), and the state superintendent of public instruction all determine that an appropriate public education program is not available. Disputes between the county department and the school district shall be resolved by the state superintendent of public instruction.

***−0084/3.67* SECTION 2461.** 938.57 (3) (a) 4. of the statutes is amended to read:

938.57 **(3)** (a) 4. Is living in a foster home, treatment foster home, group home, ~~or~~, residential care center for children and youth, or subsidized guardianship home under s. 48.62 (5).

***−0296/2.3* SECTION 2462.** 938.78 (2) (h) of the statutes is created to read:

938.78 **(2)** (h) Paragraph (a) does not prohibit an agency from entering the content of any record kept or information received about an individual in its care or legal custody into the statewide automated child welfare information system established under s. 46.03 (7) (g). Paragraph (a) also does not prohibit a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, the department of health

and family services, the department of corrections, or any other organization that has entered into an information sharing and access agreement with one of those county departments or departments and that has been approved for access to the statewide automated child welfare information system by the department of health and family services from having access to information concerning a client of that county department, department, or organization under this chapter or ch. 48 or 51 that is maintained in the statewide automated child welfare information system, if necessary to enable the county department, department, or organization to perform its duties under this chapter or ch. 48 or 51 or to coordinate the delivery of services under this chapter or ch. 48 or 51 to the client. Before entering any information about an individual into the statewide automated child welfare information system, the agency entering the information shall notify the individual that the information entered may be disclosed as provided in this paragraph.

***−1554/3.1* SECTION 2463.** 939.621 of the statutes is renumbered 939.621 (2) and amended to read:

939.621 **(2)** If a person commits an act of domestic abuse~~, as defined in s. 968.075 (1) (a)~~ and the act constitutes the commission of a crime, the maximum term of imprisonment for that crime may be increased by not more than 2 years if the crime is committed during the 72 hours immediately following an arrest for a domestic abuse incident, as set forth in s. 968.075 (5). The 72−hour period applies whether or not there has been a waiver by the victim under s. 968.075 (5) (c). The victim of the domestic abuse crime does not have to be the same as the victim of the domestic abuse incident that resulted in the arrest. The penalty increase under this section changes the status of a misdemeanor to a felony.

***−1554/3.2* SECTION 2464.** 939.621 (1) of the statutes is created to read:

939.621 **(1)** In this section, "domestic abuse" has the meaning given in s. 968.075 (1) (a).

***−1554/3.3* SECTION 2465.** 939.621 (3) of the statutes is created to read:

939.621 **(3)** If a court places a person on probation for a misdemeanor and any of the following apply, the maximum original term of probation under s. 973.09 (2) is two years:

(a) The person committed the misdemeanor while possessing a firearm.

(b) The misdemeanor is an act of domestic abuse.

(c) The misdemeanor is a violation of s. 940.225 (3m) or ch. 948.

***−1510/2.33* SECTION 2466.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

944.21 **(8)** (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ~~45.54~~ 38.50 or is a school described in s. ~~45.54~~ 38.50 (1) (e) 6., 7. or 8.; and

***−1510/2.34* SECTION 2467.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

948.11 **(4)** (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ~~45.54~~ 38.50 or is a school described in s. ~~45.54~~ 38.50 (1) (e) 6., 7. or 8.; and

***−1417/P4.11* SECTION 2468.** 973.044 of the statutes is created to read:

973.044 Child abuse prevention and child mental health surcharge. (1) If a court imposes a sentence or places a person on probation, the court shall impose a child abuse prevention and child mental health surcharge of $20 for each misdemeanor offense or count and for each felony offense or count.

(2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2.

(3) The clerk shall record the child abuse prevention and child mental health surcharge. For each misdemeanor offense or count and for each felony offense or count, the secretary of administration shall credit $6 to the appropriation account under s. 20.433 (1) (h) and shall credit $14 to the appropriation account under s. 20.435 (3) (gb).

(4) If an inmate in a state prison or a person sentenced to a state prison has not paid the child abuse prevention and child mental health surcharge under this section, the department shall assess and collect the amount owed from the inmate's wages or other moneys. Any amount collected shall be transmitted to the secretary of administration.

***−0539/P3.1* SECTION 2469.** 973.045 (1) (a) of the statutes is amended to read:

973.045 **(1)** (a) For each misdemeanor offense or count, ~~$50~~ $60.

***−0539/P3.2* SECTION 2470.** 973.045 (1) (b) of the statutes is amended to read:

973.045 **(1)** (b) For each felony offense or count, ~~$70~~ $85.

***−0539/P3.3* SECTION 2471.** 973.045 (3) (a) 1. of the statutes is amended to read:

973.045 **(3)** (a) 1. Part A equals ~~$30~~ $40 for each misdemeanor offense or count and ~~$50~~ $65 for each felony offense or count.

***−1417/P4.12* SECTION 2472.** 973.05 (2m) of the statutes is amended to read:

973.05 **(2m)** Payments under this section shall be applied first to payment of the penalty surcharge until paid in full, shall then be applied to the payment of the

jail surcharge until paid in full, shall then be applied to the payment of part A of the crime victim and witness assistance surcharge until paid in full, shall then be applied to part B of the crime victim and witness assistance surcharge until paid in full, shall then be applied to the child abuse prevention and child mental health surcharge until paid in full, shall then be applied to the crime laboratories and drug law enforcement surcharge until paid in full, shall then be applied to the deoxyribonucleic acid analysis surcharge until paid in full, shall then be applied to the drug abuse program improvement surcharge until paid in full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to the truck driver education surcharge if applicable until paid in full, shall then be applied to payment of the domestic abuse surcharge until paid in full, shall then be applied to payment of the consumer protection surcharge until paid in full, shall then be applied to payment of the natural resources surcharge if applicable until paid in full, shall then be applied to payment of the natural resources restitution surcharge until paid in full, shall then be applied to the payment of the environmental surcharge if applicable until paid in full, shall then be applied to the payment of the wild animal protection surcharge if applicable until paid in full, shall then be applied to payment of the weapons surcharge until paid in full, shall then be applied to payment of the uninsured employer surcharge until paid in full, shall then be applied to payment of the enforcement surcharge under s. 253.06 (4) (c), if applicable, until paid in full, and shall then be applied to payment of the fine and the costs and fees imposed under ch. 814.

***−1554/3.4* SECTION 2473.** 973.09 (1) (a) of the statutes is amended to read:

973.09 **(1)** (a) Except as provided in par. (c) or if probation is prohibited for a particular offense by statute, if a person is convicted of a crime, the court, by order,

may withhold sentence or impose sentence under s. 973.15 and stay its execution, and in either case place the person on probation to the department for a stated period, stating in the order the reasons therefor. The court may impose any conditions which appear to be reasonable and appropriate. The period of probation may be made consecutive to a sentence on a different charge, whether imposed at the same time or previously. If the court imposes an increased term of probation, as authorized under sub. (2) (a) 2. or (b) 2. or s. 939.621 (3), it shall place its reasons for doing so on the record.

***−1554/3.5* SECTION 2474.** 973.09 (2) (a) 1. of the statutes is amended to read:

973.09 **(2)** (a) 1. Except as provided in subd. 2. and s. 939.621 (3), for Class A misdemeanors, not less than 6 months nor more than ~~2 years~~ one year.

***−1554/3.6* SECTION 2475.** 973.09 (2) (a) 1m. of the statutes is created to read:

973.09 **(2)** (a) 1m. Except as provided in subd. 2. and s. 939.621 (3), for misdemeanors not covered by subd. 1., not more than 6 months.

***−1737/2.12* SECTION 2476.** 978.03 (1) of the statutes is amended to read:

978.03 **(1)** The district attorney of any prosecutorial unit having a population of 500,000 or more may appoint 5 deputy district attorneys and such assistant district attorneys as may be requested by the department of ~~administration~~ justice and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

***−1737/2.13* SECTION 2477.** 978.03 (1m) of the statutes is amended to read:

978.03 **(1m)** The district attorney of any prosecutorial unit having a population of 200,000 or more but not more than 499,999 may appoint 3 deputy district attorneys and such assistant district attorneys as may be requested by the department of ~~administration~~ justice and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

***−1737/2.14* SECTION 2478.** 978.03 (2) of the statutes is amended to read:

978.03 **(2)** The district attorney of any prosecutorial unit having a population of 100,000 or more but not more than 199,999 may appoint one deputy district attorney and such assistant district attorneys as may be requested by the department of ~~administration~~ justice and authorized in accordance with s. 16.505. The deputy may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputy may perform any act required by law to be performed by the district attorney. The deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

***−1737/2.15* SECTION 2479.** 978.03 (3) of the statutes is amended to read:

978.03 **(3)** Any assistant district attorney under sub. (1), (1m), or (2) must be an attorney admitted to practice law in this state and, except as provided in ~~ss.~~ s.

978.043 ~~and 978.044~~, may perform any duty required by law to be performed by the district attorney. The district attorney of the prosecutorial unit under sub. (1), (1m), or (2) may appoint such temporary counsel as may be authorized by the department of ~~administration~~ justice.

***−1737/2.16* SECTION 2480.** 978.04 of the statutes is amended to read:

978.04 Assistants in certain prosecutorial units. The district attorney of any prosecutorial unit having a population of less than 100,000 may appoint one or more assistant district attorneys as necessary to carry out the duties of his or her office and as may be requested by the department of ~~administration~~ justice and authorized in accordance with s. 16.505. Any such assistant district attorney must be an attorney admitted to practice law in this state and, except as provided in s. 978.043, may perform any duty required by law to be performed by the district attorney.

***−1737/2.17* SECTION 2481.** 978.044 of the statutes is repealed.

***−1737/2.18* SECTION 2482.** 978.045 (1g) of the statutes is amended to read:

978.045 **(1g)** A court on its own motion may appoint a special prosecutor under sub. (1r) or a district attorney may request a court to appoint a special prosecutor under that subsection. Before a court appoints a special prosecutor on its own motion or at the request of a district attorney for an appointment that exceeds 6 hours per case, the court or district attorney shall request assistance from a district attorney, deputy district attorney or assistant district attorney from other prosecutorial units or an assistant attorney general. A district attorney requesting the appointment of a special prosecutor, or a court if the court is appointing a special prosecutor on its own motion, shall notify the department of ~~administration~~ justice, on a form provided by that department, of the district attorney's or the court's inability to

obtain assistance from another prosecutorial unit or from an assistant attorney general.

***−1737/2.19* SECTION 2483.** 978.045 (2) (b) of the statutes is amended to read:

978.045 **(2)** (b) The department of ~~administration~~ justice shall pay the compensation ordered by the court from the appropriation under s. 20.475 (1) (d).

***−0265/3.24* SECTION 2484.** 978.05 (4m) of the statutes is amended to read:

978.05 **(4m)** WELFARE FRAUD INVESTIGATIONS. Cooperate with the ~~department~~ departments of workforce development and health and family services regarding the fraud investigation ~~program~~ programs under ~~s.~~ ss. 49.197 (1m) and 49.845 (1).

***−1737/2.20* SECTION 2485.** 978.05 (8) (b) of the statutes is amended to read:

978.05 **(8)** (b) Hire, employ, and supervise his or her staff and, subject to ~~ss.~~ s. 978.043 ~~and 978.044~~, make appropriate assignments of the staff throughout the prosecutorial unit. The district attorney may request the assistance of district attorneys, deputy district attorneys, or assistant district attorneys from other prosecutorial units or assistant attorneys general who then may appear and assist in the investigation and prosecution of any matter for which a district attorney is responsible under this chapter in like manner as assistants in the prosecutorial unit and with the same authority as the district attorney in the unit in which the action is brought. Nothing in this paragraph limits the authority of counties to regulate the hiring, employment, and supervision of county employees.

***−1737/2.21* SECTION 2486.** 978.11 of the statutes is amended to read:

978.11 Budget. The department of ~~administration~~ justice shall prepare the budget of the prosecution system and submit it in accordance with s. 16.42.

***−1737/2.22* SECTION 2487.** 978.12 (5) (c) 1. of the statutes is amended to read:

978.12 **(5)** (c) 1. The salaries authorized under this section for the district attorney and the state employees of the office of district attorney shall be paid by the secretary of administration to the county treasurer pursuant to a voucher submitted by the district attorney to the department of ~~administration~~ justice. The county treasurer shall pay the amounts directly to the district attorney and state employees of the office of district attorney and the amounts paid shall be subject to the retirement system established under chapter 201, laws of 1937.

***−1737/2.23* SECTION 2488.** 978.13 (1) (b) of the statutes is amended to read:

978.13 **(1)** (b) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving felony violations under ch. 961. The secretary of administration shall pay the amount authorized under this subsection to the county treasurer pursuant to a voucher submitted by the district attorney to the department of ~~administration~~ justice from the appropriation under s. 20.475 (1) (i).

***−1737/2.24* SECTION 2489.** 978.13 (1) (c) of the statutes is amended to read:

978.13 **(1)** (c) In counties having a population of 500,000 or more, the salary and fringe benefit costs of clerk positions in the district attorney's office necessary for the prosecution of violent crime cases primarily involving felony violations under s. 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), and 943.32 (2). The secretary of administration shall pay the amount authorized under this subsection to the county treasurer pursuant to a voucher submitted by the district attorney to the ~~secretary~~ department of ~~administration~~ justice from the appropriation under s. 20.475 (1) (i).

***−0549/3.2* SECTION 2490.** 978.13 (1) (d) of the statutes is amended to read:

978.13 **(1)** (d) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving the unlawful possession or use of firearms. The secretary of administration shall pay the amount authorized under this subsection to the county treasurer from the appropriation under s. 20.475 (1) ~~(f) or~~ (i) pursuant to a voucher submitted by the district attorney to the department of ~~administration~~ justice.

***−0549/3.3* SECTION 2491.** 978.13 (1m) of the statutes is amended to read:

978.13 **(1m)** The amount paid under sub. (1) (b), (c), and (d) combined may not exceed the amount appropriated under s. 20.475 (1) ~~(f) and~~ (i) ~~combined~~.

***−1022/1.2* SECTION 2492.** 985.04 of the statutes is amended to read:

985.04 Official state newspaper. The ~~joint committee on legislative organization shall recommend to the legislature to~~ secretary of administration shall designate some newspaper published in Wisconsin to be the official state newspaper, which shall publish all legal notices required to be published therein. Any such publication from any of the state agencies shall be deemed official. The ~~joint committee~~ secretary of administration may invite bids from all newspapers which meet the requirements of s. 985.03, but if ~~it~~ the secretary does so, ~~it~~ he or she is not required to ~~recommend~~ designate the lowest bidder as the official state newspaper. ~~The joint committee shall introduce its recommendation in the legislature in the form of a joint resolution. No designation takes effect until the joint resolution is adopted.~~ A newspaper which is designated the official state newspaper under this section shall continue as such until the ~~legislature~~ secretary of administration designates another newspaper to be the official state newspaper.

***−0984/4.21* SECTION 2493.** 1997 Wisconsin Act 27, section 9456 (3m) (a), as last affected by 2003 Wisconsin Act 48, is repealed.

***−0984/4.22* SECTION 2494.** 1999 Wisconsin Act 9, section 9401 (2zt), as last affected by 2003 Wisconsin Act 33, is repealed.

***−0984/4.23* SECTION 2495.** 1999 Wisconsin Act 9, section 9401 (2zu), as last affected by 2003 Wisconsin Act 33, is repealed.

***−0330/P2.4* SECTION 2496.** 2001 Wisconsin Act 74, section 23 (5) is repealed.

***−0335/2.17* SECTION 2497.** 2003 Wisconsin Act 33, section 9159 (4f) is repealed.

***−0746/4.2* SECTION 2498.** 2003 Wisconsin Act 318, section 3 is repealed.

***−0746/4.3* SECTION 2499.** 2003 Wisconsin Act 318, section 4 is repealed.

***−0746/4.4* SECTION 2500.** 2003 Wisconsin Act 318, section 6 is repealed.

***−0746/4.5* SECTION 2501.** 2003 Wisconsin Act 318, section 11 is repealed.

***−0746/4.6* SECTION 2502.** 2003 Wisconsin Act 318, section 13 is repealed.

***−0746/4.7* SECTION 2503.** 2003 Wisconsin Act 318, section 14 is repealed.

***−0746/4.8* SECTION 2504.** 2003 Wisconsin Act 318, section 15 is repealed.

***−0746/4.9* SECTION 2505.** 2003 Wisconsin Act 318, section 17 is repealed.

***−0746/4.10* SECTION 2506.** 2003 Wisconsin Act 318, section 18 is repealed.

***−0746/4.11* SECTION 2507.** 2003 Wisconsin Act 318, section 20 is repealed.

***−0746/4.12* SECTION 2508.** 2003 Wisconsin Act 318, section 22 is repealed.

***−0746/4.13* SECTION 2509.** 2003 Wisconsin Act 318, section 25 (3) is renumbered 49.45 (6tw) of the statutes and amended to read:

49.45 **(6tw)** PAYMENTS TO CITY HEALTH DEPARTMENTS. From the appropriation account under ~~section~~ s. 20.435 (7) (b) ~~of the statutes, as affected by this act, in state fiscal year 2004−05~~, the department ~~of health and family services~~ may make

payments to local health departments, as defined under s. 250.02 (4) (a) 3~~. of the statutes~~. Payment under this subsection to such a local health department may not exceed on an annualized basis payment made by the department ~~of health and family services~~ to the local health department under ~~section~~ s. 49.45 (6t) ~~of the statutes,~~ 2003 stats., for services provided by the local health department in 2002.

***−0746/4.14* SECTION 2510.** 2003 Wisconsin Act 318, section 27 is repealed.

***−0537/P3.9101* SECTION 9101. Nonstatutory provisions; administration.**

−0537/P3.9101 (1) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) and (p) of the statutes, the department of administration shall expend $154,000 in fiscal year 2005−06 and $154,000 in fiscal year 2006−07 to provide the multijurisdictional enforcement group serving Milwaukee County with funding for 1.5 assistant district attorney positions to prosecute criminal violations of chapter 961 of the statutes.

−0537/P3.9101(2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) and (p) of the statutes, the department of administration shall expend $50,100 in fiscal year 2005−06 and $50,100 in fiscal year 2006−07 to provide the multijurisdictional enforcement group serving Dane County with funding for 0.5 assistant district attorney position to prosecute criminal violations of chapter 961 of the statutes.

−1212/1.9101 (3) FORWARD WISCONSIN, INC. Notwithstanding section 20.001 (3) (a) of the statutes, in the 2006−07 fiscal year Forward Wisconsin, Inc., may not spend $1,000,000 of the amount appropriated under section 20.143 (1) (bm) of the

statutes, as affected by this act, unless the department of administration certifies that Forward Wisconsin, Inc., has raised at least $2,000,000 in private funds during the 2005−06 and 2006−07 fiscal years.

−1513/4.9101 (4) SALE OF CERTAIN STATE PROPERTY.

(a) 1. No later than July 1, 2006, the secretary of administration shall review all holdings of state−owned real property for potential sale, except as provided in subdivision 2.

2. Subdivision 1. does not apply to any property, facility, or institution the closure or sale of which is not authorized under section 16.848 of the statutes, as created by this act.

(b) No later than October 1, 2006, the secretary of administration shall submit a report to the secretary of the building commission containing an inventory of his or her recommendations to offer specified state properties for sale under section 16.848 of the statutes, as created by this act, and the reasons therefor. A property may be included in the inventory with or without approval of the state agency having jurisdiction of the property. If, on or before June 30, 2007, the building commission votes to approve the sale of any property included in the inventory, the department of administration may offer the property for sale under section 16.848 of the statutes, as created by this act.

(c) This subsection does not apply after June 30, 2007.

−1649/7.9101 (5) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; INITIAL APPOINTMENTS. Notwithstanding the length of terms specified in section 15.105 (13) (b) of the statutes, as created by this act, the initial members of the health care quality and patient safety board shall be appointed by the first day of the 4th month beginning after the effective date of this subsection for the following terms:

(a) The representative of hospitals, the employer purchaser of health care, and the representative of the insurance industry, for terms expiring on May 1, 2009.

(b) The physician, the representative of health maintenance organizations, and the member who represents the public interest, for terms expiring on May 1, 2011.

−1649/7.9101 (6) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; STUDY OF PHYSICIAN INFORMATION DATABASE. By March 1, 2006, the health care quality and patient safety board shall study and make recommendations to the governor concerning the feasibility of creating a centralized physician information database, including through a joint public and private effort.

−1649/7.9101 (7) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; STUDY OF RULES. By October 1, 2006, the health care quality and patient safety board shall do all of the following:

(a) Study and make recommendations to the governor concerning the rules required and authorized to be promulgated by the department of health and family services under section 153.75 of the statutes.

(b) Promote the collection and availability of information regarding the quality and price of health care required to enable consumers and health care purchasers to make wise health care choices.

(c) Foster the creation and evolution of public−private health care partnerships, agreements on standard health care data sets and reporting protocols, and transparency of health care information for purchasing purposes, including the development of an integrated health care data repository.

−1649/7.9101 (8) HEALTH CARE QUALITY AND PATIENT SAFETY BOARD; PLAN AND STRATEGIES. By January 1, 2007, develop a plan and specific strategies, including awarding grants or making loans under section 153.076 (2) of the statutes, as created

by this act, to deploy health care information systems technology for health care quality, safety, and efficiency, within a reasonable time and using reasonable financial investments. The plan shall consider the extent to which an integrated or interoperable system or underlying technology may be most cost effective, including by assessing benefits of the system for supporting rapid deployment for supporting medical care practitioners, promoting accurate and appropriate shared information about individual patients among health care providers, standardizing performance indicators among health care provider organizations to improve organization performance, and public reporting of quality, safety, and efficiency data for consumer and health care purchaser decision making.

−1660/3.9101 (9) REPORT REGARDING ALTERNATIVE DISPOSITIONS FOR NON−VIOLENT OFFENDERS. The sentencing commission shall review sentences imposed on individuals who are convicted of nonviolent offenses, other than crimes under section 23.33 (4c), 30.681, 346.63, or 350.101 of the statutes or, if the offense involved the use of a vehicle, under section 940.09 or 940.25 of the statutes, and develop recommendations for alternative dispositions for those individuals that may be used by courts at or before sentencing. By December 31, 2005, the sentencing commission shall submit its recommendations in a report to the legislature in the manner provided under section 13.172 (2) of the statutes.

***−0517/P1.9102* SECTION 9102. Nonstatutory provisions; aging and long−term care board.**

***−1243/P3.9103* SECTION 9103. Nonstatutory provisions; agriculture, trade and consumer protection.**

−1243/P3.9103 (1) TRANSFER OF CONSUMER PROTECTION FUNCTIONS.

(a) *Assets and liabilities.* All assets and liabilities of the department of agriculture, trade and consumer protection that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act shall become the assets and liabilities of the department of justice. The departments of justice and agriculture, trade and consumer protection shall jointly determine these assets and liabilities and shall jointly develop and implement a plan for their orderly transfer. In the event of any disagreement between the departments, the secretary of administration shall resolve the disagreement.

(b) *Employee transfers.* The departments of justice and agriculture, trade and consumer protection shall jointly determine which positions that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act shall be transferred to the department of justice. In the event of a disagreement between the departments, the secretary of administration shall resolve the disagreement. The positions determined to be transferred under this paragraph, and the incumbent employees in those positions, shall be transferred to the department of justice.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of justice that they enjoyed in the department of agriculture, trade and consumer protection immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Supplies and equipment.* All tangible personal property, including records, of the department of agriculture, trade and consumer protection that are primarily

related to consumer protection programs or functions that are being transferred to the department of justice under this act are transferred to the department of justice. The departments of justice and agriculture, trade and consumer protection shall jointly identify the tangible personal property, including records, and shall jointly develop and implement a plan for their orderly transfer. In the event of a disagreement between the departments, the secretary of administration shall resolve the disagreement.

(e) *Pending matters*. Any matter pending with the department of agriculture, trade and consumer protection that is primarily related to a consumer protection program or function that is being transferred to the department of justice under this act is being transferred to the department of justice. All materials submitted to or actions taken by the department of agriculture, trade and consumer protection with respect to the pending matter are considered as having been submitted to or taken by the department of justice.

(f) *Contracts*. All contracts entered into by the department of agriculture, trade and consumer protection or by the department of justice that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act, and that are in effect on the effective date of this paragraph, remain in effect and those contracts entered into by the department of agriculture, trade and consumer protection are transferred to the department of justice. The departments of justice and agriculture, trade and consumer protection shall jointly identify these contracts and shall jointly develop and implement a plan for their orderly transfer. In the event of any disagreement between the departments, the secretary of administration shall resolve the disagreement. The department of justice shall carry out the obligations under these contracts until the

obligations are modified or rescinded by the department of justice to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of agriculture, trade and consumer protection that are in effect on the effective date of this paragraph and that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act remain in effect until their specified expiration date or until amended or repealed by the department of justice. All orders issued by the department of agriculture, trade and consumer protection that are in effect on the effective date of this paragraph and that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act remain in effect until their specified expiration date or until modified or rescinded by the department of justice.

−1243/P3.9103 (2) NAME CHANGE. Wherever "agriculture, trade and consumer protection" appears in the following sections of the statutes, as affected by this act, "agriculture, trade, and rural resources" is substituted: 15.05 (1) (d), 15.07 (5) (d), 15.105 (12) (a) 1. and (16) (b) 1., 15.107 (16) (b) 2., 15.135 (1) (a) (intro.) and (b) and (4) (am) and (b) 1., 15.137 (b) and (5) (intro.), (a), and (b) 1., 15.155 (4) (a) 1. and (5), 15.347 (13) (b) 3. and (18) (b) 3., 15.405 (5g), 15.445 (2) (e) and (4) (a) 6., 15.915 (1) (b) 1. and (2) (a), 16.023 (1) (g) (intro.), 16.045 (3), 16.967 (6), 16.9675 (6), 20.115 (intro.), 20.866 (2) (we) and (wf), 20.923 (4) (f) 2., 23.235 (3m), 25.463, 26.30 (2) and (5), 26.36, 27.019 (3) and (12), 29.424 (2) (b), 29.705 (4) (b), 29.875 (2), 30.12 (1m) (a) and (b), 30.20 (1g) (c), 30.46 (1) (a) and (2), 31.02 (7m), 32.035 (1) (a), 36.25 (7) and (11) (c), 36.58 (2) (a) 3. and (c), (3) (b), and (5), 41.41 (4) (c) and (5) (e), 42.10, 59.70 (17) (a), 61.72, 66.0217 (9) (b), 66.0307 (4) (a) 1., 66.0417 (1), 69.66, 84.01 (17), 86.19

(1m), 88.11 (1) (intro.), (1m), (3) (intro.), (4), (5) (intro.), (6), and (7), 88.13, 88.15 (1), (2), and (3), 88.19 (4) (a) (intro.) and (d), 88.21 (5), 88.24 (intro.), 88.32 (3m), 88.35 (7), 88.77 (2), 91.01 (3), 92.03 (3), 92.14 (6) (d) and (m) and (14m), 92.15 (3) (a) and (b), chapter 93 (title), 93.01 (3) and (15), 93.09 (6), 93.135 (2), 93.75 (3m) (b), (c), and (d), 93.90 (5) (c), 94.72 (1) (d), 94.73 (2m) (b), (c), and (e), (4) (b), and (9), 95.22 (1) and (3), 95.45 (4) (b), 95.55 (5) (a) and (c), 97.01 (4), 97.24 (3), 97.41 (1m), 98.04 (1) and (2), 101.175 (3) (intro.), 101.58 (2) (i), 101.586, 126.01 (8), 126.72 (2), 146.60 (1) (c), (2) (b), (3) (c) 1. and 2., and (5), 160.01 (7), 169.01 (7) and (35) (a), 169.03, 169.04 (2) (d) and (3) (a), 169.04 (5m) (a) 3., 6., and 7., 169.06 (1) (d) 1., 169.11 (1) (a) (intro.), 169.38 (title), 169.42 (1) (i), 173.01 (1), 174.001 (2), 174.11 (1) and (2) (a), 182.01 (6), 196.857 (1g) (e), 227.137 (1), 227.14 (1s), 230.08 (2) (e) 2., 235.02 (2) (c), 235.04 (6), 254.02 (3) (a), 254.51 (2), 254.52 (2) (intro.), 254.58, 254.64 (1) (d), 254.69 (2) (am), 281.16 (3) (a) (intro.), (b), (c), and (e), 281.20 (1) (a) and (3) (c) (intro.), 1., and 2. and (d) 3., 281.65 (3) (f), (3m) (a) 1. and (b) 1., (4) (as), (dr), (e), (g) (intro.), 2., and 4., (i), (L), (o), (p), and (pm), (4c) (am) 2., (4m) (c) and (d), (5) (intro.), (5m), (7) (a) 2., (11), and (12), 281.67, 281.695 (5), 281.75 (1) (e) 1., 287.11 (2s) (a) and (b), 292.11 (2) (d) and (9) (d) 1. d., 292.33 (6), 299.11 (2) (title), (a), and (b), and (5) (a), 348.01 (2) (am), 348.15 (5) (intro.), 348.17 (4) (a) and (b) (intro.), 348.27 (11m) (a), 440.92 (7), 560.03 (1) and (18), 560.07 (6), 560.17 (7) (am), 560.92 (1), 562.02 (2) (fm), 704.90 (11) (a), 710.02 (4) (a) (intro.), 823.08 (3) (c) 1., 885.01 (4), 895.57 (3), 943.75 (3), and 943.76 (3) (c).

−1243/P3.9103 (3) MEMBERSHIP OF THE BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION. Notwithstanding section 15.13 of the statutes, as affected by this act, any member of the board of agriculture, trade and consumer protection who is serving on the board of agriculture, trade and consumer protection as a consumer

representative on the day before the effective date of this subsection shall be entitled to continue to serve as a member of the board under section 15.13 of the statutes, as affected by this act, until his or her successor is appointed and qualified.

***−0517/P1.9104* SECTION 9104. Nonstatutory provisions; arts board.**

***−0517/P1.9105* SECTION 9105. Nonstatutory provisions; building commission.**

***−0517/P1.9106* SECTION 9106. Nonstatutory provisions; child abuse and neglect prevention board.**

***−0517/P1.9107* SECTION 9107. Nonstatutory provisions; circuit courts.**

***−0430/P1.9108* SECTION 9108. Nonstatutory provisions; commerce.**

−0430/P1.9108 (1) REAL ESTATE TRUST ACCOUNTS. All rules promulgated under section 452.13 of the statutes by the department of administration that are in effect on the effective date of this subsection remain in effect until their specified expiration date or until amended or repealed by the department of commerce.

−1925/1 (2) RURAL ECONOMIC DEVELOPMENT STUDY. The department of commerce and the department of revenue shall jointly study the status of and the alternatives for regional economic development in rural areas.

***−1624/2.9109* SECTION 9109. Nonstatutory provisions; corrections.**

−1624/2.9109 (1) COMMUNITY INTERVENTION PROGRAM TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of corrections primarily related to the Community Intervention Program under section 301.263, 2003 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of corrections that is primarily related to the Community Intervention Program under section 301.263, 2003 stats., as determined by the secretary of administration, is transferred to the department of administration.

(c) *Pending matters.* Any matter pending with the department of corrections on the effective date of this paragraph that is primarily related to the Community Intervention Program under section 301.263, 2003 stats., as determined by the secretary of administration, is transferred to the department of administration and all materials submitted to or actions taken by the department of corrections with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(d) *Contracts.* All contracts entered into by the department of corrections in effect on the effective date of this paragraph that are primarily related to the Community Intervention Program under section 301.263, 2003 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(e) *Rules and orders.* All rules promulgated by the department of corrections in effect on the effective date of this paragraph that are primarily related to the Community Intervention Program under section 301.263, 2003 stats., remain in effect until their specified expiration date or until amended or repealed by the department of administration. All orders issued by the department of corrections in effect on the effective date of this paragraph that are primarily related to the

Community Intervention Program under section 301.263, 2003 stats., remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

***−0517/P1.9110* SECTION 9110. Nonstatutory provisions; court of appeals.**

***−0517/P1.9111* SECTION 9111. Nonstatutory provisions; district attorneys.**

***−0517/P1.9112* SECTION 9112. Nonstatutory provisions; educational communications board.**

***−0517/P1.9113* SECTION 9113. Nonstatutory provisions; elections board.**

***−0517/P1.9114* SECTION 9114. Nonstatutory provisions; employee trust funds.**

***−0517/P1.9115* SECTION 9115. Nonstatutory provisions; employment relations commission.**

***−0517/P1.9116* SECTION 9116. Nonstatutory provisions; ethics board.**

***−0517/P1.9117* SECTION 9117. Nonstatutory provisions; financial institutions.**

***−0517/P1.9118* SECTION 9118. Nonstatutory provisions; Fox River Navigational System Authority.**

***−0517/P1.9119* SECTION 9119. Nonstatutory provisions; governor.**

***−0517/P1.9120* SECTION 9120. Nonstatutory provisions; Health and Educational Facilities Authority.**

***−0084/3.9121* SECTION 9121. Nonstatutory provisions; health and family services.**

−0084/3.9121 (1) RELATIVE GUARDIANSHIPS. Notwithstanding section 48.977 (2) (a), 2003 stats., a petition under section 48.977 (4) of the statutes, as affected by this act, may be filed for the appointment of a relative as the guardian of the person of a child who has been placed, or continued in a placement, outside of his or her home for less than one year on the effective date of this subsection.

−0347/2.9121 (2) TRANSFER OF SANITARIAN REGISTRATION.

(a) *Registered sanitarians.* All persons who were registered as sanitarians under section 250.05 of the statutes, as affected by this act, immediately before the effective date of this paragraph are registered under section 440.70 of the statutes, as affected by this act.

(b) *Rules and orders.* All rules of the department of health and family services regulating registration of sanitarians that are in effect before the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of regulation and licensing. All orders of the department of health and family services regulating registered sanitarians that are in effect before the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of regulation and licensing.

(c) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services relating to the registration of sanitarians, as determined by the secretary of administration, shall become the assets and liabilities of the department of regulation and licensing.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family

services relating to the registration of sanitarians, as determined by the secretary of administration, is transferred to the department of regulation and licensing.

(e) *Contracts.* All contracts entered into by the department of health and family services relating to the registration of sanitarians in effect on the effective date of this paragraph remain in effect and are transferred to the department of regulation and licensing. The department of regulation and licensing shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of regulation and licensing to the extent allowed under the contract.

(f) *Pending matters.* Any matter pending with the department of health and family services relating to the regulation of sanitarians on the effective date of this paragraph is transferred to the department of regulation and licensing and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the department of regulation and licensing.

−0404/4.9121 (3) TRANSFER OF DAY CARE CENTER LICENSING.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services primarily related to the licensing of day care centers, as determined by the secretary of administration, shall become the assets and liabilities of the department of workforce development.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of health and family services primarily related to the licensing of day care centers, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of workforce development.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of workforce development that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Contracts.* All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the licensing of day care centers, as determined by the secretary of administration, remain in effect and are transferred to the department of workforce development. The department of workforce development shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of workforce development to the extent allowed under the contract.

(e) *Rules and orders.* All rules promulgated by the department of health and family services that are in effect on the effective date of this paragraph and that are primarily related to the licensing of day care centers remain in effect until their specified expiration dates or until amended or repealed by the department of workforce development. All orders issued by the department of health and family services that are in effect on the effective date of this paragraph and that are primarily related to the licensing of day care centers remain in effect until their specified expiration dates or until modified or rescinded by the department of workforce development.

(f) *Pending matters.* Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the licensing of day care centers is transferred to the department of workforce

development and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the department of workforce development.

−0746/4.9121 (4) MEDICAL ASSISTANCE AND COMMUNITY AIDS PROGRAM FUNDING AND PAYMENTS. The repeal of 2003 Wisconsin Act 318, sections 15, 18, 20, 22, and 27, by this act applies notwithstanding section 990.03 of the statutes.

−0976/2.9121 (5) TRANSFER OF MENTAL HEALTH SERVICES FOR HOMELESS INDIVIDUALS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services primarily related to mental health services for homeless individuals under section 46.972 (3) of the statutes, as affected by this act, as determined by the secretary of administration, shall become the assets and liabilities of the department of commerce.

(b) *Position transfer.*

1. On the effective date of this subdivision, the authorized FTE positions for the department of health and family services, funded from the appropriation under section 20.435 (6) (m) of the statutes, are decreased by 1.0 PR−F position having responsibility for a program to provide mental health services to homeless individuals with chronic mental illness.

2. On the effective date of this subdivision, the authorized FTE positions for the department of commerce, funded from the appropriation under section 20.143 (2) (m) of the statutes, are increased by 1.0 PR−F position having responsibility for a program to provide mental health services to homeless individuals with chronic mental illness.

3. On the effective date of this subdivision, the incumbent employee holding the position specified in subdivision 1. is transferred to the department of commerce.

(c) *Employee status.* The employee transferred under paragraph (b) 3. shall have all the same rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of commerce that he or she enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to mental health services for homeless individuals under section 46.972 (3) of the statutes, as affected by this act, as determined by the secretary of administration, is transferred to the department of commerce.

(e) *Contracts.* All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to mental health services for homeless individuals under section 46.972 (3) of the statutes, as affected by this act, as determined by the secretary of administration, remain in effect and are transferred to the department of commerce. The department of commerce shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of commerce to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of health and family services that are in effect on the effective date of this paragraph that are primarily related to mental health services for homeless individuals under section 46.972 (3) of the statutes, as affected by this act, remain in effect until their specified

expiration date or until amended or repealed by the department of commerce. All orders issued by the department of health and family services that are in effect on the effective date of this paragraph that are primarily related to mental health services for homeless individuals under section 46.972 (3) of the statutes, as affected by this act, remain in effect until their specified expiration date or until modified or rescinded by the department of commerce.

−1089/5.9121 (6) SCHEDULE OF ASSESSMENTS ON HEALTH MAINTENANCE ORGANIZATIONS WITH MEDICAL ASSISTANCE CONTRACTS. Notwithstanding the schedule for payment of assessments specified in section 49.45 (2) (a) 26. a. of the statutes, as created by this act, payments of assessments on a health maintenance organization with a contract to provide health care to Medical Assistance and Badger Care recipients in 2006 shall be made as follows:

(a) On March 31, 2006, payment based on the health maintenance organization's estimated gross revenues for the period of January 1, 2006, to March 31, 2006, is due.

(b) On June 30, 2006, payment based on the health maintenance organization's actual gross revenues for the period of January 1, 2006, to March 31, 2006, is due.

(c) On September 30, 2006, payment based on the health maintenance organization's actual gross revenues for the period of April 1, 2006, to June 30, 2006, is due.

(d) On December 31, 2006, payment based on the health maintenance organization's actual gross revenues for the period of July 1, 2006, to September 30, 2006, is due.

−1302/3.9121(7) INQUIRIES CONCERNING MANAGED CARE ORGANIZATIONS. Before July 1, 2006, the department of health and family services shall issue inquiries

concerning the existence of managed care organizations that have capability to develop the provision of primary, acute, and long−term managed care, on a regional basis, to elderly and disabled Medical Assistance recipients. The department of health and family services shall consult with the department of administration in connection with the inquiries issued under this subsection and the responses received.

−1649/7.9121 (8) TRANSFER OF FUNCTIONS OF THE BOARD ON HEALTH CARE INFORMATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services primarily related to the functions of the board on health care information, as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Position and employee transfers.* All incumbent employees holding positions in the department of health and family services performing duties primarily related to the functions of the board on health care information, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the board on health care information, as determined by the secretary of administration, is transferred to the department of administration.

(e) *Contracts.*

1. All contracts entered into by the board on health care information in effect on the effective date of this subdivision remain in effect and are transferred to the health care quality and patient safety board. The health care quality and patient safety board shall carry out any obligations under such a contract until the contract is modified or rescinded by the health care quality and patient safety board to the extent allowed under the contract.

2. All contracts entered into by the department of health and family services in effect on the effective date of this subdivision that are primarily related to the functions of the board on health care information, as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the board on health care information that are in effect on the effective date of this subdivision remain in effect until their specified expiration date or until amended or repealed by the health care quality and patient safety board.

(g) *Pending matters.* Any matter pending with the board on health care information on the effective date of this paragraph is transferred to the health care

quality and patient safety board and all materials submitted to or actions taken by the board on health care information with respect to the pending matter are considered as having been submitted to or taken by the health care quality and patient safety board.

−1649/7.9121 (9) HEALTH CARE INFORMATION; RULE MAKING. Notwithstanding the requirement and authorization for the department of health and family services to promulgate rules under section 153.75 of the statutes, as affected by this act, before July 1, 2007, the department of health and family services may promulgate under section 153.75 of the statutes only rules that are first approved by the health care quality and patient safety board.

−0541/2 (10) WAIVER FOR COST−SAVING MEASURES UNDER THE BADGER CARE HEALTH CARE PROGRAM.

(a) The department of health and family services shall request one or more waivers from the secretary of the federal department of health and human services to permit the department of health and family services to implement cost−saving measures under the Badger Care health care program, including any of the following:

1. Establishing a 3−tiered prescription drug copayment requirement that does not exceed the maximum copayment amount established by the group insurance board for state employees.

2. Establishing a benchmark plan, as described in 42 CFR 457.420.

3. Establishing mandatory copayments for benefits in addition to the copayments for prescription drug coverage.

(b) If a federal waiver under paragraph (a) is approved, the department of health and family services shall seek enactment of statutory language to implement cost−saving measures authorized under the waiver.

−0541/2 (11) PHARMACY REIMBURSEMENT METHODOLOGY INVESTIGATION. The department of health and family services shall investigate alternatives to using the average wholesale price methodology for pharmacy reimbursement for brand name prescription drugs that are purchased by or dispensed to Medical Assistance recipients, persons who receive health care coverage under the Badger Care health care program, and participants in the program for prescription drug assistance for elderly persons under section 49.688 of the statutes. The department's investigation shall include review and research of different methodologies. No later than June 30, 2006, the department of health and family services shall submit to the department of administration a report with its findings, conclusions, and recommendations on the various methodologies investigated.

−1709/2 (12) TRANSFER OF HELP DESK AND DESKTOP SUPPORT POSITIONS. All incumbent employees holding positions in the department of health and family services performing duties primarily related to information technology assistance services, as determined by the secretary of health and family services, are transferred on the effective date of this subsection to the department of administration. Employees transferred under this subsection have all rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed in the department of health and family services. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

***−0517/P1.9122* SECTION 9122. Nonstatutory provisions; higher educational aids board.**

***−0517/P1.9123* SECTION 9123. Nonstatutory provisions; historical society.**

***−1225/1.9124* SECTION 9124. Nonstatutory provisions; Housing and Economic Development Authority.**

−1225/1.9124(1) TRANSFER OF SURPLUS. Notwithstanding section 234.165 (2) (c) of the statutes, the Wisconsin Housing and Economic Development Authority shall pay to the state in fiscal year 2005−06 $2,500,000 of its actual surplus under section 234.165 of the statutes and in fiscal year 2006−07 $2,500,000 of its actual surplus under section 234.165 of the statutes.

***−0517/P1.9125* SECTION 9125. Nonstatutory provisions; insurance.**

***−0517/P1.9126* SECTION 9126. Nonstatutory provisions; investment board.**

***−0517/P1.9127* SECTION 9127. Nonstatutory provisions; joint committee on finance.**

***−0517/P1.9128* SECTION 9128. Nonstatutory provisions; judicial commission.**

***−1377/3.9129* SECTION 9129. Nonstatutory provisions; justice.**

−1377/3.9129 (1) TRANSFER OF COUNTY−TRIBAL LAW ENFORCEMENT GRANT PROGRAM.

(a) *Positions and employees.*

1. On the effective date of this subdivision, all full−time equivalent positions in the department of justice having duties primarily related to the department's

county−tribal law enforcement grant program, as determined by the secretary of administration, are transferred to the office of justice assistance.

2. All incumbent employees holding positions specified in subdivision 1. are transferred on the effective date of this subdivision to the office of justice assistance.

3. Employees transferred under subdivision 2. have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the office of justice assistance that they enjoyed in the department of justice immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of justice primarily related to the department's county−tribal law enforcement grant program, as determined by the secretary of administration, shall become the assets and liabilities of the office of justice assistance.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of justice that is primarily related to the department's county−tribal law enforcement grant program, as determined by the secretary of administration, is transferred to the office of justice assistance.

(d) *Contracts.* All contracts entered into by the department of justice in effect on the effective date of this paragraph that are primarily related to the department's county−tribal law enforcement grant program, as determined by the secretary of administration, remain in effect and are transferred to the office of justice assistance. The office of justice assistance shall carry out any obligations under such

a contract until the contract is modified or rescinded by the office of justice assistance to the extent allowed under the contract.

(e) *Rules and orders.* All rules promulgated by the department of justice primarily related to the department's county−tribal law enforcement grant program, as determined by the secretary of administration, that are in effect on the effective date of this paragraph shall become rules of the office of justice assistance and shall remain in effect until their specified expiration dates or until amended or repealed by the office of justice assistance. All orders issued by the department of justice primarily related to the department's county−tribal law enforcement grant program that are in effect on the effective date of this paragraph shall become orders of the office of justice assistance and shall remain in effect until their specified expiration dates or until modified or rescinded by the office of justice assistance.

(f) *Pending matters.* Any matter pending with the department of justice on the effective date of this paragraph that is primarily related to the department's county−tribal law enforcement grant program, as determined by the secretary of administration, is transferred to the office of justice assistance, and all materials submitted to or actions taken by the department of justice with respect to the pending matter are considered as having been submitted to or taken by the office of justice assistance.

***−1734/1.9130* SECTION 9130. Nonstatutory provisions; legislature.**

−1734/1.9130 (1) APPROPRIATION LAPSES AND REESTIMATES.

(a) In this subsection, "state operations" means all purposes except aids to individuals and organizations and local assistance.

(b) The cochairpersons of the joint committee on legislative organization shall take actions during the 2005−07 fiscal biennium to ensure that from general purpose

revenue appropriations for state operations to the legislature under section 20.765 of the statutes, as affected by this act, an amount equal to a total of $4,675,000 in fiscal year 2005−06 and a total of $4,675,000 in fiscal year 2006−07 are lapsed from sum certain appropriation accounts or are subtracted from the expenditure estimates for any other types of appropriations, or both.

(c) The cochairpersons of the joint committee on legislative organization shall take actions during the 2005−07 fiscal biennium to ensure that the authorized FTE positions for the legislature are decreased by a total of 38.0 FTE positions from the FTE position level that is authorized for the legislature on the effective date of this subsection.

***−0517/P1.9131* SECTION 9131. Nonstatutory provisions; lieutenant governor.**

***−0517/P1.9132* SECTION 9132. Nonstatutory provisions; lower Wisconsin state riverway board.**

***−0517/P1.9133* SECTION 9133. Nonstatutory provisions; Medical College of Wisconsin.**

***−0517/P1.9134* SECTION 9134. Nonstatutory provisions; military affairs.**

***−0383/5.9135* SECTION 9135. Nonstatutory provisions; natural resources.**

−0383/5.9135 (1) PHEASANT HUNTING PERMITS; RULES. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate rules implementing section 29.185 of the statutes, as created by this act, for the period before the date on which permanent rules take effect, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.

Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

−0519/3.9135 (2) MANAGED FOREST LAND BOARD. Notwithstanding section 15.345 (6) of the statutes, as created by this act, 2 of the initial members of the managed forest land board appointed under section 15.345 (6) (a) to (d) of the statutes shall serve for terms expiring on May 1, 2007, and 2 of those initial members shall serve for terms expiring on May 1, 2009.

−1258/5.9135 (3) TURKEY HUNTING APPROVALS; RULES. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate rules implementing section 29.164 of the statutes, as affected by this act, for the period before the date on which permanent rules take effect, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

***−0517/P1.9136* SECTION 9136. Nonstatutory provisions; public defender board.**

***−1588/4.9137* SECTION 9137. Nonstatutory provisions; public instruction.**

−1588/4.9137 (1) DIFFERENTIATED COMPENSATION PROGRAMS.

(a) The department of public instruction shall promulgate emergency rules under section 227.24 of the statutes to implement section 115.40 of the statutes, as created by this act, by October 15, 2005. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules promulgated under this paragraph remain in effect until July 1, 2006, or the date on which the permanent rules take effect, whichever occurs first. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for the rule.

(b) The department of public instruction may not accept an application from a school board for a grant in the 2005−07 fiscal biennium under section 115.40 of the statutes, as created by this act, that is received by the department after December 15, 2005.

(c) The department of public instruction shall award grants for the 2005−07 fiscal biennium under section 115.40 of the statutes, as created by this act, by January 31, 2006. The department shall pay one−third of the grant in the 2005−06 fiscal year and two−thirds of the grant in the 2006−07 fiscal year.

−1762/2.9137 (2) ADULT LITERACY GRANTS. From the appropriation under section 20.255 (3) (b) of the statutes, as created by this act, the department of public instruction shall award grants in the 2005−06 fiscal year to nonprofit organizations, as defined in section 108.02 (19) of the statutes, to support programs that train community−based adult literacy staff and to establish new volunteer−based programs in areas of this state that have a demonstrated need for adult literacy

services. No grant may exceed $25,000, and no organization may receive more than one grant.

***−0517/P1.9138* SECTION 9138. Nonstatutory provisions; public lands, board of commissioners of.**

***−0517/P1.9139* SECTION 9139. Nonstatutory provisions; public service commission.**

***−0558/P1.9140* SECTION 9140. Nonstatutory provisions; regulation and licensing.**

−0558/P1.9140 (1) CREDENTIAL RENEWAL FEES; RENEWAL DATE CHANGES. When preparing its recommendations under section 440.03 (9) (b) of the statutes for changes to fees under section 440.08 (2) (a) of the statutes for credential renewals in the 2007−09 biennium, the department of regulation and licensing shall consider whether to reduce or increase the fees based on the changes to the renewal deadlines made by this act.

***−0302/4.9141* SECTION 9141. Nonstatutory provisions; revenue.**

−0302/4.9141 (1) INTERNAL REVENUE CODE. Changes to the Internal Revenue Code made by P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108−311, and P.L. 108−357,excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108−357, apply to the definitions of "Internal Revenue Code" in chapter 71 of the statutes at the time that those changes apply for federal income tax purposes.

−0303/4.9141 (2) THE STREAMLINED SALES AND USE TAX AGREEMENT. The department of revenue shall notify the revisor of statutes of the effective date of this state's participation in the streamlined sales and use tax agreement, as described in

section 77.65 of the statutes, as affected by this act, no later than 30 days after such effective date is determined.

−1742/3.9141 (3) REVENUE FROM THE STREAMLINED SALES TAX PROJECT. No sooner than July 1, 2006, and no later than September 1, 2006, the department of revenue shall estimate the amount of revenue that will be collected under subchapter III of chapter 77 of the statutes for the 2005−07 fiscal biennium in excess of the amount of revenue that, prior to the beginning of that biennium and based, in part, on the assumption of compliance by sellers with the streamlined sales and use tax agreement described under section 77.65 of the statutes, as affected by this act, the department of revenue estimated would be collected under subchapter III of chapter 77 of the statutes for that biennium.

***−0517/P1.9142* SECTION 9142. Nonstatutory provisions; secretary of state.**

***−0517/P1.9143* SECTION 9143. Nonstatutory provisions; state employment relations, office of.**

−1933/1 (1) STUDY OF ADMINISTRATIVE SALARIES IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT. The director of the office of state employment relations shall conduct a study of compensation paid to administrators in state agencies in the executive branch of state government, including specifically compensation that is paid to administrative executives and officers employed by the Board of Regents of the University of Wisconsin System. No later than December 31, 2006, the director of the office of state employment relations shall submit a report of the results of the study to the secretary of administration. The report shall include recommendations for addressing any disparities in compensation paid to administrators.

***−0517/P1.9144* SECTION 9144. Nonstatutory provisions; state fair park board.**

***−1230/1.9145* SECTION 9145. Nonstatutory provisions; supreme court.**

−1230/1.9145 (1) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of the supreme court, acting as the administrative head of the judicial system, shall take actions during the 2005−07 fiscal biennium to ensure that from general purpose revenue appropriations for state operations to the circuit courts under section 20.625 of the statutes, to the court of appeals under section 20.660 of the statutes, and to the supreme court under section 20.680 of the statutes, an amount equal to $1,300,000 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both.

***−0517/P1.9146* SECTION 9146. Nonstatutory provisions; technical college system.**

***−0517/P1.9147* SECTION 9147. Nonstatutory provisions; tourism.**

***−1394/1.9148* SECTION 9148. Nonstatutory provisions; transportation.**

−1394/1.9148 (1) ELECTRONIC PROCESSING OF TITLE AND REGISTRATION APPLICATIONS. The department of transportation may, prior to June 30, 2007, require certain motor vehicle dealers to electronically process all applications for motor vehicle title and registration submitted under section 342.16 (1) (a) of the statutes.

−1557/2.9148 (2) HARBOR ASSISTANCE PROGRAM.

(a) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as affected by this act, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes of $6,000,000 in the 2005−07 fiscal biennium to a city in northeastern Wisconsin that has a harbor facility for the purpose of

constructing new boatlift facilities or improving existing boatlift facilities that serve or will serve at least 2 commercial enterprises that enhance economic development and will provide at least 600 new jobs in this state.

(b) Notwithstanding any limitation specified in section 85.095 (2) (a) or (b) of the statutes, from the appropriation under section 20.866 (2) (uv) of the statutes, as affected by this act, the department of transportation shall award a grant under section 85.095 (2) (a) of the statutes of $2,100,000 in the 2005−07 fiscal biennium for a boat slip repair and reconstruction project in northeastern Wisconsin if the project is necessary to retain at least 2,500 jobs in this state.

−1560/3.9148 (3) TRANSFER OF SUPPLEMENTAL TITLE FEES.

(a) No transfer of moneys may be made under section 20.855 (4) (f), 2003 stats., on or after the effective date of this paragraph.

(b) If the effective date of this paragraph is after October 1, 2005, the secretary of administration shall transfer, in fiscal year 2005−06, from the environmental fund to the general fund an amount equal to the amount transferred under section 20.855 (4) (f), 2003 stats., from the general fund to the environmental fund between July 1, 2005, and the effective date of this paragraph.

(c) If the effective date of this paragraph is after July 1, 2005, the secretary of transportation shall, no later than 60 days after the effective date of this paragraph, certify to the secretary of administration the amount of fees collected under sections 101.9208 (1) (dm), 2003 stats., and 342.14 (3m), 2003 stats., and deposited into the transportation fund between July 1, 2005, and the effective date of this paragraph, and the secretary of administration shall transfer, in fiscal year 2005−06, this amount from the transportation fund to the environmental fund.

***−0517/P1.9149* SECTION 9149. Nonstatutory provisions; treasurer.**

***−0517/P1.9150* SECTION 9150. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority.**

***−0517/P1.9151* SECTION 9151. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Board.**

***−1606/1.9152* SECTION 9152. Nonstatutory provisions; University of Wisconsin System.**

−1606/1.9152 (1) OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TESTING.

(a) *Positions and employees.*

1. The authorized FTE positions for the department of health and family services, funded from the appropriations under section 20.435 (1) (a), (gm), and (m) of the statutes, as affected by this act, are decreased by 10.5 FTE positions, for the purpose of providing occupational safety and health administration testing.

2. The authorized FTE positions for the department of commerce, funded from the appropriation under section 20.143 (3) (m) of the statutes, are decreased by 9.0 FTE positions, for the purpose of providing occupational safety and health administration testing.

3. The authorized FTE positions for the state laboratory of hygiene, funded from the appropriation under section 20.285 (1) (fd) of the statutes, are increased by 0.95 FTE position, for the purpose of providing occupational safety and health administration testing.

4. The authorized FTE positions for the state laboratory of hygiene, funded from the appropriation under section 20.285 (1) (i) of the statutes, are increased by 0.5 FTE position, for the purpose of providing occupational safety and health administration testing.

5. The authorized FTE positions for the state laboratory of hygiene, funded from the appropriation under section 20.285 (1) (m) of the statutes, are increased by 21.55 FTE positions, for the purpose of providing occupational safety and health administration testing.

6. All incumbent employees in the departments of health and family services and commerce who perform occupational safety and health administration testing are transferred on the effective date of this subdivision to the state laboratory of hygiene. Employees transferred under this subdivision have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the employment commission that they enjoyed before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class must serve a probationary period.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, that relates to occupational safety and health administration testing of the departments of health and family services and commerce is transferred to the state laboratory of hygiene.

(c) *Contracts.* All contracts entered into by the departments of health and family services and commerce that relate to occupational safety and health administration testing and that are in effect on the effective date of this paragraph remain in effect and are transferred to the state laboratory of hygiene. The state laboratory of hygiene shall carry out any obligations under such a contract until the state laboratory of hygiene modifies or rescinds the contract to the extent allowed.

−1838/2.9152 (2) POSITION REPORT. No later than August 1, 2006, the Board of Regents of the University of Wisconsin System shall submit to the secretary of administration a report that describes by position classification and campus the

faculty and instructional staff positions that were created from July 1, 2004, to July 1, 2006, to promote access to the University of Wisconsin System.

−1839/1.9152 (3) PLAN TO ELIMINATE POSITIONS. By May 30, 2006, the Board of Regents of the University of Wisconsin System shall submit to the secretary of administration for his or her approval a plan to eliminate 200 administrative positions within the University of Wisconsin System, specified by position classification and location. Notwithstanding section 16.505 (2p) of the statutes, the Board of Regents of the University of Wisconsin System may not during the 2006−07 fiscal year create any full−time equivalent academic staff or faculty positions from revenues appropriated under section 20.285 (1) (a) of the statutes until the secretary of administration approves the plan.

−1866/1.9152 (4) ALLOCATION OF FUNDS. Of moneys appropriated under section 20.285 (1) (a) of the statutes for the 2006−07 fiscal year, the Board of Regents of the University of Wisconsin System shall allocate $1,111,400 for implementing the recommendations of the committee on baccalaureate expansion and $582,000 for the University of Wisconsin−Rock County engineering initiative.

−1513/6 (5) SALE OF REAL PROPERTY. If the Board of Regents of the University of Wisconsin System sells any real property under its jurisdiction prior to July 1, 2007, the board shall credit the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz) of the statutes, except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under section 18.09 of the statutes to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired,

constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds. Except as required under ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there is no such debt outstanding, there are no moneys payable to the federal government, and there is no restriction governing use of the proceeds.

***−0328/4.9153* SECTION 9153. Nonstatutory provisions; veterans affairs.**

−0328/4.9153 (1) EDUCATIONAL GRANT PROGRAM EMERGENCY RULES. The department of veterans affairs may promulgate emergency rules under section 227.24 of the statutes implementing section 45.25 of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

−0330/P2.9153 (2) MASSAGE THERAPISTS AND BODYWORKERS.

(a) *Definitions.* In this SECTION:

1. "Board" means the educational approval board.

2. "Department" means the department of regulation and licensing.

(b) *Transfer of transitional duties.* Any application received by the board under 2001 Wisconsin Act 74, section 23 (5) (a) that is pending with the board on the effective date of this paragraph is transferred to the department and all materials

submitted to or actions taken by the board with respect to the pending application are considered as having been submitted to or taken by the department.

***−0517/P1.9154* SECTION 9154. Nonstatutory provisions; workforce development.**

***−0955/10.9155* SECTION 9155. Nonstatutory provisions; other.**

−0955/10.9155 (1) TRANSFER OF ATTORNEY AND LEGAL STAFF POSITIONS.

(a) *Definitions.* In this subsection:

1. "Legal staff" means the individuals as determined by the secretary of administration who provide support services for attorneys.

2. "State agency" means an office, commission, department, independent agency, or board in the executive branch of state government, except the following:

a. The public service commission.

b. The public defender board.

c. The Board of Regents of the University of Wisconsin System.

d. The University of Wisconsin Hospitals and Clinics Board.

e. The state of Wisconsin investment board.

f. The office of the governor.

g. The elections board.

h. The ethics board.

i. The department of justice.

j. The employment relations commission.

(b) *State agency attorneys and legal staff.* Except as provided in paragraph (d) and subject to paragraph (e), on the effective date of this paragraph all attorney positions in state agencies and all legal staff positions in state agencies are transferred to the division of legal services in the department of administration.

(c) *Department of justice tax litigation attorneys.* On the effective date of this paragraph, 2 attorney positions in the department of justice with duties entailing tax litigation are transferred to the division of legal services in the department of administration. The secretary of administration shall identify the positions to be transferred.

(d) *Hearing officers, hearing examiners, and administrative law judges.*

1. Except as provided in subdivision 2. and subject to paragraph (e), on the effective date of this subdivision all positions identified by the secretary of administration as hearing officers, hearing examiners, or administrative law judges are transferred to the division of hearings and appeals in the department of administration.

2. Subdivision 1. does not apply to hearing officers, hearing examiners, or administrative law judges in the department of workforce development.

(e) *Exceptions.* Paragraphs (b) and (d) do not apply to any of the following:

1. State employees working in an office of a district attorney under section 978.12 (1) (b) or (c) of the statutes.

2. One lead attorney in the office of state employment relations whose duties include the negotiation and interpretation of collective bargaining agreements entered into under subchapter V of chapter 111.

3. One attorney position in each of the following state agencies, identified by the secretary of administration as the general counsel or lead attorney position:

a. Department of administration.

b. Department of agriculture, trade, and rural resources.

c. Department of commerce.

d. Department of corrections.

e. Department of employee trust funds.

f. Department of financial institutions.

g. Department of health and family services.

h. Department of military affairs.

i. Department of natural resources.

j. Department of public instruction.

k. Department of regulation and licensing.

l. Department of revenue.

m. Department of transportation.

n. Department of veterans affairs.

o. Department of workforce development.

p. Office of the commissioner of insurance.

(f) *Incumbents.* All incumbent employees holding positions that are transferred under paragraphs (b), (c), and (d) are transferred on the effective date of this paragraph to the department of administration. Employees transferred under these paragraphs have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in their respective state agencies immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(g) *Materials.* On the effective date of this paragraph, all equipment, supplies, and furniture required for the provision of legal services by employees transferred under paragraphs (b), (c), and (d) are transferred to the department of administration. The secretary of administration shall identify the equipment, supplies, and furniture to be transferred.

−0955/10.9155 (2) LAPSE OR TRANSFER OF CERTAIN APPROPRIATION BALANCES FROM MONEYS ALLOCATED FOR LEGAL SERVICES TO THE GENERAL FUND.

(a) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of the appropriations to state agencies, as defined in subsection (1) (a) 2., other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to $724,900 during the 2005−07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for agency legal services that would have been provided in that fiscal biennium with funding from those appropriations.

(b) The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation under paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

−1710/4.9155 (3) LAPSE OR TRANSFER OF STATE OPERATIONS APPROPRIATION BALANCES TO THE GENERAL FUND.

(a) 1. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to $35,500,000 during the 2005−07 fiscal biennium. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions and for server and network support, from moneys saved as a result of restructuring of

procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space management improvements in that fiscal biennium under those appropriations.

2. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, except as provided in paragraph (b), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to $55,000,000 during the 2007−08 fiscal year and an amount equal to $55,000,000 during the 2008−09 fiscal year. The secretary of administration shall lapse or transfer these moneys from allocations for human resources and payroll functions and for server and network support, from moneys saved as a result of restructuring procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space managment improvements in the 2007−09 fiscal biennium under those appropriations.

(b) 1. The secretary of administration may not lapse or transfer moneys to the general fund under paragraph (a) from any appropriation under paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

2. The secretary of administration may not lapse or transfer moneys to the general fund under paragraph (a) from any appropriation under subchapters VII and VIII of chapter 20 of the statutes.

−1837/2.9155 (4) STATE AGENCY PAYMENTS RELATING TO UNFUNDED LIABILITIES UNDER THE WISCONSIN RETIREMENT SYSTEM.

(a) The definitions in section 20.001 of the statutes are applicable in this subsection, except that "state agency" does not include the department of employee trust funds or the investment board.

(b) The secretary of administration shall determine for each state agency the amount that the state agency would have been required to expend under section 40.05 (2) (b) and (4) (b), (bc), and (bw) and subchapter IX of chapter 40 of the statutes during the 2005−07 fiscal biennium had the obligations under section 16.527 of the statutes not been issued, and each appropriation from which the moneys would have been expended. The secretary shall exclude from this determination any appropriation from which a lapse or transfer to pay any principal or interest amount on obligations issued under section 16.527 of the statutes would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

(c) From each appropriation identified in paragraph (b), the secretary shall lapse to the general fund or transfer to the general fund the amount specified in paragraph (b) that would otherwise have been expended from the appropriation.

***−1788/P1.9201* SECTION 9201. Appropriation changes; administration.**

−1788/P1.9201 (1) UTILITY PUBLIC BENEFITS FUND TRANSFER. There is transferred from the utility public benefits fund to the general fund $18,185,300 in fiscal year 2005−06 and $16,949,400 in fiscal year 2006−07.

***−0517/P1.9202* SECTION 9202. Appropriation changes; aging and long−term care board.**

***−1750/2.9203* SECTION 9203. Appropriation changes; agriculture, trade and consumer protection.**

−1750/2.9203 (1) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the agrichemical management fund to the general fund $130,100 in fiscal year 2005−06 and $130,100 in fiscal year 2006−07.

***−0517/P1.9204* SECTION 9204. Appropriation changes; arts board.**

***−0517/P1.9205* SECTION 9205. Appropriation changes; building commission.**

***−0517/P1.9206* SECTION 9206. Appropriation changes; child abuse and neglect prevention board.**

***−0517/P1.9207* SECTION 9207. Appropriation changes; circuit courts.**

***−1603/6.9208* SECTION 9208. Appropriation changes; commerce.**

−1603/6.9208(1) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the petroleum inspection fund to the general fund $10,860,600 in fiscal year 2005−06 and $20,000,000 in fiscal year 2006−07.

***−0246/2.9209* SECTION 9209. Appropriation changes; corrections.**

−0246/2.9209 (1) JUVENILE CORRECTIONAL SERVICES TRANSFERS.

(a) There is transferred from the appropriation account under section 20.410 (3) (ho) of the statutes, as affected by the acts of 2005, to the appropriation account under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2005, $90,000 in fiscal year 2005−06.

(b) There is transferred from the appropriation account under section 20.410 (3) (hr) of the statutes, as affected by the acts of 2005, to the appropriation account under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2005, $2,410,000 in fiscal year 2005−06.

−0252/2.9209 (2) PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM. The unencumbered balance in the appropriation account under section 20.410 (1) (hm),

2003 stats., is transferred to the appropriation account under section 20.410 (1) (km) of the statutes.

***−0517/P1.9210* SECTION 9210. Appropriation changes; court of appeals.**

***−0517/P1.9211* SECTION 9211. Appropriation changes; district attorneys.**

***−0517/P1.9212* SECTION 9212. Appropriation changes; educational communications board.**

***−0517/P1.9213* SECTION 9213. Appropriation changes; elections board.**

***−0517/P1.9214* SECTION 9214. Appropriation changes; employee trust funds.**

***−0517/P1.9215* SECTION 9215. Appropriation changes; employment relations commission.**

***−0517/P1.9216* SECTION 9216. Appropriation changes; ethics board.**

***−1254/1.9217* SECTION 9217. Appropriation changes; financial institutions.**

−1254/1.9217 (1) GIFTS, GRANTS, SETTLEMENTS, AND PUBLICATIONS; LAPSE.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, and except as provided in paragraph (b), on June 30, 2006, there is lapsed to the general fund $125,000 from the appropriation account of the department of financial institutions under section 20.144 (1) (h) of the statutes, as affected by the acts of 2005, and on June 30, 2007, there is lapsed to the general fund $125,000 from the appropriation account of the department of financial institutions under section 20.144 (1) (h) of the statutes, as affected by the acts of 2005.

(b) The secretary of administration may not lapse moneys to the general fund under paragraph (a) if the lapse would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse would violate state or federal law.

***−0517/P1.9218* SECTION 9218. Appropriation changes; Fox River Navigational System Authority.**

***−0517/P1.9219* SECTION 9219. Appropriation changes; governor.**

***−0517/P1.9220* SECTION 9220. Appropriation changes; Health and Educational Facilities Authority.**

***−0404/4.9221* SECTION 9221. Appropriation changes; health and family services.**

−0404/4.9221 (1) TRANSFER OF DAY CARE CENTER LICENSING. The unencumbered balance in the appropriation account under section 20.435 (3) (jm) of the statutes, as affected by this act, that is attributable to day care center licensing and fees received by the department of health and family services under section 48.65 (3) (a), 2003 stats., as determined by the secretary of administration, is transferred to the appropriation account under section 20.445 (3) (jm) of the statutes, as created by this act.

−1416/1.9221 (2) GROUP HOME REVOLVING LOAN FUND ELIMINATION. The unencumbered balance in the appropriation account under section 20.435 (6) (gd), 2003 stats., is transferred to the appropriation account under section 20.435 (7) (md) of the statutes.

***−0517/P1.9222* SECTION 9222. Appropriation changes; higher educational aids board.**

***−0517/P1.9223* SECTION 9223. Appropriation changes; historical society.**

***−0517/P1.9224* SECTION 9224. Appropriation changes; Housing and Economic Development Authority.**

***−1649/7.9225* SECTION 9225. Appropriation changes; insurance.**

−1649/7.9225 (1) HEALTH CARE QUALITY IMPROVEMENT FUND. There is transferred from the injured patients and families compensation fund to the health care quality improvement fund $169,703,400 in fiscal year 2005−06 and $9,714,000 in fiscal year 2006−07.

***−0517/P1.9226* SECTION 9226. Appropriation changes; investment board.**

***−0517/P1.9227* SECTION 9227. Appropriation changes; joint committee on finance.**

***−0517/P1.9228* SECTION 9228. Appropriation changes; judicial commission.**

***−1037/2.9229* SECTION 9229. Appropriation changes; justice.**

−1037/2.9229 (1) TRANSFER TO BACKGROUND CHECK APPROPRIATION ACCOUNT. There is transferred from the appropriation to the department of justice under section 20.455 (2) (h) of the statutes, as affected by the acts of 2005, to the appropriation to the department of justice under section 20.455 (2) (gr) of the statutes, as affected by the acts of 2005, $647,400 in fiscal year 2005−06.

***−0517/P1.9230* SECTION 9230. Appropriation changes; legislature.**

***−0517/P1.9231* SECTION 9231. Appropriation changes; lieutenant governor.**

***−0517/P1.9232* SECTION 9232. Appropriation changes; lower Wisconsin state riverway board.**

***−0517/P1.9233* SECTION 9233. Appropriation changes; Medical College of Wisconsin.**

***−0517/P1.9234* SECTION 9234. Appropriation changes; military affairs.**

***−1361/4.9235* SECTION 9235. Appropriation changes; natural resources.**

−1361/4.9235 (1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to the general fund $5,842,100 in fiscal year 2005−06 and $5,742,100 in fiscal year 2006−07.

−1602/2.9235 (2) ENVIRONMENTAL FUND TRANSFER. There is transferred from the environmental fund to the general fund $4,200,000 in fiscal year 2005−06 and $800,000 in fiscal year 2006−07.

***−0517/P1.9236* SECTION 9236. Appropriation changes; public defender board.**

***−0517/P1.9237* SECTION 9237. Appropriation changes; public instruction.**

***−0517/P1.9238* SECTION 9238. Appropriation changes; public lands, board of commissioners of.**

***−1364/P1.9239* SECTION 9239. Appropriation changes; public service commission.**

***−0517/P1.9240* SECTION 9240. Appropriation changes; regulation and licensing.**

***−0517/P1.9241* SECTION 9241. Appropriation changes; revenue.**

***−0517/P1.9242* SECTION 9242. Appropriation changes; secretary of state.**

***−0517/P1.9243* SECTION 9243. Appropriation changes; state employment relations, office of.**

***−0517/P1.9244* SECTION 9244. Appropriation changes; state fair park board.**

***−0517/P1.9245* SECTION 9245. Appropriation changes; supreme court.**

***−0517/P1.9246* SECTION 9246. Appropriation changes; technical college system.**

***−0517/P1.9247* SECTION 9247. Appropriation changes; tourism.**

***−1890/1.9248* SECTION 9248. Appropriation changes; transportation.**

−1890/1.9248 (1) TRANSPORTATION FUND TRANSFER TO GENERAL FUND. There is transferred from the transportation fund to the general fund, $250,000,000 in fiscal year 2005−06 and $18,058,100 in fiscal year 2006−07.

***−0517/P1.9249* SECTION 9249. Appropriation changes; treasurer.**

***−0517/P1.9250* SECTION 9250. Appropriation changes; University of Wisconsin Hospitals and Clinics Authority.**

***−0517/P1.9251* SECTION 9251. Appropriation changes; University of Wisconsin Hospitals and Clinics Board.**

***−0517/P1.9252* SECTION 9252. Appropriation changes; University of Wisconsin System.**

***−0330/P2.9253* SECTION 9253. Appropriation changes; veterans affairs.**

−0330/P2.9253 (1) MASSAGE THERAPISTS AND BODYWORKERS. The unencumbered balance in the appropriation account under section 20.485 (5) (h),

2003 stats., is transferred to the appropriation account under section 20.165 (1) (km) of the statutes, as created by this act.

***−0517/P1.9254* SECTION 9254. Appropriation changes; workforce development.**

***−1607/10.9255* SECTION 9255. Appropriation changes; other.**

−1607/10.9255 (1) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

(a) *Appropriation lapses to the general fund.* Subject to paragraph (b), in the fiscal years indicated, from the following appropriation accounts, the secretary of administration shall lapse to the general fund the amounts indicated:

Agency	2005−06 Fiscal Year	2006−07 Fiscal Year
20.505 Administration, department of		
(1) (iu)	$ 21,700	$ −0−
(1) (ka)	35,900	−0−
(1) (kc)	1,818,900	−0−
(1) (kL)	7,500,000	−0−
(1) (ke)	427,100	−0−
(4) (hc)	36,800	−0−
(4) (k)	150,000	−0−
(5) (ka)	5,453,600	−0−
(5) (kb)	1,250,000	−0−
(8) (h)	56,700	−0−
(8) (j)	100,000	−0−
20.115 Agriculture, trade and consumer protection, department of		
(1) (i)	250,000	−0−
(7) (ja)	50,000	−0−

20.433	***Child abuse and neglect prevention board***		
(1) (g)		35,700	35,700
20.143	***Commerce, department of***		
(1) (gm)		25,100	25,100
(3) (ga)		24,600	24,600
(3) (j)		1,353,600	1,428,700
20.507	***Commissioners of public lands, board of***		
(1) (h)		60,800	60,800
20.410	***Corrections, department of***		
(3) (hm)		320,600	320,600
20.435	***Health and family services, department of***		
(6) (jm)		250,000	250,000
(8) (kx)		151,800	278,300
20.145	***Insurance, office of the commissioner of***		
(1) (g)		1,538,300	7,741,300
20.455	***Justice, department of***		
(2) (gm)		32,800	32,800
(2) (h)		35,400	35,400
(2) (ja)		20,000	20,000
20.255	***Public instruction, department of***		
(1) (hg)		176,100	176,100
20.165	***Regulation and licensing, department of***		
(1) (g)		797,000	871,700

20.566 Revenue, department of		
(1) (g)	164,000	169,000
(1) (gb)	34,000	39,000
(1) (gd)	5,400	5,400
(1) (ge)	211,100	25,900
(1) (gf)	107,100	−0−
(1) (gg)	103,700	171,600
(1) (h)	31,100	31,100
(1) (ha)	59,600	59,600
(1) (hp)	5,600	5,600
(2) (h)	222,200	−0−
(3) (gm)	145,100	100
20.545 State employment relations, office of		
(1) (i)	15,000	−0−
(1) (jm)	10,000	−0−
(1) (ka)	10,000	−0−
20.292 Technical college system, board of		
(1) (L)	118,300	118,300
20.485 Veterans affairs, department of		
(1) (gk)	25,000,000	−0−

(b) *Prohibited appropriation lapses and transfers.* The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation account specified in paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

−0513/8.9255 (2) TRANSFER FROM GENERAL FUND TO BUDGET STABILIZATION FUND. There is transferred $36,000,000 from the general fund to the budget stabilization fund.

***−0517/P1.9301* SECTION 9301. Initial applicability; administration.**

***−0517/P1.9302* SECTION 9302. Initial applicability; aging and long−term care board.**

***−1243/P3.9303* SECTION 9303. Initial applicability; agriculture, trade and consumer protection.**

−1243/P3.9303 (1) CONSUMER PROTECTION SURCHARGES. The treatment of section 100.261 (3) (d) of the statutes first applies to violations of chapter 133 of the statutes, or rules promulgated under chapter 133 of the statutes, that are committed on the effective date of this subsection.

***−0517/P1.9304* SECTION 9304. Initial applicability; arts board.**

***−0517/P1.9305* SECTION 9305. Initial applicability; building commission.**

***−0517/P1.9306* SECTION 9306. Initial applicability; child abuse and neglect prevention board.**

***−0550/2.9307* SECTION 9307. Initial applicability; circuit courts.**

−0550/2.9307 (1) COURT INTERPRETERS. The treatment of section 885.38 (3) (a) (intro.) and (8) (a) (intro.) of the statutes first applies to actions commenced on the effective date of this subsection.

***−0774/P4.9308* SECTION 9308. Initial applicability; commerce.**

−0774/P4.9308 (1) WISCONSIN DEVELOPMENT FUND RESTRUCTURING. The treatment of sections 20.143 (1) (c), (cb), and (ie), 84.185 (1) (ce) and (cm), 243.01 (4n) (a) 3m. e., 292.11 (7) (d) 1m. b., 292.255, 560.045 (1), 560.135 (5) (a) and (b), 560.14 (1) (ar), 560.145, 560.147, 560.15 (2) (d), 560.16, 560.17 (1) (am) and (bm), 560.175, 560.26, 560.60 (1m), (1v), (3), (3m), (4), (8), (10), (11), (13), (15), (17), and (18m), 560.605 (1) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), and (i), (2) (intro), (a), (b), (c), (d),

(e), and (f), (2m) (intro.), (c), (d), and (e), (4), (5), (5m), and (6), 560.607 (1), 560.61 (intro.), (1), and (3), 560.62, 560.63, 560.65, 560.66, and 560.68 (1m), (2m), (3), (6), and (7) (a) of the statutes, the renumbering and amendment of section 560.68 (5) of the statutes, and the creation of section 560.68 (5) (a) of the statutes first apply to applications for grants and loans received on the effective date of this subsection.

***−0517/P1.9309* SECTION 9309. Initial applicability; corrections.**

***−0517/P1.9310* SECTION 9310. Initial applicability; court of appeals.**

***−0517/P1.9311* SECTION 9311. Initial applicability; district attorneys.**

***−0517/P1.9312* SECTION 9312. Initial applicability; educational communications board.**

***−0517/P1.9313* SECTION 9313. Initial applicability; elections board.**

***−0517/P1.9314* SECTION 9314. Initial applicability; employee trust funds.**

−1966/1(1) DOMESTIC PARTNER BENEFITS FOR STATE EMPLOYEES AND ANNUITANTS. The treatment of section 40.02 (20), (21c), and (21d) of the statutes and the creation of section 40.02 (20) (b) of the statutes first apply to coverage under group insurance plans offered by the group insurance board on January 1, 2006.

***−0352/4.9315* SECTION 9315. Initial applicability; employment relations commission.**

−0352/4.9315 (1) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (b), (dm), (fm), and (nc) and (4) (cm) 5s., 6. a. and am., 8m. a., b., and c., 8p., and 8s. and (d) 2. a. of the statutes first applies to petitions for arbitration that relate to collective bargaining agreements that cover periods beginning on or after July 1, 2005, and that are filed under section 111.70 (4) (cm) 6. of the statutes, as affected by this act, on the effective date of this subsection.

***–0517/P1.9316* SECTION 9316. Initial applicability; ethics board.**

***–1255/2.9317* SECTION 9317. Initial applicability; financial institutions.**

–1255/2.9317 (1) CERTIFICATE OF WITHDRAWAL FEE. The treatment of section 180.0122 (1) (w) of the statutes first applies to applications for certificates of withdrawal filed on the effective date of this subsection.

–1255/2.9317 (2) FOREIGN CORPORATION ANNUAL REPORT FEE. The treatment of section 180.0122 (1) (y) of the statutes first applies to annual reports due under section 180.1622 of the statutes on the effective date of this subsection.

***–0517/P1.9318* SECTION 9318. Initial applicability; Fox River Navigational System Authority.**

***–0517/P1.9319* SECTION 9319. Initial applicability; governor.**

***–0517/P1.9320* SECTION 9320. Initial applicability; Health and Educational Facilities Authority.**

***–0264/2.9321* SECTION 9321. Initial applicability; health and family services.**

–0264/2.9321 (1) MEDICAL ASSISTANCE FOR INDIVIDUALS LEAVING OUT–OF–HOME CARE.

(a) The creation of section 49.46 (1) (a) 5m. of the statutes first applies to medical assistance eligibility determinations made on the effective date of this paragraph.

(b) The amendment of section 49.46 (1) (a) 5m. of the statutes first applies to medical assistance eligibility determinations made on the effective date of this paragraph.

–0314/1.9321 (2) PRESCRIPTION DRUG ASSISTANCE REIMBURSEMENT RATE. The treatment of section 49.688 (1) (e) of the statutes first applies to reimbursement for prescription drugs purchased on October 1, 2005.

–0347/2.9321 (3) TRANSFER OF SANITARIAN REGISTRATION. The treatment of sections 20.435 (1) (gm) (with respect to the transfer of the duty to regulate sanitarians), 21.72 (1) (a) 4., 49.857 (1) (d) 4., 73.0301 (1) (d) 3., 250.041 (1) (a), 250.05, 440.03 (13) (b) 66d., 440.05 (intro.), 440.08 (2) (a) 68b., 440.23 (1), and 440.70 (9) and subchapter VI of chapter 440 of the statutes first applies to applications for sanitarian registration or for renewal of sanitarian registration made on the effective date of this subsection.

–0578/P5.9321(4) HEALTH INSURANCE RISK–SHARING PLAN PRESCRIPTION DRUG COPAYS AND OUT–OF–POCKET LIMITS. The treatment of sections 149.14 (5) (e) and 149.146 (2) (am) 5. of the statutes first applies to prescription drug coverage on July 1, 2006.

–0879/4.9321 (5) RECOVERY OF INCORRECT PAYMENTS UNDER MEDICAL ASSISTANCE AND BADGERCARE.

(a) *Incorrect payments.* The treatment of sections 49.497 (title) and (2) of the statutes, the renumbering and amendment of section 49.497 (1) of the statutes, and the creation of section 49.497 (1) (a) 3. of the statutes first apply to incorrect payments made on the effective date of this paragraph.

(b) *Recovery procedure.* The treatment of sections 20.435 (4) (L) and 49.497 (1m), (4), and (5) of the statutes, the renumbering and amendment of section 49.85 (2) (a) of the statutes, and the creation of section 49.85 (2) (a) 3. of the statutes first apply to incorrect payment recoveries that are commenced on the effective date of this paragraph, regardless of when the incorrect payments were made.

−1089/5.9321 (6) ASSESSMENTS ON HEALTH MAINTENANCE ORGANIZATIONS. The treatment of section 49.45 (2) (a) 26. of the statutes first applies to annual statements for 2006 that are due on March 1, 2007.

−1417/P4.9321 (7) CHILD ABUSE PREVENTION AND CHILD MENTAL HEALTH SURCHARGE. The treatment of section 973.044 (1) of the statutes first applies to sentences or probation imposed on the effective date of this subsection.

−1744/2.9321 (8) CAREGIVER CRIMINAL HISTORY SEARCHES. The treatment of section 50.065 (2) (bg) and (br) of the statutes first applies to arrest and conviction information requested on the effective date of this subsection.

***−1789/1.9322* SECTION 9322. Initial applicability; higher educational aids board.**

−1789/1.9322 (1) WISCONSIN HIGHER EDUCATION GRANTS. The treatment of section 39.435 (3) of the statutes first applies to Wisconsin higher education grants awarded by the Higher Educational Aids Board for the 2005−06 academic year.

***−0517/P1.9323* SECTION 9323. Initial applicability; historical society.**

***−0517/P1.9324* SECTION 9324. Initial applicability; Housing and Economic Development Authority.**

***−0517/P1.9325* SECTION 9325. Initial applicability; insurance.**

***−0517/P1.9326* SECTION 9326. Initial applicability; investment board.**

***−0517/P1.9327* SECTION 9327. Initial applicability; joint committee on finance.**

***−0517/P1.9328* SECTION 9328. Initial applicability; judicial commission.**

***−0539/P3.9329* SECTION 9329. Initial applicability; justice.**

−0539/P3.9329 (1) CRIME VICTIM AND WITNESS SURCHARGES DISTRIBUTION. The treatment of section 973.045 (3) (a) 1. of the statutes first applies to moneys collected from crime victim and witness surcharges that are imposed on the effective date of this subsection.

−0539/P3.9329 (2) CRIME VICTIM AND WITNESS SURCHARGES AMOUNT. The treatment of section 973.045 (1) (a) and (b) of the statutes first applies to surcharges imposed on the effective date of this subsection.

***−0517/P1.9330* SECTION 9330. Initial applicability; legislature.**

***−0517/P1.9331* SECTION 9331. Initial applicability; lieutenant governor.**

***−0517/P1.9332* SECTION 9332. Initial applicability; lower Wisconsin state riverway board.**

***−0517/P1.9333* SECTION 9333. Initial applicability; Medical College of Wisconsin.**

***−0517/P1.9334* SECTION 9334. Initial applicability; military affairs.**

***−1379/1.9335* SECTION 9335. Initial applicability; natural resources.**

−1379/1.9335 (1) CONSERVATION PATRON LICENSES. The treatment of sections 27.01 (7) (c) 7. and (8) (b) 3. and 29.235 (3), (5), and (6) of the statutes first applies to conservation patron licenses issued on the effective date of this subsection.

***−0517/P1.9336* SECTION 9336. Initial applicability; public defender board.**

***−0393/2.9337* SECTION 9337. Initial applicability; public instruction.**

−0393/2.9337 (1) SCHOOL BREAKFAST PROGRAMS. The treatment of section 115.341 (1) of the statutes first applies to breakfasts served during the 2004−05 school year.

–0395/2.9337 (2) SPECIAL EDUCATION AID FOR SCHOOL COUNSELORS. The treatment of section 115.88 (1) and (1m) (am) of the statutes first applies to state aid distributed in the 2006–07 school year.

–0396/3.9337(3) TRANSPORTATION AID. The treatment of section 121.58 (2) (a), (b), and (c) of the statutes first applies to state aid paid in the 2005–06 school year.

–0607/2.9337 (4) UNUSED REVENUE LIMIT–CARRYOVER. The treatment of section 121.91 (4) (d), (dg), and (dr) of the statutes first applies to the calculation of revenue limits for the 2005–06 school year.

–1566/2.9337(5) SCHOOL DISTRICT GENERAL FUND BALANCES. The treatment of sections 65.90 (3) (br), (c), and (d) and (5) (c) and 119.16 (8) (am) of the statutes first applies to school district budgets proposed for the 2006–07 school year.

***–0517/P1.9338* SECTION 9338. Initial applicability; public lands, board of commissioners of.**

***–1786/P1.9339* SECTION 9339. Initial applicability; public service commission.**

–1786/P1.9339(1) LATE PAYMENT CHARGES. The treatment of section 196.219 (3m) (b) 2. of the statutes first applies at the conclusion of the semiannual period that begins on the effective date of this subsection.

***–0517/P1.9340* SECTION 9340. Initial applicability; regulation and licensing.**

***–0300/4.9341* SECTION 9341. Initial applicability; revenue.**

–0300/4.9341 (1) REVOCATION OR DENIAL OF A LAW LICENSE BASED ON TAX DELINQUENCY. The treatment of section 73.0301 (2) (b) 1. a. and b., 2., and 2m. and (5) (a), (am), and (b) (intro.) of the statutes first applies to hearings that commence on the effective date of this subsection.

–0302/4.9341 (2) MARRIED PERSONS TAX LIABILITY. The treatment of section 71.10 (6) (a) and (b) and (6m) (a) of the statutes first applies to tax liability that arises on the effective date of this subsection or that remains unpaid on the effective date of this subsection.

–0302/4.9341 (3) STANDARD DEDUCTIONS. The treatment of sections 71.05 (22) (f) 4. a., (g), and (h) of the statutes first applies to taxable years beginning on January 1, 2005.

–0302/4.9341 (4) MOTOR VEHICLE FUEL SUPPLIER. The treatment of sections 78.005 (14) and 168.01 (2) of the statutes first applies to tax periods beginning on January 1, 2005.

–0306/2.9341 (5) WITHHOLDING TAXES FROM NONRESIDENT MEMBERS OF PASS–THROUGH ENTITIES. The treatment of section 71.775 of the statutes first applies to taxable years beginning on January 1, 2005.

–0307/2.9341 (6) LOTTERY TICKET SALES CONTRACTS. The treatment of section 565.10 (3) (b) of the statutes first applies to contracts entered into or renewed on the effective date of this subsection.

–0335/2.9341 (7) DEVELOPMENT ZONES TAX CREDITS. The treatment of sections 71.07 (2dx) (b) 2., 3., 4., and 5., 71.28 (1dx) (b) 2., 3., 4., and 5., and 71.47 (1dx) (b) 2., 3., 4., and 5. of the statutes first applies to taxable years beginning on January 1, 2006.

–0402/8 (8) CLAIMING DEVELOPMENT ZONE CREDITS. The treatment of sections 20.835 (2) (cL), 71.07 (2di) (b) 1., (2dL) (c) 1. and 2. and (d), (2dm) (hm), and (2dx) (b) (intro.), 71.28 (1di) (b) 1., (1dL) (c) 1. and 2. and (d), (1dm) (hm), and (1dx) (b) (intro.), and 71.47 (1di) (b) 1., (1dL) (c) 1. and 2. and (d), (1dm) (hm), and (1dx) (b) (intro.) of the statutes first applies to credits claimed for taxable years beginning on January

1, 2005, including unused credits carried forward from prior years to taxable years beginning on January 1, 2005, except that if this subsection takes effect after July 31, the treatment of sections 20.835 (2) (cL), 71.07 (2di) (b) 1., (2dL) (c) 1. and 2. and (d), (2dm) (hm), and (2dx) (b) (intro.), 71.28 (1di) (b) 1., (1dL) (c) 1. and 2. and (d), (1dm) (hm), and (1dx) (b) (intro.), and 71.47 (1di) (b) 1., (1dL) (c) 1. and 2. and (d), (1dm) (hm), and (1dx) (b) (intro.) of the statutes first applies to credits claimed for taxable years beginning on January 1 of the year following the year in which this subsection takes effect, including unused credits carried forward from prior years to taxable years beginning on January 1 of the year in which this subsection takes effect.

−0371/5.9341 (9) VETERANS TRUST FUND CHECKOFF. The treatment of sections 71.10 (5g) and 71.30 (11) (i) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.10 (5g) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

−0403/2.9341 (10) MEMBER OF TARGETED GROUP. The treatment of sections 71.07 (2dx) (a) 5., 71.28 (1dx) (a) 5., and 71.47 (1dx) (a) 5. of the statutes first applies to taxable years beginning on January 1, 2005.

−1046/P1.9341 (11) STATE RENTAL VEHICLE FEE. The treatment of section 77.995 (2) of the statutes first applies to rental or lease agreements entered into on October 1, 2005, or on the day after publication, whichever is earlier.

−1233/1.9341 (12) MUNICIPAL AID PAYMENTS. The treatment of section 79.043 (4) of the statutes first applies to payments distributed in 2005.

−1245/2.9341 (13) LIVESTOCK FARM MODERNIZATION CREDIT. The treatment of sections 71.07 (3n) (title), (a) 1m., 1n., 1p., and 2. (intro.), and (b), 71.28 (3n) (title), (a) 1m., 1n., 1p., and 2. (intro.), and (b), and 71.47 (3n) (title), (a) 1m., 1n., 1p., and 2. (intro.), and (b) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of sections 71.07 (3n) (title), (a) 1m., 1n., 1p., and 2. (intro.), and (b), 71.28 (3n) (title), (a) 1m., 1n., 1p., and 2. (intro.), and (b), and 71.47 (3n) (title), (a) 1m., 1n., 1p., and 2. (intro.), and (b) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

−1656/3.9341 (14) SINGLE SALES FACTOR APPORTIONMENT. The treatment of sections 71.01 (1b), (1n), (8g), (8m), and (10g), 71.03 (1), 71.04 (7) (d), (db), (dd), (df), (dg), (dh), (dm), (e) 12., and (f) 5., 7., and 9., 71.07 (2dr) (a), (3m) (a) 1. b., and (10), 71.195, 71.22 (1), (1g), (1t), (6m), (7m), and (9g), 71.25 (9) (d), (db), (dd), (df), (dg), (dh), (dm), (e) 12., and (f) 5., 7., and 9., 71.28 (2m) (a) 1. b. and (4) (a), (am) 1., and (i), 71.42 (3d) and (3h), 71.47 (2m) (a) 1. b. and (4) (a), (am), and (i), and 71.58 (1) (c) and (cm) of the statutes first applies to taxable years beginning on January 1, 2005.

−1659/1.9341 (15) SUBTRACT MODIFICATION FOR TUITION EXPENSES. The treatment of section 71.05 (6) (b) 28. a. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (b) 28. a. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

–1693/1.9341(16) REAL ESTATE TRANSFER FEES. The treatment of section 77.24 of the statutes first applies to conveyances that are recorded on the effective date of this subsection.

–1795/4.9341(17) MAJOR PROCUREMENT CONTRACTS. The treatment of section 565.25 (3) (cm) of the statutes first applies to major procurement contracts entered into on the effective date of this subsection.

–1820/1.9341 (18) ADMINISTRATIVE FEES; INTOXICATING LIQUOR TAXES. The treatment of section 139.06 (1) (a) of the statutes first applies to fees and taxes that are due on the 15th day of the month following the month in which this subsection takes effect.

***–0517/P1.9342* SECTION 9342. Initial applicability; secretary of state.**

***–0517/P1.9343* SECTION 9343. Initial applicability; state employment relations, office of.**

***–0517/P1.9344* SECTION 9344. Initial applicability; state fair park board.**

***–0517/P1.9345* SECTION 9345. Initial applicability; supreme court.**

***–1521/3.9346* SECTION 9346. Initial applicability; technical college system.**

–1521/3.9346 (1) TUITION EXEMPTION FOR ALIENS. The treatment of section 38.22 (6) (e) of the statutes first applies to persons who enroll for the semester or session following the effective date of this subsection.

***–0517/P1.9347* SECTION 9347. Initial applicability; tourism.**

***–1192/2.9348* SECTION 9348. Initial applicability; transportation.**

–1192/2.9348 (1) HABITUAL TRAFFIC OFFENDERS. The treatment of section 351.02 (1) (b) and (f) and (2) of the statutes first applies to violations for which reports

of conviction are received by the department of transportation on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for purposes of revocation of operating privileges by the department of transportation or review by a court.

***−0517/P1.9349* SECTION 9349. Initial applicability; treasurer.**

***−0517/P1.9350* SECTION 9350. Initial applicability; University of Wisconsin Hospitals and Clinics Authority.**

***−0517/P1.9351* SECTION 9351. Initial applicability; University of Wisconsin Hospitals and Clinics Board.**

***−1521/3.9352* SECTION 9352. Initial applicability; University of Wisconsin System.**

−1521/3.9352 (1) TUITION EXEMPTION FOR ALIENS. The treatment of section 36.27 (2) (cr) of the statutes first applies to persons who enroll for the semester or session following the effective date of this subsection.

***−0328/4.9353* SECTION 9353. Initial applicability; veterans affairs.**

−0328/4.9353 (1) EDUCATIONAL GRANT PROGRAM. The treatment of sections 16.75 (4) (d), 20.485 (2) (th), 25.36 (1), 45.16, 45.25 (1), (1g), (1m), (2) (intro.) (except 45.25 (2) (title)), (a), (c), (cm), (d), and (e), (3) (a), (am), (b) 1., (c), and (d) (intro.), and (4) (c), 45.35 (4) (a) and (8) (b) 4., 45.396 (title), (1), (2), (3), (4), (5), (5m), (6), (7) (a) and (b), (8), (9), 45.397 (2) (cm), and 45.43 (1) (am) of the statutes, the renumbering and amendment of section 45.25 (4) (a) of the statutes, and the creation of section 45.25 (2) (cm) and (4) (a) 1. to 3. of the statutes and SECTION 9153 (1) of this act first apply to courses completed on the effective date of this subsection.

***−0334/2.9354* SECTION 9354. Initial applicability; workforce development.**

–0334/2.9354 (1) GRANTS FOR CUSTODIAL PARENT OF INFANT UNDER WISCONSIN WORKS.

(a) *Eligibility.* The renumbering and amendment of section 49.148 (1m) (a) (with respect to a custodial parent's eligibility for a grant) of the statutes first applies to individuals who are determined, on the effective date of this paragraph, to be eligible for the Wisconsin Works program under sections 49.141 to 49.161 of the statutes and to be custodial parents of children who are 26 weeks old or less.

(b) *Constituting participation in employment position.* The renumbering and amendment of section 49.148 (1m) (a) (with respect to receipt of grants not constituting participation in a Wisconsin Works employment position) and (b) of the statutes and the creation of section 49.148 (1m) (b) (intro.) and 2. of the statutes first apply to grants received under section 49.148 (1m) of the statutes on the effective date of this paragraph.

–0490/P2.9354 (2) DURATION OF LEVY. The treatment of section 49.195 (3n) (p) of the statutes first applies to levies that are served on the effective date of this subsection.

–1305/1.9354 (3) PREVAILING WAGE RECORDS. The treatment of sections 66.0903 (10) (a) and 103.49 (5) (a) of the statutes first applies to work performed on the effective date of this subsection, except that, if that worked is performed under a contract that contains provisions that are inconsistent with those sections, the treatment of those sections first applies to work performed on the day on which that contract expires or is extended, modified, or renewed.

***–1219/2.9355* SECTION 9355. Initial applicability; other.**

–1219/2.9355 (1) FALSE CLAIMS. The treatment of sections 16.771, 16.871, 23.41(5), 25.18 (1) (a), (f), and (m), 66.0902, 84.01 (13), 84.06 (2) (a), (3), and (4),

85.015, 102.81 (2), 221.0903 (4) (b), and 655.27 (2) of the statutes first applies to false claims that are presented or caused to be presented on the effective date of this subsection.

−1512/4.9355 (2) REPORTS CONCERNING OCCUPANCY OF STATE FACILITIES. The treatment of section 16.891 of the statutes first applies with respect to reports due for submittal in the year 2006.

***−0517/P1.9400* SECTION 9400. Effective dates; general.** Except as otherwise provided in SECTIONS 9401 to 9455 of this act, this act takes effect on July 1, 2005, or on the day after publication, whichever is later.

***−1649/7.9401* SECTION 9401. Effective dates; administration.**

−1649/7.9401(1) CREATION OF HEALTH CARE QUALITY AND PATIENT SAFETY BOARD. The treatment of sections 15.07 (2) (n), 15.105 (13), 153.07 (5) to (9), 153.076, 231.03, and 231.035 of the statutes and SECTION 9101 (5), (6), (7), and (8) of this act take effect on October 1, 2005.

***−0517/P1.9402* SECTION 9402. Effective dates; aging and long−term care board.**

***−1243/P3.9403* SECTION 9403. Effective dates; agriculture, trade and consumer protection.**

−1243/P3.9403(1) TRANSFER OF CONSUMER PROTECTION FUNCTIONS. The repeal of section 20.115 (8) (jm) of the statutes; the renumbering and amendment of section 100.207 (1) of the statutes; the amendment of sections 15.13, 15.137 (1) (a) (intro.), 20.115 (1) (hm), 20.455 (1) (title), 93.07 (1), 93.07 (24), 93.18 (3), 93.20 (1), 93.22 (1), 93.22 (2), 100.07 (6), 100.171 (7) (b), 100.171 (8) (intro.), 100.173 (4) (intro.), 100.173 (4) (a), 100.174 (5) (intro.), 100.174 (6), 100.175 (5) (a) (intro.), 100.175 (5) (b), 100.175 (7) (a) (intro.), 100.175 (7) (b), 100.178 (1) (b), 100.18 (11) (a), 100.18 (11) (b) 3., 100.18

(11) (c) 1., 100.18 (11) (c) 2., 100.18 (11) (c) 3., 100.18 (11) (c) 4., 100.18 (11) (d), 100.18 (11) (e), 100.182 (5) (a), 100.182 (5) (b), 100.20 (2) (a), 100.20 (2) (b), 100.20 (3), 100.20 (4), 100.20 (6), 100.201 (6) (d), 100.201 (8m) (intro.), 100.201 (9) (b), 100.201 (9) (c), 100.205 (7), 100.205 (8), 100.207 (6) (b) 1., 100.207 (6) (b) 2., 100.207 (6) (c), 100.207 (6) (em) 1., 100.207 (6) (em) 2., 100.208 (2) (intro.), 100.208 (2) (b), 100.209 (3), 100.209 (4) (b), 100.2095 (6) (b), 100.2095 (6) (c), 100.21 (2) (a), 100.21 (4) (a) (intro.), 100.22 (4) (b), 100.235 (11) (a), 100.26 (6), 100.261 (1), 100.261 (3) (b), 100.263, 100.28 (4) (b), 100.28 (4) (c), 100.31 (4), 100.31 (5), 100.38 (5), 100.38 (6), 100.44 (5), 100.46 (1), 100.46 (2), 100.50 (6) (b), 100.50 (6) (c), 101.175 (3) (intro.), 134.71 (12), 136.03 (title), 136.03 (1) (intro.), 136.04, 165.065 (2), 165.25 (4) (ar), 344.576 (3) (a) 5., 344.576 (3) (c), 344.579 (2) (intro.), 704.90 (9), 704.90 (11) (title), 704.90 (11) (a), 707.49 (4), 707.57 (2), 707.57 (3), 779.41 (1m), 779.93 (title), 779.93 (1), and 779.93 (2) (intro.) of the statutes; the creation of sections 20.455 (1) (g), 20.455 (1) (j), 93.07 (23), 93.18 (7), 100.177 (1) (bm), 100.207 (1) (a), 100.261 (3) (d), 100.261 (3) (e), 100.37 (1) (am), 100.41 (1) (bn), 100.42 (1) (cm), 100.43 (1) (am), 100.52 (1) (bn), and 165.252 of the statutes; and SECTION 9103 (1), (2), and (3) of this act take effect on October 1, 2005, or on the first day of the 3rd month beginning after publication, whichever is later.

–1246/1.9403(2) LIVESTOCK PREMISES REGISTRATION. The treatment of section 95.51 (8) of the statutes takes effect on November 1, 2005.

***–0517/P1.9404* SECTION 9404. Effective dates; arts board.**

***–0517/P1.9405* SECTION 9405. Effective dates; building commission.**

***–0517/P1.9406* SECTION 9406. Effective dates; child abuse and neglect prevention board.**

***–0517/P1.9407* SECTION 9407. Effective dates; circuit courts.**

***−0517/P1.9408* SECTION 9408. Effective dates; commerce.**

***−1648/2.9409* SECTION 9409. Effective dates; corrections.**

−1648/2.9409 (1) JACKSON CORRECTIONAL INSTITUTION WASTEWATER TREATMENT FACILITY. The treatment of sections 20.410 (1) (ke) (by SECTION 291) and 20.505 (8) (hm) 16m. (by SECTION 428) of the statutes takes effect on July 1, 2007.

***−0517/P1.9410* SECTION 9410. Effective dates; court of appeals.**

***−0517/P1.9411* SECTION 9411. Effective dates; district attorneys.**

***−0517/P1.9412* SECTION 9412. Effective dates; educational communications board.**

***−0517/P1.9413* SECTION 9413. Effective dates; elections board.**

***−0517/P1.9414* SECTION 9414. Effective dates; employee trust funds.**

***−0517/P1.9415* SECTION 9415. Effective dates; employment relations commission.**

***−0517/P1.9416* SECTION 9416. Effective dates; ethics board.**

***−0517/P1.9417* SECTION 9417. Effective dates; financial institutions.**

***−0517/P1.9418* SECTION 9418. Effective dates; Fox River Navigational System Authority.**

***−0517/P1.9419* SECTION 9419. Effective dates; governor.**

***−0517/P1.9420* SECTION 9420. Effective dates; Health and Educational Facilities Authority.**

***−0261/1.9421* SECTION 9421. Effective dates; health and family services.**

−0261/1.9421 (1) BADGER CARE COVERAGE FOR UNBORN CHILDREN. The treatment of sections 49.665 (1) (g), (3), (4) (ap), (at) 3., (c), and (d), and (5) (ag), (am) (intro.), (b), and (c) and 49.82 (2) of the statutes, the renumbering and amendment

of section 49.665 (2) (a) of the statutes, and the creation of section 49.665 (2) (a) 2. of the statutes take effect on January 1, 2006.

–0264/2.9421 (2) MEDICAL ASSISTANCE FOR INDIVIDUALS LEAVING OUT–OF–HOME CARE.

(a) The creation of section 49.46 (1) (a) 5m. of the statutes and SECTION 9321 (1) (a) of this act take effect on January 1, 2007.

(b) The amendment of section 49.46 (1) (a) 5m. of the statutes and SECTION 9321 (1) (b) of this act take effect on January 1, 2008.

–0269/1.9421 (3) HEALTH INSURANCE RISK–SHARING PLAN DEDUCTIBLE. The treatment of section 149.14 (5) (b) and (c) of the statutes takes effect on January 1, 2006.

–0292/5.9421 (4) HOME VISITATION SERVICES. The treatment of sections 20.435 (5) (ab) (by SECTION 322), 46.515 (1) (i) and (j), (2) (by SECTION 890), (3) (title), (a), and (b), and 46.516 of the statutes takes effect on January 1, 2007.

–0578/P5.9421 (5) HEALTH INSURANCE RISK–SHARING PLAN PAYMENT RATE FOR PRESCRIPTION DRUGS. The treatment of sections 149.142 (1) (b) and (2), 149.143 (1) (am) 4. and (bm) 2., (2) (a) 4. (by SECTION 2051), (3) (a) (by SECTION 2055) and (b), and (5) (a) and (b), 149.144 (by SECTION 2061), and 149.145 of the statutes takes effect on October 1, 2005.

–0976/2.9421 (6) TRANSFER OF MENTAL HEALTH SERVICES FOR HOMELESS INDIVIDUALS. The treatment of sections 20.435 (5) (ce) and (7) (ce) and 46.972 (title) and (3) of the statutes, the repeal of section 46.972 (2) (title) of the statutes, the renumbering of section 46.972 (2) of the statutes, and SECTION 9121 (5) of this act take effect retroactively to July 1, 2005.

−1115/1.9421 (7) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes effect on January 1, 2006.

−1302/3.9421 (8) DIRECT CARE NURSING HOME REIMBURSEMENT. The treatment of section 49.45 (6m) (ag) 3m. and 3r. and (ar) 1. a., b., and c. of the statutes takes effect on July 1, 2006.

−1649/7.9421 (9) ELIMINATION OF BOARD ON HEALTH CARE INFORMATION. The treatment of sections 15.07 (2) (b) and (3) (bm) 1., 15.195 (6), 16.03 (3), 20.435 (4) (hg), 153.01 (2), and 153.76 of the statutes and SECTION 9121 (8) and (9) of this act take effect on October 1, 2005.

−1649/7.9421 (10) MEDICAL ASSISTANCE PAYMENTS. The repeal of sections 20.435 (4) (rg) and 25.775 (1) and (5) of the statutes and the amendment of sections 46.27 (9) (a) (by SECTION 859) and (10) (a) 1. (by SECTION 861), 46.275 (5) (a) (by SECTION 864) and (c) (by SECTION 867), 46.278 (6) (d) (by SECTION 871), 46.283 (5) (by SECTION 874), 46.284 (5) (a) (by SECTION 876), 49.45 (2) (a) 17. (by SECTION 1122), (6m) (ag) (intro.) (by SECTION 1127), (6v) (b) (by SECTION 1135), (6y) (a) (by SECTION 1138) and (am) (by SECTION 1140), (6z) (a) (intro.) (by SECTION 1142), (8) (b) (by SECTION 1144), and (24m) (intro.) (by SECTION 1146), 49.472 (6) (a) (by SECTION 1161) and (b) (by SECTION 1163), and 49.473 (5) (by SECTION 1165) of the statutes take effect on June 30, 2007.

***−0517/P1.9422* SECTION 9422. Effective dates; higher educational aids board.**

***−0517/P1.9423* SECTION 9423. Effective dates; historical society.**

***−0517/P1.9424* SECTION 9424. Effective dates; Housing and Economic Development Authority.**

***−0517/P1.9425* SECTION 9425. Effective dates; insurance.**

***–0517/P1.9426* SECTION 9426. Effective dates; investment board.**

***–0517/P1.9427* SECTION 9427. Effective dates; joint committee on finance.**

***–0517/P1.9428* SECTION 9428. Effective dates; judicial commission.**

***–1037/2.9429* SECTION 9429. Effective dates; justice.**

–1037/2.9429 (1) TRANSFER TO BACKGROUND CHECK APPROPRIATION ACCOUNT. The treatment of section 20.455 (2) (gr) of the statutes (by SECTION 358) takes effect on July 1, 2006.

***–0517/P1.9430* SECTION 9430. Effective dates; legislature.**

***–0517/P1.9431* SECTION 9431. Effective dates; lieutenant governor.**

***–0517/P1.9432* SECTION 9432. Effective dates; lower Wisconsin state riverway board.**

***–0517/P1.9433* SECTION 9433. Effective dates; Medical College of Wisconsin.**

***–0517/P1.9434* SECTION 9434. Effective dates; military affairs.**

***–0383/5.9435* SECTION 9435. Effective dates; natural resources.**

–0383/5.9435 (1) PHEASANT HUNTING. The treatment of sections 20.370 (1) (hw), 29.185, and 29.563 (2) (c) 3. and (14) (c) 3. and 4. of the statutes, the renumbering of section 29.563 (2) (d) of the statutes, and the creation of section 29.563 (2) (d) 2. of the statutes take effect on March 1, 2006.

–1258/5.9435 (2) TURKEY HUNTING APPROVALS. The treatment of sections 29.164 (title), (2) (c) 2., (3) (e), (4) (title) and (b), 29.559 (1) (c), 29.563 (2) (f) and (g) and (14) (c) 6. of the statutes, the renumbering and amendment of section 29.164 (3) (a) of the statutes, and the creation of section 29.164 (3) (a) 2. of the statutes take effect on March 1, 2006.

–1258/5.9435 (3) GROUSE AND WOODCOCK HUNTING STAMPS. The treatment of sections 20.370 (1) (hx), 29.024 (10), 29.191 (3), 29.235 (2) and (2m), and 29.563 (2) (e) 4. of the statutes takes effect on March 1, 2006.

–1258/5.9435 (4) STURGEON HOOK AND LINE TAGS. The treatment of sections 20.370 (4) (ku), (kv), and (ky), 29.191 (title), (4), and (5), 29.219 (3) (b), 29.228 (7) (b), 29.2285 (title) and (3), 29.229 (2) (k) and (5), 29.2295 (2) (m), 29.235 (2) and (2m), 29.401 (2m), 29.559 (1) (c), 29.563 (3) (cm) and (14) (c) 6., and 70.111 (3m) of the statutes takes effect on March 1, 2006.

–1360/2.9435 (5) AIR MANAGEMENT FEES. The treatment of sections 20.370 (2) (bh) and (ci), 285.01 (17m), and 285.69 (1d), (1g), (2) (title) and (a) (intro.), and (2m) of the statutes takes effect on January 1, 2006.

–1491/2.9435 (6) COMMERCIAL FISHING. The treatment of sections 29.519 (1) (title), (bg), (bn), and (br), and (7), 29.563 (5) (a) 1. and 2. and (b) 1., 2., and 3. and (7) (a) 1. and 2., (b) 1. and 2., and (c) (title), 1., 2g., 2m., 2r., 2w., and 6. of the statutes takes effect on April 1, 2006.

***–0517/P1.9436* SECTION 9436. Effective dates; public defender board.**

***–0421/3.9437* SECTION 9437. Effective dates; public instruction.**

–0421/3.9437 (1) APPROPRIATION REPEAL. The treatment of section 20.255 (1) (js) of the statutes takes effect on July 1, 2006.

–0423/3.9437 (2) HIGH–COST SPECIAL EDUCATION. The creation of sections 20.255 (2) (bd) and 115.881 of the statutes takes effect on July 1, 2006.

–0425/4.9437 (3) FOUR–YEAR–OLD KINDERGARTEN GRANT PROGRAM. The creation of sections 20.255 (2) (dp) and 115.445 of the statutes takes effect on July 1, 2006.

***–0517/P1.9438* SECTION 9438. Effective dates; public lands, board of commissioners of.**

***–0517/P1.9439* SECTION 9439. Effective dates; public service commission.**

***–0517/P1.9440* SECTION 9440. Effective dates; regulation and licensing.**

***–0297/3.9441* SECTION 9441. Effective dates; revenue.**

–0297/3.9441 (1) NONRESIDENT RETAILER AND OCCASIONAL SALES. The treatment of sections 77.51 (13) (a) and 77.54 (7m) of the statutes takes effect on January 1, 2006.

–0303/4.9441 (2) IMPLEMENTING THE STREAMLINED SALES AND USE TAX AGREEMENT. The repeal of sections 20.435 (3) (bm), 46.513, 77.51 (4), 77.51 (14) (d), 77.51 (14) (i), 77.51 (14) (k), 77.51 (14) (L), 77.51 (14r), 77.51 (15), 77.52 (3m), 77.52 (6), 77.52 (14) (a) 2., 77.523 (title), 77.53 (4), 77.54 (14g), 77.54 (14s), 77.54 (20), 77.54 (20m), 77.54 (22), 77.54 (40), 77.61 (3), 77.65 (2) (c), 77.72 (title), 77.72 (2) and (3), and 77.77 (2) of the statutes, the renumbering of sections 77.51 (1), 77.51 (14) (g), 77.524 (1) (a), 77.524 (1) (b), and 77.53 (9m) of the statutes, the renumbering and amendment of sections 77.523, 77.61 (2), 77.72 (1), and 77.77 (1) of the statutes, the consolidation, renumbering, and amendment of section 77.52 (14) (a) (intro.) and 1. and (b) of the statutes, the amendment of sections 66.0615 (1m) (f) 2., 70.111 (23), 73.03 (50) (d), 76.07 (4g) (b) 8., 77.51 (5), 77.51 (13) (o), 77.51 (13g) (c) (intro.), 77.51 (14) (intro.), 77.51 (14) (a), 77.51 (14) (j), 77.51 (17), 77.51 (20), 77.51 (21), 77.52 (1) (a), 77.52 (2) (intro.), 77.52 (2) (a) 5. a. and 10., 77.52 (7), 77.52 (13), 77.52 (15), 77.53 (3), 77.53 (9), 77.53 (10), 77.53 (11), 77.53 (16), 77.53 (17), 77.53 (17m), 77.53 (17r) (a), 77.53 (18), 77.54 (1), 77.54 (2), 77.54 (2m), 77.54 (3) (a), 77.54 (3m) (intro.), 77.54

(4), 77.54 (5) (intro.), 77.54 (6) (intro.), 77.54 (8), 77.54 (9), 77.54 (9a) (intro.), 77.54 (10), 77.54 (11), 77.54 (12), 77.54 (13), 77.54 (14) (intro.), 77.54 (14) (a), 77.54 (14) (b), 77.54 (14) (f), 77.54 (15), 77.54 (16), 77.54 (17), 77.54 (18), 77.54 (21), 77.54 (23m), 77.54 (25), 77.54 (26), 77.54 (26m), 77.54 (27), 77.54 (28), 77.54 (29), 77.54 (30) (a) (intro.), 77.54 (30) (c), 77.54 (31), 77.54 (32), 77.54 (33), 77.54 (34), 77.54 (35), 77.54 (36), 77.54 (37), 77.54 (38), 77.54 (39), 77.54 (41), 77.54 (42), 77.54 (43), 77.54 (44), 77.54 (45), 77.54 (46), 77.54 (46m), 77.55 (1) (intro.), 77.55 (2), 77.55 (2m), 77.55 (3), 77.56 (1), 77.57, 77.58 (3) (b), 77.58 (6), 77.59 (9), 77.61 (1) (b), 77.61 (1) (c), 77.61 (4) (c), 77.65 (2) (e), 77.70, 77.705, 77.706, 77.707 (1), 77.707 (2), 77.71 (1), 77.71 (2), 77.71 (3), 77.71 (4), 77.73 (2), 77.75, 77.785 (1), 77.785 (2), 77.98, 77.981, 77.982 (2), 77.99, 77.991 (2), 77.994 (1) (intro.), 77.9941 (4), 77.9951 (2), 77.996 (6), 86.195 (3) (b) 3., and 218.0171 (2) (cq) of the statutes, the repeal and recreation of sections 77.51 (7), 77.51 (17m), 77.53 (1), 77.63, and 77.995 (2) of the statutes, and the creation of sections 73.03 (50b), 73.03 (61), 77.51 (1b), 77.51 (1e), 77.51 (1n), 77.51 (1p), 77.51 (2k), 77.51 (2m), 77.51 (3p), 77.51 (3pd), 77.51 (3pj), 77.51 (3pm), 77.51 (3pp), 77.51 (3t), 77.51 (7m), 77.51 (10m), 77.51 (10n), 77.51 (10r), 77.51 (11m), 77.51 (12m), 77.51 (12p), 77.51 (13g) (c), 77.51 (13s), 77.51 (15a), 77.51 (15b), 77.51 (17w), 77.51 (21p), 77.51 (22) (bm), 77.52 (1) (c), 77.52 (1) (d), 77.52 (2) (a) 13m., 77.52 (7b), 77.522, 77.524 (1) (ag), 77.53 (9m) (b), 77.53 (9m) (c), 77.54 (14b), 77.54 (20n), 77.54 (20r), 77.54 (22b), 77.58 (6m), 77.58 (9a), 77.585, 77.59 (2m), 77.59 (9n), 77.59 (9p) (b), 77.59 (9r), 77.60 (13), 77.61 (2) (b), 77.61 (3m), 77.61 (5m), 77.61 (16), 77.67, 77.73 (3), and 77.77 (1) (b) of the statutes take effect on October 1, 2005.

−0375/2.9441 (3) INTERNET LISTING OF DELINQUENT TAXPAYERS. The treatment of sections 71.78 (4) (r), 71.91 (8), 76.30 (2) (i), 77.61 (5) (b) 12., and 131.91 (1) and

(4) of the statutes takes effect on the first day of the 6th month beginning after publication.

–0945/2.9441 (4) OIL PIPELINE TERMINAL TAX DISTRIBUTIONS. The treatment of sections 20.855 (4) (bm) and (q), 76.16, and 76.24 (a), (am), and (bm) of the statutes takes effect on January 1, 2006.

–1046/P1.9441 (5) STATE RENTAL VEHICLE FEE. The treatment of section 77.995 (2) of the statutes takes effect on October 1, 2005, or on the day after publication, whichever is earlier.

–1598/7.9441 (6) DIRECT MARKETING OF CIGARETTES AND TOBACCO PRODUCTS. The repeal of section 139.34 (1) (b) and 139.34 (1) (c) 1. to 6. of the statutes, the renumbering of section 139.30 (1) of the statutes, the amendment of sections 77.61 (11), 134.65 (1), 134.65 (2) (a), 134.65 (5), 134.66 (1) (a), 134.66 (2) (a), 134.66 (2) (am), 134.66 (2) (d), 134.66 (2) (e), 139.30 (3), 139.30 (7), 139.30 (10), 139.32 (1), 139.32 (4), 139.32 (5), 139.32 (5m), 139.32 (6), 139.321 (1) (intro.), 139.321 (1) (a) 1., 139.33 (3), 139.34 (1) (a), 139.34 (1) (c) (intro.), 139.34 (3), 139.34 (4), 139.34 (6), 139.34 (8), 139.35 (1), 139.37 (1) (a), 139.38 (1), 139.38 (2), 139.39 (6), 139.395, 139.40 (2), 139.44 (3), 139.44 (4), 139.44 (7), 139.45, 139.75 (2), 139.75 (4) (a), 139.75 (4) (c), 139.75 (7), 139.75 (8), 139.75 (12), 139.79 (title), 139.79 (1), 139.79 (2), 139.81 (1), 139.81 (2), 254.911 (1) and 891.455 (4), of the statutes and the creation of sections 134.65 (1n), 134.65 (1r), 134.66 (1) (am), 134.66 (3m), 139.30 (1d), 139.30 (1s), 139.30 (2n), 139.30 (2nn), 139.30 (2p), 139.30 (4n), 139.30 (8s), 139.34 (1) (c) 1m., 139.34 (1) (c) 2m., 139.34 (1) (c) 3m., 139.34 (1) (cm), 139.345, 139.38 (1m), 139.44 (6m), 139.75 (3g), 139.75 (3r), 139.75 (4) (cm), 139.75 (4n), 139.75 (5s), 139.76 (3), 139.78 (1m) and 139.795 of the statutes take effect on July 1, 2006.

–1796/3.9441 (7) SALES AND USE TAX ON ITEMS DELIVERED ELECTRONICALLY.

(a) The treatment of sections 77.51 (1), (1bk), (1bm), (3s), (7d), (13) (e) and (f), and (14) (L), 77.52 (1) (a), (2m) (a) and (b), 77.53 (1), and 77.54 (48) of the statutes and the creation of section 77.52 (1) (b) of the statutes take effect on the first day of the 2nd month beginning after publication.

(b) The repeal and recreation of section 77.52 (1) (b) of the statutes takes effect on October 1, 2005, or on the first day of the 2nd month beginning after publication, whichever is later.

***−0517/P1.9442* SECTION 9442. Effective dates; secretary of state.**

***−0517/P1.9443* SECTION 9443. Effective dates; state employment relations, office of.**

***−0517/P1.9444* SECTION 9444. Effective dates; state fair park board.**

***−0517/P1.9445* SECTION 9445. Effective dates; supreme court.**

***−0517/P1.9446* SECTION 9446. Effective dates; technical college system.**

***−0517/P1.9447* SECTION 9447. Effective dates; tourism.**

***−1051/1.9448* SECTION 9448. Effective dates; transportation.**

−1051/1.9448 (1) REGISTRATION FEES. The treatment of section 341.25 (1) (a) and (b) of the statutes takes effect on January 1, 2006.

−1053/3.9448 (2) TITLE FEE INCREASES. The treatment of sections 342.14 (1), (3), and (5) of the statutes takes effect on the first day of the 4th month beginning after publication.

−1394/1.9448 (3) ELECTRONIC PROCESSING OF TITLE AND REGISTRATION APPLICATIONS. The treatment of sections 341.09 (2m) (a) 1., 2., 3. and (d), 341.09 (9), and 342.16 (1) (a) of the statutes and the creation of sections 218.0116 (1) (gr), 218.0146 (4), and 342.16 (1) (am) of the statutes take effect on June 30, 2007.

***–0517/P1.9449* SECTION 9449. Effective dates; treasurer.**

***–0517/P1.9450* SECTION 9450. Effective dates; University of Wisconsin Hospitals and Clinics Authority.**

***–0517/P1.9451* SECTION 9451. Effective dates; University of Wisconsin Hospitals and Clinics Board.**

***–0517/P1.9452* SECTION 9452. Effective dates; University of Wisconsin System.**

***–0517/P1.9453* SECTION 9453. Effective dates; veterans affairs.**

***–0334/2.9454* SECTION 9454. Effective dates; workforce development.**

–0334/2.9454 (1) ELIGIBILITY OF CUSTODIAL PARENTS AND PREGNANT WOMEN FOR WISCONSIN WORKS BENEFITS. The treatment of sections 49.148 (1m) (title) and 49.159 (4) of the statutes, the renumbering and amendment of section 49.148 (1m) (a) and (b) of the statutes, the creation of section 49.148 (1m) (a) 2. and (b) (intro.) and 2. of the statutes, and SECTION 9354 (1) of this act take effect on January 1, 2006.

–0335/2.9454 (2) TRIAL JOBS PLUS RULES EXCLUSION. The repeal of section 227.01 (13) (zL) of the statutes takes effect on July 1, 2007.

–1662/4.9454 (3) EARLY CHILDHOOD EXCELLENCE INITIATIVE. The repeal of sections 49.1375 and 49.175 (1) (r) of the statutes takes effect on July 1, 2006.

***–0955/10.9455* SECTION 9455. Effective dates; other.**

–0955/10.9455 (1) TRANSFER OF ATTORNEY POSITIONS. The treatment of sections 15.04 (4), 15.103 (1g), 16.004 (15), 20.505 (1) (kr), 73.01 (4) (b) and (4m) (b) and (c), 85.013 (2) (a), 230.08 (2) (e) 1. and (eg), and 343.33 (2) of the statutes and SECTION 9155 (1) of this act take effect on January 1, 2006.

−0984/4.9455 (2) EXPIRATION OF WISCONSIN LAND COUNCIL. The treatment of section 16.966 of the statutes takes effect on September 1, 2005.

(END)