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cont.

1 SECTION 3023i. 233.04 (7) (f) of the statutes is repealed.

2 SECTION 3023j. 233.04 (8) of the statutes is repealed.

3 SECTION 3023k. 233.04 (10) of the statutes is repealed.

4 SECTION 3023L. 233.05 (3) of the statutes is repealed.

5 SECTION 3023m. 233.10 (2) (intro.) of the statutes is amended to read:

6 233.10 (2) (intro.) Subject to subs. ~~(3)~~, ~~(3m)~~, ~~(3r)~~ and ~~(3t)~~ and ch. 40 and the duty
7 to engage in collective bargaining with employees in a collective bargaining unit for
8 which a representative is recognized or certified under subch. I of ch. 111, the
9 authority may establish any of the following:

10 SECTION 3023n. 233.10 (3) of the statutes is repealed.

11 SECTION 3023o. 233.10 (3m) of the statutes is repealed.

12 SECTION 3023p. 233.10 (3r) of the statutes is repealed.

13 SECTION 3023q. 233.10 (3t) of the statutes is repealed.

14 SECTION 3023r. 233.10 (4) of the statutes is repealed.

15 SECTION 3023s. 233.20 (3m) of the statutes is created to read:

16 233.20 (3m) The authority may not issue bonds or incur indebtedness
17 described under s. 233.03 (12) unless one of the following applies:

18 (a) The bonds or indebtedness are a refinancing of existing bonds or
19 indebtedness.

20 (b) If the authority has a bond rating from Moody's Investor Service, Inc., of
21 better than A, or from Standard & Poor's Corporation of better than A, or equivalent
22 ratings from those or comparable rating agencies when such rating systems or rating
23 agencies no longer exist, the authority has provided notice to the joint committee on
24 finance of the bond rating of the authority, the amount of the proposed bonds or
25 indebtedness, and the proposed use of the proceeds, and the joint committee on

1 finance has not notified the authority within 30 working days after receipt of the
2 notice that the joint committee on finance has scheduled a meeting to review the
3 proposed bonds or indebtedness.

4 (c) The joint committee on finance votes to approve the amount of the bonds or
5 indebtedness.

6 **SECTION 3023t.** 233.27 of the statutes is repealed.

7 **SECTION 3023u.** 233.42 of the statutes is repealed.

8 **SECTION 3024.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

9 234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined
10 by the authority after considering the factors set out in s. ~~560.605 (2m) (a) to (h)~~
11 560.605 (2m) (c), 2005 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005
12 stats., and s. 560.605 (2m) (a), (b), and (f) to (h).

13 **SECTION 3025.** 234.165 (2) (c) (intro.) of the statutes, as affected by 2005
14 Wisconsin Act 25, is amended to read:

15 234.165 (2) (c) (intro.) ~~Surplus~~ Except as provided in sub. (3), surplus may be
16 expended or encumbered only in accordance with the plan approved under par. (b),
17 except that the authority may transfer from one plan category to another:

18 **SECTION 3026.** 234.165 (2) (c) (intro.) of the statutes, as affected by 2007
19 Wisconsin Act ... (this act), is amended to read:

20 234.165 (2) (c) (intro.) ~~Except as provided in sub. (3), surplus~~ Surplus may be
21 expended or encumbered only in accordance with the plan approved under par. (b),
22 except that the authority may transfer from one plan category to another:

23 **SECTION 3027g.** 234.165 (3) (a) of the statutes is created to read:

24 234.165 (3) (a) For the purpose of housing grants and loans under s. 560.9803
25 and housing grants under s. 560.9805, in fiscal year 2007-08 the authority shall

1 transfer to the department of commerce \$2,000,000 of its actual surplus under this
2 section and in fiscal year 2008-09 the authority shall transfer to the department of
3 commerce \$2,000,000 of its actual surplus under this section.

4 **SECTION 3028d.** 234.165 (3) (a) of the statutes, as affected by 2007 Wisconsin
5 Act (this act), is repealed.

6 **SECTION 3028e.** 234.165 (3) (b) of the statutes is created to read:

7 234.165 (3) (b) For the purpose of transitional housing grants under s. 560.9806
8 and for grants to agencies and shelter facilities for homeless individuals and
9 families as provided under s. 560.9808, in fiscal year 2007-08 the authority shall
10 transfer to the department of commerce \$1,000,000 of its actual surplus under this
11 section, and in fiscal year 2008-09 the authority shall transfer to the department of
12 commerce \$1,000,000 of its actual surplus under this section.

13 **SECTION 3028f.** 234.165 (3) (b) of the statutes, as affected by 2007 Wisconsin
14 Act (this act), is repealed.

15 **SECTION 3029.** 236.335 of the statutes is amended to read:

16 **236.335 Prohibited subdividing; forfeit.** No lot or parcel in a recorded plat
17 may be divided, or used if so divided, for purposes of sale or building development if
18 the resulting lots or parcels do not conform to this chapter, to any applicable
19 ordinance of the approving authority or to the rules of the department of ~~workforce~~
20 ~~development~~ commerce under s. 236.13. Any person making or causing such a
21 division to be made shall forfeit not less than \$100 nor more than \$500 to the
22 approving authority, or to the state if there is a violation of this chapter or the rules
23 of the department of ~~workforce development~~ commerce.

24 **SECTION 3031.** 250.041 (1m) of the statutes is amended to read:

1 250.041 (1m) If an individual who applies for or to renew a registration, license,
2 certification, approval, permit or certificate under sub. (1) does not have a social
3 security number, the individual, as a condition of obtaining the registration, license,
4 certification, approval, permit or certificate, shall submit a statement made or
5 subscribed under oath or affirmation to the department that the applicant does not
6 have a social security number. The form of the statement shall be prescribed by the
7 department of ~~workforce development~~ children and families. A registration, license,
8 certification, approval, permit or certificate issued or renewed in reliance upon a
9 false statement submitted under this subsection is invalid.

10 **SECTION 3032.** 250.041 (2) of the statutes is amended to read:

11 250.041 (2) The department of health and family services may not disclose any
12 information received under sub. (1) to any person except to the department of
13 ~~workforce development~~ children and families for the purpose of making
14 certifications required under s. 49.857.

15 **SECTION 3033.** 250.041 (3) of the statutes is amended to read:

16 250.041 (3) The department of health and family services shall deny an
17 application for the issuance or renewal of a registration, license, certification,
18 approval, permit or certificate specified in sub. (1) or may, under a memorandum of
19 understanding under s. 49.857 (2), suspend or restrict a registration, license,
20 certification, approval, permit or certificate specified in sub. (1) if the department of
21 ~~workforce development~~ children and families certifies under s. 49.857 that the
22 applicant for or holder of the registration, license, certification, approval, permit or
23 certificate is delinquent in the payment of court-ordered payments of child or family
24 support, maintenance, birth expenses, medical expenses or other expenses related
25 to the support of a child or former spouse or fails to comply, after appropriate notice,

1 with a subpoena or warrant issued by the department of ~~workforce development~~
2 children and families or a county child support agency under s. 59.53 (5) and related
3 to paternity or child support proceedings.

4 **SECTION 3035r.** 252.12 (2) (a) 8. of the statutes is renumbered 252.12 (2) (a) 8.
5 (intro.) and amended to read:

6 252.12 (2) (a) 8. 'Mike Johnson life care and early intervention services grants.'
7 (intro.) The department shall award not more than ~~\$2,569,900~~ \$2,969,900 in fiscal
8 year ~~2005-06~~ 2007-08 and not more than \$3,569,900 in fiscal year ~~2008-09~~ and each
9 fiscal year thereafter in grants to applying organizations for the provision of needs
10 assessments; assistance in procuring financial, medical, legal, social and pastoral
11 services; counseling and therapy; homecare services and supplies; advocacy; and
12 case management services. These services shall include early intervention services.
13 The department shall also award not more than \$74,000 in each year from the
14 appropriation under s. 20.435 (7) (md) for the services under this subdivision. The
15 state share of payment for case management services that are provided under s.
16 49.45 (25) (be) to recipients of medical assistance shall be paid from the
17 appropriation under s. 20.435 (5) (am). All of the following apply to grants awarded
18 under this subdivision:

19 **SECTION 3035s.** 252.12 (2) (a) 8. a. to c. of the statutes are created to read:

20 252.12 (2) (a) 8. a. None of the funds awarded may be used to fund AIDS
21 programs, or to develop materials, designed to promote or encourage, directly,
22 intravenous drug use or sexual activity, whether homosexual or heterosexual.

23 b. None of the funds awarded may be used for political purposes.

24 c. Funds awarded shall be used to provide medical care and support services
25 for individuals with HIV.

1 **SECTION 3036.** 252.12 (2) (c) 1. (intro.) of the statutes is amended to read:

2 252.12 (2) (c) 1. (intro.) From the appropriation under s. 20.435 (3) (5) (md), the
3 department shall award to applying nonprofit corporations or public agencies up to
4 \$75,000 in each fiscal year, on a competitive basis, as grants for services to prevent
5 HIV. Criteria for award of the grants shall include all of the following:

6 **SECTION 3036m.** 252.14 (1) (d) of the statutes is amended to read:

7 252.14 (1) (d) "Inpatient health care facility" means a hospital, nursing home,
8 community-based residential facility, county home, county mental health complex
9 or other place licensed or approved by the department under s. 49.70, 49.71, 49.72,
10 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 48.62, 51.05, 51.06,
11 233.40, 233.41, ~~233.42~~ or 252.10.

12 **SECTION 3037.** 252.16 (1) (d) of the statutes is amended to read:

13 252.16 (1) (d) "Medicare" ~~has the meaning given in s. 49.498 (1) (f) means~~
14 coverage under part A, part B, or part D of Title XVIII of the federal Social Security
15 Act, 42 USC 1395 to 1395hhh.

16 **SECTION 3038.** 252.16 (4) (a) of the statutes is amended to read:

17 252.16 (4) (a) Except as provided in pars. (b) and (d), if an individual satisfies
18 sub. (3), the department shall pay the full amount of each premium payment for the
19 individual's health insurance coverage under the group health plan or individual
20 health policy under sub. (3) (dm), on or after the date on which the individual
21 becomes eligible for a subsidy under sub. (3). Except as provided in pars. (b) and (d),
22 the department shall pay the full amount of each premium payment regardless of
23 whether the individual's health insurance coverage under sub. (3) (dm) includes
24 coverage of the individual's dependents. Except as provided in par. (b), the
25 department shall terminate the payments under this section when the individual's

1 health insurance coverage ceases or when the individual no longer satisfies sub. (3),
2 whichever occurs first. The department may not make payments under this section
3 for premiums for medicare, except for premiums for coverage for part D of Title XVIII
4 of the federal Social Security Act, 42 USC 1395 to 1395hhh.

5 **SECTION 3039.** 252.241 (1m) of the statutes is amended to read:

6 252.241 (1m) If an individual who applies for or to renew a license under sub.
7 (1) does not have a social security number, the individual, as a condition of obtaining
8 the license, shall submit a statement made or subscribed under oath or affirmation
9 to the department that the applicant does not have a social security number. The
10 form of the statement shall be prescribed by the department of ~~workforce~~
11 development children and families. A license issued or renewed in reliance upon a
12 false statement submitted under this subsection is invalid.

13 **SECTION 3039r.** 253.02 (4) of the statutes is created to read:

14 253.02 (4) The department shall collaborate with community-based
15 organizations that serve children, adolescents, and their families to promote health
16 and wellness, and to reduce childhood and adolescent obesity.

17 **SECTION 3040.** 253.06 (title) of the statutes is renumbered 49.17 (title).

18 **SECTION 3041.** 253.06 (1) of the statutes is renumbered 49.17 (1).

19 **SECTION 3042.** 253.06 (2) of the statutes is renumbered 49.17 (2) and amended
20 to read:

21 49.17 (2) USE OF FUNDS. From the appropriation under s. ~~20.435(5)~~ 20.437(2)
22 (em), the department shall supplement the provision of supplemental foods,
23 nutrition education, and other services, including nutritional counseling, to
24 low-income women, infants, and children who meet the eligibility criteria under the
25 federal special supplemental food program for women, infants, and children

1 authorized under 42 USC 1786. To the extent that funds are available under this
2 section and to the extent that funds are available under 42 USC 1786, the
3 department shall provide the supplemental food, nutrition education, and other
4 services authorized under this section and shall administer that provision in every
5 county. The department may enter into contracts for this purpose.

6 **SECTION 3043.** 253.06 (3) of the statutes is renumbered 49.17 (3).

7 **SECTION 3044.** 253.06 (3m) of the statutes is renumbered 49.17 (3m).

8 **SECTION 3045.** 253.06 (4) of the statutes is renumbered 49.17 (4).

9 **SECTION 3046.** 253.06 (5) (title) of the statutes is renumbered 49.17 (5) (title).

10 **SECTION 3047.** 253.06 (5) (a) of the statutes is renumbered 49.17 (5) (a).

11 **SECTION 3048.** 253.06 (5) (b) of the statutes is renumbered 49.17 (5) (b).

12 **SECTION 3049.** 253.06 (5) (c) of the statutes is renumbered 49.17 (5) (c).

13 **SECTION 3050.** 253.06 (5) (d) of the statutes is renumbered 49.17 (5) (d).

14 **SECTION 3051.** 253.06 (5) (e) of the statutes is renumbered 49.17 (5) (e) and
15 amended to read:

16 49.17 (5) (e) The suspension or termination of authorization of a vendor or
17 eligibility of a participant shall be effective beginning on the 15th day after receipt
18 of the notice of suspension or termination. All forfeitures, recoupments, and
19 enforcement assessments shall be paid to the department within 15 days after
20 receipt of notice of assessment or, if the forfeiture, recoupment, or enforcement
21 assessment is contested under sub. (6), within 10 days after receipt of the final
22 decision after exhaustion of administrative review, unless the final decision is
23 adverse to the department or unless the final decision is appealed and the decision
24 is stayed by court order under sub. (7). The department shall remit all forfeitures
25 paid to the secretary of administration for deposit in the school fund. The

1 department shall deposit all enforcement assessments in the appropriation under s.
2 ~~20.435 (1)~~ 20.437 (2) (gr).

3 **SECTION 3052.** 253.06 (5) (f) of the statutes is renumbered 49.17 (5) (f).

4 **SECTION 3053.** 253.06 (6) of the statutes is renumbered 49.17 (6).

5 **SECTION 3054.** 253.06 (7) of the statutes is renumbered 49.17 (7).

6 **SECTION 3055.** 253.06 (8) of the statutes is renumbered 49.17 (8).

7 **SECTION 3056.** 253.10 (3) (d) 1. of the statutes is amended to read:

8 253.10 (3) (d) 1. Geographically indexed materials that are designed to inform
9 a woman about public and private agencies, including adoption agencies, and
10 services that are available to provide information on family planning, as defined in
11 s. 253.07 (1) (a), including natural family planning information, to provide
12 ultrasound imaging services, to assist her if she has received a diagnosis that her
13 unborn child has a disability or if her pregnancy is the result of sexual assault or
14 incest and to assist her through pregnancy, upon childbirth and while the child is
15 dependent. The materials shall include a comprehensive list of the agencies
16 available, a description of the services that they offer and a description of the manner
17 in which they may be contacted, including telephone numbers and addresses, or, at
18 the option of the department, the materials shall include a toll-free, 24-hour
19 telephone number that may be called to obtain an oral listing of available agencies
20 and services in the locality of the caller and a description of the services that the
21 agencies offer and the manner in which they may be contacted. The materials shall
22 provide information on the availability of governmentally funded programs that
23 serve pregnant women and children. Services identified for the woman shall include
24 medical assistance for pregnant women and children under s. 49.47 (4) (am) and
25 49.471, the availability of family or medical leave under s. 103.10, the Wisconsin

1 works program under ss. 49.141 to 49.161, child care services, child support laws and
2 programs and the credit for expenses for household and dependent care and services
3 necessary for gainful employment under section 21 of the internal revenue code. The
4 materials shall state that it is unlawful to perform an abortion for which consent has
5 been coerced, that any physician who performs or induces an abortion without
6 obtaining the woman's voluntary and informed consent is liable to her for damages
7 in a civil action and is subject to a civil penalty, that the father of a child is liable for
8 assistance in the support of the child, even in instances in which the father has
9 offered to pay for an abortion, and that adoptive parents may pay the costs of
10 prenatal care, childbirth and neonatal care. The materials shall include
11 information, for a woman whose pregnancy is the result of sexual assault or incest,
12 on legal protections available to the woman and her child if she wishes to oppose
13 establishment of paternity or to terminate the father's parental rights. The
14 materials shall state that fetal ultrasound imaging and auscultation of fetal heart
15 tone services are obtainable by pregnant women who wish to use them and shall
16 describe the services.

17 **SECTION 3059.** 253.15 (2) of the statutes is amended to read:

18 **253.15 (2) INFORMATIONAL MATERIALS.** The board shall purchase or prepare or
19 arrange with a nonprofit organization to prepare printed and audiovisual materials
20 relating to shaken baby syndrome and impacted babies. The materials shall include
21 information regarding the identification and prevention of shaken baby syndrome
22 and impacted babies, the grave effects of shaking or throwing on an infant or young
23 child, appropriate ways to manage crying, fussing, or other causes that can lead a
24 person to shake or throw an infant or young child, and a discussion of ways to reduce
25 the risks that can lead a person to shake or throw an infant or young child. The

1 materials shall be prepared in English, Spanish, and other languages spoken by a
2 significant number of state residents, as determined by the board. The board shall
3 make those written and audiovisual materials available to all hospitals, maternity
4 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
5 make available materials to parents under sub. (3) (a) 1., to the department and to
6 all county departments and nonprofit organizations that are required to provide the
7 materials to day care providers under sub. (4), and to all school boards and nonprofit
8 organizations that are permitted to provide the materials to pupils in one of grades
9 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make those
10 written materials available to all county departments and Indian tribes that are
11 providing home visitation services under s. ~~46.515~~ 48.983 (4) (b) 1. or 2. and to all
12 providers of prenatal, postpartum, and young child care coordination services under
13 s. 49.45 (44). The board may make available the materials required under this
14 subsection to be made available by making those materials available at no charge on
15 the board's Internet site.

16 **SECTION 3061.** 253.15 (6) of the statutes is amended to read:

17 253.15 (6) INFORMATION TO HOME VISITATION OR CARE COORDINATION SERVICES
18 RECIPIENTS. A county department or Indian tribe that is providing home visitation
19 services under s. ~~46.515~~ 48.983 (4) (b) 1. or 2. and a provider of prenatal, postpartum,
20 and young child care coordination services under s. 49.45 (44) shall provide to a
21 recipient of those services, without cost, a copy of the written materials purchased
22 or prepared under sub. (2) and an oral explanation of those materials.

23 **SECTION 3063.** 253.15 (7) (e) of the statutes is amended to read:

24 253.15 (7) (e) A county department or Indian tribe that is providing home
25 visitation services under s. ~~46.515~~ 48.983 (4) (b) 1. or 2. and a provider of prenatal,

1 postpartum, and young child care coordination services under s. 49.45 (44) is
2 immune from liability for any damages resulting from any good faith act or omission
3 in providing or failing to provide the written materials and oral explanation specified
4 in sub. (6).

5 **SECTION 3065.** 253.15 (8) of the statutes is amended to read:

6 253.15 (8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of
7 health and family services shall identify all infants and young children who have
8 shaken baby syndrome or who are impacted babies and all infants and young
9 children who have died as a result of being shaken or thrown by using the statewide
10 automated child welfare information system established under s. ~~46.03 (7) (g)~~ s.
11 ~~46.03 (7g)~~ 48.47 (7g) and child fatality information compiled by the department of
12 justice. For each infant or young child so identified, the department of health and
13 family services shall document the age, sex, and other characteristics of the infant
14 or young child that are relevant to the prevention of shaken baby syndrome and
15 impacted babies and, if known, the age, sex, employment status, and residence of the
16 person who shook or threw the infant or young child, the relationship of that person
17 to the infant or young child, and any other characteristics of that person that are
18 relevant to the prevention of shaken baby syndrome and impacted babies.

19 **SECTION 3066.** 254.115 (1m) of the statutes is amended to read:

20 254.115 (1m) If an individual who applies for or to renew a certification,
21 certification card or permit under sub. (1) does not have a social security number, the
22 individual, as a condition of obtaining the certification, certification card or permit,
23 shall submit a statement made or subscribed under oath or affirmation to the
24 department that the applicant does not have a social security number. The form of
25 the statement shall be prescribed by the department of ~~workforce development~~

1 children and families. A certification, certification card or permit issued or renewed
2 in reliance upon a false statement submitted under this subsection is invalid.

3 **SECTION 3066m.** 255.06 (2) (intro.) of the statutes is amended to read:

4 255.06 (2) WELL-WOMAN PROGRAM. (intro.) From the appropriation under s.
5 20.435 (5) (cb), the department shall administer a well-woman program to provide
6 reimbursement for health care screenings, referrals, follow-ups, case management,
7 and patient education provided to low-income, underinsured, and uninsured
8 women. Reimbursement to service providers under this ~~section~~ subsection shall be
9 at the rate of reimbursement for identical services provided under medicare, except
10 that, if projected costs under this ~~section~~ subsection exceed the amounts
11 appropriated under s. 20.435 (5) (cb), the department shall modify services or
12 reimbursement accordingly. Within this limitation, the department shall implement
13 the well-woman program to do all of the following:

14 **SECTION 3066r.** 255.06 (2m) of the statutes is created to read:

15 255.06 (2m) CERVICAL AND BREAST CANCER SCREENING. From the appropriation
16 under s. 20.435 (4) (xf), the department shall provide \$62,000 annually for cervical
17 cancer screenings for women who are underinsured or uninsured and whose income
18 does not exceed 250 percent of the poverty line and for breast cancer screenings
19 described under sub. (2) (a).

20 **SECTION 3067.** 255.06 (4) of the statutes is created to read:

21 255.06 (4) INFORMATION ABOUT WOMEN WHO RECEIVE SERVICES. The department
22 shall obtain and share information about women who receive services that are
23 reimbursed under this section as provided in s. 49.475.

24 **SECTION 3068.** 255.15 (3) (b) (intro.) of the statutes is amended to read:

1 (7) "Waterway improvement" means any of the following actions, taken under
2 an administrative or judicial order or decree or an administratively or judicially
3 approved agreement, related to discharges into the Fox River:

4 (a) Determining whether a discharge occurred, whether the discharge poses a
5 significant threat to human health and the environment, or whether additional
6 remedial actions may be required with respect to a discharge.

7 (b) Conducting a feasibility study.

8 (c) Planning for remedial action or removal.

9 (d) Conducting remedial action or removal.

10 (8) "Waterway improvement costs" means the costs of waterway improvements
11 and any of the following:

12 (a) The reasonable costs of financing provided by the authority and associated
13 administrative costs incurred by the authority.

14 (b) The fees and charges imposed by the authority or by others in connection
15 with the financing.

16 (c) A reserve for payment of the principal and interest on bonds issued by the
17 authority.

18 **279.02 Creation and organization.** (1) There is created a public body politic
19 and corporate to be known as the "Lower Fox River Remediation Authority." The
20 board shall consist of 7 members nominated by the governor, and with the advice and
21 consent of the senate appointed, for 7-year terms. Members of the board shall be
22 residents of the state, and not more than 4 of the members may be members of the
23 same political party. The terms of the members expire on June 30. Each member's
24 appointment remains in effect until a successor is appointed. Annually, the governor

1 shall appoint one member as chairperson and the board shall elect one member as
2 vice chairperson.

3 (2) The board shall appoint an executive director and may appoint an associate
4 executive director who may not be members of the board and who shall serve at the
5 pleasure of the board. The board shall determine the compensation of the executive
6 director and any associate executive director, except that the compensation of the
7 executive director may not exceed the maximum of the salary range established
8 under s. 20.923 (1) for positions assigned to executive salary group 4 and the
9 compensation of each other employee of the authority may not exceed the maximum
10 of the salary range established under s. 20.923 (1) for positions assigned to executive
11 salary group 3. The executive director, associate executive director, or other person
12 designated by resolution of the board shall keep a record of the proceedings of the
13 authority and shall be custodian of all books, documents, and papers filed with the
14 authority, the minute book or journal of the authority, and its official seal. The
15 executive director, associate executive director, or other person may cause copies to
16 be made of all minutes and other records and documents of the authority and may
17 give certificates under the official seal of the authority to the effect that the copies
18 are true copies, and all persons dealing with the authority may rely upon the
19 certificates.

20 (3) Four members of the board constitute a quorum. The affirmative vote of
21 a majority of all of the members of the board is necessary for any action taken by the
22 authority. A vacancy in the membership of the board does not impair the right of a
23 quorum to exercise all of the rights and perform all of the duties of the authority.
24 Each meeting of the board shall be open to the public. Notice of meetings, or waivers
25 thereof, shall be as provided in the bylaws of the authority. Resolutions of the

1 authority need not be published or posted. The board may delegate by resolution to
2 one or more of its members or the executive director the powers and duties that it
3 considers proper.

4 (4) The members of the board shall receive no compensation for the
5 performance of their duties as members, but each member shall be reimbursed for
6 the member's actual and necessary expenses while engaged in the performance of the
7 member's duties.

8 (5) (a) It is not a conflict of interest or violation of this chapter for a trustee,
9 director, officer, or employee of a consenting landowner to serve as a member of the
10 board if the trustee, director, officer, or employee of the consenting landowner
11 abstains from discussion, deliberation, action, and vote by the board in specific
12 respect to any undertaking under this chapter in which the consenting landowner
13 has an interest.

14 (b) It is not a conflict of interest or violation of this chapter for a person having
15 the required favorable reputation for skill, knowledge, and experience in state and
16 municipal finance to serve as a member of the board if the person having the required
17 favorable reputation for skill, knowledge, and experience in state and municipal
18 finance abstains from discussion, deliberation, action, and vote by the board in
19 specific respect to any sale, purchase, or ownership of bonds of the authority in which
20 any business of which the person is a participant, owner, officer, or employee has a
21 past, current, or future interest.

22 (c) It is not a conflict of interest or violation of this chapter for a person having
23 the required favorable reputation for skill, knowledge, and experience in the field of
24 environmental remediation to serve as a member of the board if the person having
25 the required favorable reputation for skill, knowledge, and experience in the field of

1 environmental remediation abstains from discussion, deliberation, action, and vote
2 by the board in specific respect to a waterway improvement in which any business
3 of which the person is a participant, owner, officer, or employee has a past, current,
4 or future interest.

5 (6) Chapter 230 does not apply to the employees of the authority, except that
6 s. 230.40 does apply to the employees of the authority.

7 **279.03 Powers of authority.** The authority has all of the powers necessary
8 or convenient to carry out the purposes and provisions of this chapter. In addition,
9 the authority may do any of the following:

10 (1) Adopt bylaws, policies, and procedures for the regulation of its affairs and
11 the conduct of its business.

12 (2) Adopt an official seal and alter the seal at pleasure.

13 (3) Maintain an office.

14 (4) Sue and be sued in its own name, plead and be impleaded.

15 (5) Enter into any contracts that are necessary or useful for the conduct of its
16 business.

17 (6) Employ or contract with attorneys, accountants, and financial experts and
18 any other necessary employees or agents, and fix the compensation of employees,
19 subject to 279.02 (2).

20 (7) Appoint any technical or professional advisory committee that the
21 authority finds necessary, define the duties of any committee, and provide
22 reimbursement for the expenses of any committee.

23 (8) Accept contributions or grants in money, property, labor, or other things of
24 value and comply with any restrictions on the use of the contributions or grants.

1 (9) Obtain or aid in obtaining, from any department or agency of the United
2 States or of this state or from any private company, any insurance or guaranty
3 concerning the payment or repayment of all or part of the interest or principal, or
4 both, on any bond issued under this chapter; and enter into any agreement, contract,
5 or other instrument with respect to that insurance or guaranty, accept payment in
6 the manner and form provided in such an agreement in case of default in payment
7 of the bonds, and assign the insurance or guaranty as security for the authority's
8 bonds.

9 **279.04 Expenses.** (1) All expenses of the authority are payable solely from
10 funds obtained under the authority of this chapter, and no liability may be incurred
11 by the authority beyond the extent to which moneys are obtained under this chapter.
12 For the purposes of meeting the necessary expenses of initial organization and
13 operation of the authority until the authority derives moneys from funds provided
14 to it under the authority of this chapter, other than this section, the authority may
15 use the funds appropriated under s. 20.375 (1) (a).

16 (2) The authority shall apportion among and assess to consenting landowners,
17 in an equitable manner, an amount equal to the amount expended from the
18 appropriation under s. 20.375 (1) (a) and pay that amount to the department of
19 administration for deposit in the general fund.

20 **279.05 Application for bond issuance.** (1) One or more owners of affected
21 property may submit an application requesting the authority to issue bonds to
22 finance all or a portion of the waterway improvement costs associated with the
23 affected property. An application under this subsection shall include all of the
24 following:

1 (a) A copy of an administrative or judicial order or decree or an administratively
2 or judicially approved agreement that imposes financial responsibility for a
3 waterway improvement on the applicant or applicants.

4 (b) An acknowledgement by the applicant or applicants that the waterway
5 improvement will confer a benefit on the affected property.

6 (c) The consent of the applicant or applicants to the levy of an assessment by
7 the authority on the affected property at the times and in the amounts that the
8 authority determines.

9 (d) A waiver by the applicant or applicants of any requirement for notice and
10 hearing and of any right to oppose the levy of the assessment.

11 (2) A consenting land owner who submits an application under sub. (1) may
12 recommend to the authority an underwriter for the bonds that the owner of affected
13 property requests the authority to issue.

14 **279.06 Approval of application and issuance of bonds.** (1) The board
15 may approve an application under s. 279.05 (1) if the application complies with s.
16 279.05 (1) and if the authority makes a determination that the waterway
17 improvement will last for many years and will result in long-term benefits to this
18 state. The authority may issue bonds as provided in this section and s. 279.07 to
19 finance all or a portion of the waterway improvement to which an approved
20 application relates.

21 (2) The authority shall notify the department of natural resources of its action
22 on an application under s. 279.05 (1) at the same time that it notifies the applicant
23 or applicants.

24 (3) All of the authority's bonds are negotiable for all purposes, notwithstanding
25 their payment from a limited source.

1 (4) The authority shall use the building commission as its financial consultant
2 to assist in and coordinate the issuance of bonds under this chapter.

3 (5) The bonds of each issue shall be payable solely out of a special fund into
4 which the authority deposits the assessments imposed by the authority against the
5 affected property with respect to which the bonds are issued.

6 (6) The authority may not issue bonds unless the issuance is authorized by a
7 bond resolution. The bonds shall bear the dates; mature at the times not exceeding
8 30 years from their dates of issue; bear interest at the rates, fixed or variable; be
9 payable at the times; be in the denominations; be in fully registered form; carry the
10 registration and conversion privileges; be executed in the manner; be payable in
11 money of the United States at the places; and be subject to the terms of redemption
12 that the bond resolution provides. The bonds shall be executed by the manual or
13 facsimile signatures of the officers of the authority designated by the board. The
14 bonds may be sold at public or private sale at the price, in the manner, and at the time
15 determined by the board. The bonds may be issued as serial bonds payable in annual
16 installments, as term bonds, or as a combination of both types.

17 (7) Any bond resolution may contain provisions, that shall be a part of the
18 contract with the holders of the bonds, regarding any of the following:

19 (a) Setting aside reserves or sinking funds, and the regulation, investment, and
20 disposition of the reserves or sinking funds.

21 (b) Limitations on the purpose to which, or the investments in which, the
22 proceeds of the sale of any issue of bonds may be applied.

23 (c) Refunding of outstanding bonds.

1 (d) Procedures by which the terms of any contract with bondholders may be
2 amended or abrogated, the amount of bonds the holders of which must consent to the
3 amendment or abrogation, and the manner in which this consent may be given.

4 (e) Defining the acts or omissions to act that constitute a default in the duties
5 of the authority to the bondholders, and providing the rights and remedies of the
6 bondholders in the event of a default.

7 (f) Any other matter relating to the bonds that the board considers desirable.

8 **(8)** Neither the members of the board nor any person executing the bonds of
9 the authority is liable personally on the bonds or subject to any personal liability or
10 accountability by reason of the issuance of the bonds.

11 **(9)** (a) The authority shall pay the net proceeds of bonds issued under this
12 section to the entity to which moneys for waterway improvements are required to be
13 paid by the administrative or judicial order or decree or administratively or judicially
14 approved agreement described in s. 279.05 (1) (a).

15 (b) An entity that receives moneys under par. (a) may use those moneys only
16 for the waterway improvement costs for which the bonds are issued. If the actual
17 waterway improvement costs to be paid from the authority's bonds are less than the
18 assessments levied by the authority, the entity shall return the excess to the
19 authority.

20 **279.07 Assessments.** (1) Before it issues bonds, the authority shall follow the
21 procedures in this section for levying an assessment on the affected property of any
22 consenting landowner whose application for issuance of the bonds is approved under
23 s. 279.06 (1). The consenting landowner shall pay the assessment to the authority.
24 An assessment under this section is a lien against the affected property. The

1 authority shall provide notice of the lien of assessment to the register of deeds of the
2 county in which the affected property is located for recording.

3 (2) The assessment levied with respect to a bond issue shall be sufficient to do
4 all of the following:

5 (a) Pay the share of the administrative costs of the authority that is allocated
6 to the bond issue.

7 (b) Pay the costs of any financial and legal services incurred by the authority
8 and any other item of direct or indirect cost that may reasonably be attributed to
9 processing the application under s. 279.05 (1), issuing the bonds, and imposing the
10 assessment on the affected property.

11 (c) Pay the principal of and the premium, if any, and interest on the bonds as
12 they become due and payable.

13 (d) Create and maintain any reserve that is required or provided for in the bond
14 resolution.

15 (3) If the authority assesses more than one consenting landowner in connection
16 with a bond issue, it shall determine the amount to be assessed on the affected
17 property of each consenting landowner in a manner that is consistent with the
18 administrative or judicial order or decree or administratively or judicially approved
19 agreement described in s. 279.05 (1) (a) and that considers such factors as present
20 and past capacity for discharges; estimates of actual discharges; the degree of
21 toxicity and water quality characteristics of past and present discharges;
22 involvement in the generation, treatment, transportation, storage, or disposal of
23 discharged substances; the degree of care exercised in reducing discharges; and the
24 amount of impervious surface on each affected property.

1 (4) Before finalizing its determination of the amount of the assessment to be
2 levied on affected property under this section, the board shall pass a preliminary
3 resolution declaring its intent with respect to the assessment. In the resolution, the
4 board shall include all of the following:

5 (a) A general description of the contemplated purpose of the assessment.

6 (b) A description of the affected property proposed to be assessed.

7 (c) The number of installments in which the assessments may be paid or a
8 statement that the number of payments will be determined at the hearing required
9 under sub. (8).

10 (d) A direction to an officer or employee of the authority to make a report on the
11 proposed assessment.

12 (5) The officer or employee directed to make a report under sub. (4) (d) shall
13 include all of the following in the report:

14 (a) A reference to the administrative or judicial order or decree or
15 administratively or judicially approved agreement described in s. 279.05 (1) (a).

16 (b) A schedule of the proposed assessments.

17 (c) An estimate, as to each affected property, of the assessment to be levied.

18 (6) The officer or employee making the report under sub. (5) shall file a copy
19 of the report with the authority for public inspection.

20 (7) After the report has been filed under sub. (6), the authority shall publish
21 a class 1 notice, under ch. 985, that describes all of the following:

22 (a) The affected property that is proposed to be assessed.

23 (b) The place and time at which the report may be inspected.

1 (c) The place and time at which all interested persons or their agents or
2 attorneys may appear before the authority and be heard concerning the matters
3 contained in the preliminary resolution and the report.

4 (8) The authority shall conduct a hearing concerning the levying of a proposed
5 assessment not less than 10 days and not more than 40 days after publishing the
6 notice under sub. (7).

7 (9) After the hearing under sub. (8), the board may approve, disapprove, or
8 modify the report under sub. (6) or it may refer the report to the designated officer
9 or employee of the authority with directions to change the proposal to accomplish a
10 fair and equitable assessment.

11 (10) After approving a report under sub. (9), the authority shall adopt a
12 resolution specifying the amount of the assessments, authorizing the issuance of
13 bonds, and directing that the net proceeds of the bonds be paid as provided in s.
14 279.06 (9) (a). The authority shall publish the resolution as a class 1 notice, under
15 ch. 985. After publication of the resolution, the authority shall levy the assessments
16 and issue the bonds.

17 (11) If the actual waterway improvement costs to be paid from a bond issue vary
18 materially from the estimates, if any assessment is invalid, or if the board decides
19 to reopen and reconsider any assessment, it may, after publishing a class 1 notice,
20 under ch. 985, that describes its proposed action and after a public hearing, adopt a
21 resolution amending, canceling, or confirming the prior assessment. If an
22 assessment is amended to provide for the refunding of bonds, all of the direct and
23 indirect costs reasonably attributable to the refunding of the bonds may be included
24 in the amended assessment. If moneys are returned to the authority under s. 279.06
25 (9) (b), the authority may pay a portion of the outstanding bonds and reduce each

1 assessment proportionately. The authority shall publish a class 1 notice, under ch.
2 985, describing the resolution amending, canceling, or confirming the prior
3 assessment.

4 (12) After the 90th day after the day on which a bond is issued under this
5 chapter, the bond is conclusive evidence of the legality of all proceedings up to and
6 including the issuance of the bond and is prima facie evidence of the proper
7 application of the proceeds of the bond.

8 **279.08 Bond security.** (1) The authority may enter into a trust agreement
9 or trust indenture between the authority and one or more corporate trustees for any
10 bonds issued under this chapter. Any trust company or bank having the powers of
11 a trust company may be a trustee.

12 (2) The bond resolution providing for the issuance of bonds shall pledge the
13 assessments to be received by the authority with respect to the bonds referred to in
14 the bond resolution. The pledge is valid and binding from the time that the resolution
15 is adopted. The revenues pledged are immediately subject to the lien of the pledge
16 without any physical delivery or any further act. The lien is valid and binding as
17 against all persons having claims in tort, contract, or otherwise against the
18 authority, irrespective of whether the persons have notice of the lien. Neither the
19 bond resolution nor any financing statement, continuation statement, or other
20 instrument by which a pledge is created or by which the authority's interest in
21 revenues is assigned need be filed or recorded in any public records in order to perfect
22 the lien of the pledge as against 3rd parties, except that the authority shall file a copy
23 of the instrument in the records of the authority and with the department of financial
24 institutions.

1 (3) A bond resolution may contain provisions for protecting and enforcing the
2 rights and remedies of the bondholders that are reasonable and proper and not in
3 violation of law. A bond resolution may restrict the individual right of action by
4 bondholders. A bond resolution may contain any other provisions that are
5 determined by the board to be reasonable and proper for the security of the
6 bondholders.

7 **279.09 Refunding bonds.** (1) The authority may issue bonds to refund any
8 outstanding bond, including the payment of any redemption premium on the
9 outstanding bond and any interest accrued or to accrue to the earliest or any
10 subsequent date of redemption, purchase, or maturity.

11 (2) The authority may apply the proceeds of any bond issued to refund any
12 outstanding bond to the purchase, retirement at maturity, or redemption of the
13 outstanding bond on the earliest or any subsequent redemption date, upon purchase,
14 or at the maturity of the bond. The authority may, pending application of the
15 proceeds, place the proceeds in escrow to be applied to the purchase, retirement at
16 maturity, or redemption of any outstanding bond at any time.

17 (3) If the authority determines that it is necessary to amend the prior
18 assessments in connection with the issuance of refunding bonds under this section,
19 it may reconsider and reopen the assessments as provided in s. 279.07 (11). If the
20 assessments are amended, the refunding bonds shall be secured by, and be payable
21 from, the assessments as amended. If the assessments are amended, all direct and
22 indirect costs reasonably attributable to the refunding of the bonds may be included
23 in the cost of the waterway improvements being financed.

24 (4) All refunding bonds are subject to this chapter in the same manner and to
25 the same extent as other bonds issued under this chapter.

1 **279.10 Bonds not public debt.** (1) The state is not liable on bonds of the
2 authority and the bonds are not debt of the state. Each bond of the authority shall
3 contain a statement to this effect on the face of the bond. The issuance of bonds under
4 this chapter does not, directly, indirectly, or contingently, obligate the state or any
5 political subdivision of the state to levy any tax or to make any appropriation for
6 payment of the bonds. The authority may not pledge its full faith and credit to the
7 payment of bonds issued under this chapter.

8 **(2)** Nothing in this chapter authorizes the authority to create a debt of the state,
9 and all bonds issued by the authority under this chapter are payable, and shall state
10 that they are payable, solely from the special fund containing the assessments and
11 other moneys pledged for their payment in accordance with the bond resolution
12 authorizing their issuance or in any trust agreement or trust indenture entered into
13 to provide terms and conditions for the bonds. The state is not liable for the payment
14 of the principal of or interest on any bonds of the authority or for the performance
15 of any pledge, obligation, or agreement that is undertaken by the authority. The
16 breach of any pledge, obligation, or agreement undertaken by the authority does not
17 impose any pecuniary liability upon the state or any charge upon its general credit
18 or against its taxing power.

19 **279.11 State pledge.** The state pledges to and agrees with the holders of bonds
20 issued under this chapter, and with persons that enter into contracts with the
21 authority under this chapter, that the state will not limit or alter the rights vested
22 in the authority before the authority has fully met and discharged the bonds,
23 including any interest due on the bonds, and has fully performed its contracts, unless
24 adequate provision is made by law for the protection of the bondholders or persons
25 entering into contracts with the authority.

1 **279.17 Trust funds.** All moneys received by the authority, whether as
2 proceeds from the sale of bonds or as assessments or fees, shall be considered to be
3 trust funds to be held and applied solely as provided in this chapter. Any officer with
4 whom, or any bank or trust company with which, those moneys are deposited shall
5 act as trustee of the moneys and shall hold and apply the moneys for the purposes
6 of this chapter, subject to any regulations that this chapter and the bond resolution
7 authorizing the bonds of any issue provide.

8 **279.18 Rights of bondholders.** Any holder of bonds issued under this
9 chapter or trustee under a trust agreement, trust indenture, or deed of trust entered
10 into under this chapter may, by any suitable form of legal proceedings, protect and
11 enforce any rights under the laws of this state or granted by the bond resolution,
12 except to the extent that the rights of the bondholder or trustee are restricted by the
13 bond resolution. These rights include the right to compel the performance of all
14 duties of the authority required by this chapter or the bond resolution; to enjoin
15 unlawful activities; and in the event of default with respect to the payment of any
16 principal of and the premium, if any, and interest on any bond or in the performance
17 of any covenant or agreement on the part of the authority in the bond resolution, to
18 apply to a court to appoint a receiver with full power to pay, and to provide for
19 payment of, principal of and premium, if any, and interest on the bonds, and with the
20 powers, subject to the direction of the court, as are permitted by law and are accorded
21 receivers, excluding any power to pledge additional revenues of the authority to the
22 payment of the principal, premium, and interest.

23 **279.19 Investment of funds.** (1) The authority may invest any funds in any
24 of the following:

1 (a) Bonds, notes, certificates of indebtedness, treasury bills, or other securities
2 constituting direct obligations of the United States or obligations the principal and
3 interest of which are guaranteed by the United States.

4 (b) Certificates of deposit or time deposits constituting direct obligations of any
5 bank that are insured by the federal deposit insurance corporation.

6 (c) Certificates of deposit constituting direct obligations of any credit union that
7 are insured by the national board, as defined in s. 186.01 (3m).

8 (d) Certificates of deposit constituting direct obligations of any savings and
9 loan association or savings bank that are insured by the federal deposit insurance
10 corporation.

11 (e) Short-term discount obligations of the federal national mortgage
12 association.

13 (f) Any of the investments provided under s. 66.0603 (1m) (a).

14 (2) Any securities described in sub. (1) may be purchased at the offering or
15 market price of the securities at the time of purchase.

16 **279.20 Investment authorization.** The bonds of the authority are securities
17 in which all public officers and bodies of this state; all political subdivisions and their
18 public officers; all banks, trust companies, savings banks and institutions, savings
19 and loan associations, and investment companies; and all personal representatives,
20 guardians, trustees, and other fiduciaries may legally invest any sinking funds,
21 moneys, or other funds belonging to them or within their control.

22 **279.21 Reports and records.** (1) The authority shall keep an accurate
23 account of all of its activities and of all of its receipts and expenditures, and shall
24 annually in January make a report of its activities, receipts, and expenditures to the
25 governor and to the chief clerk of each house of the legislature, for distribution to the

1 legislature under s. 13.172 (2). The reports shall be in a form approved by the state
2 auditor. The state auditor may investigate the affairs of the authority, may examine
3 the property and records of the authority, and may prescribe methods of accounting
4 and the rendering of periodical reports in relation to activities undertaken by the
5 authority.

6 (2) The authority, annually on January 15, shall file with the department of
7 administration and the joint legislative council a complete and current listing of all
8 forms, reports, and papers required by the authority to be completed by any person,
9 other than a governmental body, as a condition of obtaining the approval of the
10 authority or for any other reason. The authority shall attach a blank copy of each
11 such form, report, or paper to the listing.

12 SECTION 3074. 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

13 281.59 (3e) (b) 1. Equal to ~~\$109,600,000~~ \$114,700,000 during the 2005-07
14 2007-09 biennium.

15 3. Equal to \$1,000 for any biennium after the 2005-07 2007-09 biennium.

16 SECTION 3075. 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

17 281.59 (3m) (b) 1. Equal to \$2,700,000 during the 2005-07 2007-09 biennium.

18 2. Equal to \$1,000 for any biennium after the 2005-07 2007-09 biennium.

19 SECTION 3076. 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

20 281.59 (3s) (b) 1. Equal to ~~\$12,800,000~~ \$13,400,000 during the 2005-07
21 2007-09 biennium.

22 2. Equal to \$1,000 for any biennium after the 2005-07 2007-09 biennium.

23 SECTION 3077. 281.59 (4) (b) of the statutes is amended to read:

24 281.59 (4) (b) The department of administration may, under s. 18.561 or 18.562,
25 deposit in a separate and distinct fund in the state treasury or in an account

1 maintained by a trustee outside the state treasury, any portion of the revenues
2 derived under s. 25.43 (1). The revenues deposited with a trustee outside the state
3 treasury are the trustee's revenues in accordance with the agreement between this
4 state and the trustee or in accordance with the resolution pledging the revenues to
5 the repayment of revenue obligations issued under this subsection and to make
6 payments under an agreement or ancillary arrangement entered into under s. 18.55
7 (6) with respect to revenue obligations issued under this subsection.

8 **SECTION 3078.** 281.59 (4) (f) of the statutes is amended to read:

9 281.59 (4) (f) Revenue obligations may be contracted by the building
10 commission when it reasonably appears to the building commission that all
11 obligations incurred under this subsection, and all payments under an agreement or
12 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
13 obligations issued under this subsection, can be fully paid on a timely basis from
14 moneys received or anticipated to be received. Revenue obligations issued under this
15 subsection for the clean water fund program shall not exceed \$1,615,955,000
16 \$1,984,100,000 in principal amount, excluding obligations issued to refund
17 outstanding revenue obligation notes.

18 **SECTION 3079.** 281.65 (4e) of the statutes is created to read:

19 281.65 (4e) (a) A governmental unit may request funding under this subsection
20 for a project to implement best management practices for animal waste management
21 at an animal feeding operation for which the department has issued a notice of
22 discharge under ch. 283.

23 (b) The department may grant a request under par. (a) if it determines that
24 providing funding under this subsection is necessary to protect fish and aquatic life.

25 (c) Subsection (8) (d) does not apply to a grant under this subsection.

1 **SECTION 3080.** 281.65 (8) (f) of the statutes is amended to read:

2 281.65 (8) (f) A cost-sharing grant shall equal the percentage of the cost of
3 implementing the best management practice that is determined by the
4 governmental unit submitting the application under sub. (4c) (a) or (4e) (a) and is
5 approved by the board, except as provided under pars. (gm) and (jm) and except that
6 a cost-sharing grant may not exceed 70% of the cost of implementing the best
7 management practice.

8 **SECTION 3081.** 281.65 (8) (gm) of the statutes is amended to read:

9 281.65 (8) (gm) The governmental unit submitting the application under sub.
10 (4c) (a) or (4e) (a) shall exceed the limit under par. (f) in cases of economic hardship,
11 as defined by the department by rule.

12 **SECTION 3081pb.** 281.75 (title) of the statutes is amended to read:

13 **281.75 (title) Compensation for well contamination and abandonment.**

14 **SECTION 3081pc.** 281.75 (1) (h) of the statutes is amended to read:

15 281.75 (1) (h) “Well,” if not followed by the words, “subject to abandonment,”
16 means an excavation or opening in the ground made by boring, drilling or driving for
17 the purpose of obtaining a supply of groundwater. “Well” does not include dug wells.

18 **SECTION 3081pd.** 281.75 (1) (i) of the statutes is created to read:

19 281.75 (1) (i) “Well subject to abandonment” means a well that is required to
20 be abandoned under s. NR 812.26 (2) (a), Wis. Adm. Code, or that the department
21 may require to be abandoned under s. NR 812.26 (2) (b), Wis. Adm. Code.

22 **SECTION 3081pe.** 281.75 (2) (f) of the statutes is created to read:

23 281.75 (2) (f) Establish requirements for the filling and sealing of wells subject
24 to abandonment.

1 **SECTION 3081pf.** 281.75 (3) (a) of the statutes is renumbered 281.75 (3) and
2 amended to read:

3 281.75 (3) ~~WELLS FOR WHICH A CLAIM MAY BE SUBMITTED, SUNSET DATE.~~ A claim
4 may be submitted for a private water supply which, at the time of submitting the
5 claim, is contaminated or for a well subject to abandonment.

6 **SECTION 3081pg.** 281.75 (3) (b) of the statutes is repealed.

7 **SECTION 3081ph.** 281.75 (4) (a) of the statutes is amended to read:

8 281.75 (4) (a) Except as provided under par. (b), a landowner or lessee of
9 property on which is located a contaminated private water supply or a well subject
10 to abandonment, or the spouse, dependent, heir, assign or legal representative of the
11 landowner or lessee, may submit a claim under this section.

12 **SECTION 3081pi.** 281.75 (4m) (a) of the statutes is amended to read:

13 281.75 (4m) (a) In order to be eligible for an award under this section, the
14 annual family income of the landowner or lessee of property on which is located a
15 contaminated water supply or a well subject to abandonment may not exceed
16 \$65,000.

17 **SECTION 3081pj.** 281.75 (5) (b) 1. of the statutes is amended to read:

18 281.75 (5) (b) 1. Test results which show that the private water supply is
19 contaminated, as defined under sub. (1) (b) 1. or 2., ~~or~~ information to show that the
20 private water supply is contaminated as defined under sub. (1) (b) 3., or information
21 to show that the well is a well subject to abandonment;

22 **SECTION 3081pk.** 281.75 (5) (b) 2. of the statutes is amended to read:

23 281.75 (5) (b) 2. ~~Any~~ If the claim is based on a contaminated private water
24 supply, any information available to the claimant regarding possible sources of
25 contamination of the private water supply; and

1 **SECTION 3081pL.** 281.75 (5) (d) 1. of the statutes is amended to read:

2 281.75 (5) (d) 1. Enter the property where the private water supply or well
3 subject to abandonment is located during normal business hours and conduct any
4 investigations or tests necessary to verify the claim; and

5 **SECTION 3081pm.** 281.75 (5) (d) 2. of the statutes is amended to read:

6 281.75 (5) (d) 2. ~~Coöperate~~ If the claim is based on a contaminated private
7 water supply, cooperate with the state in any administrative, civil or criminal action
8 involving a person or activity alleged to have caused the private water supply to
9 become contaminated.

10 **SECTION 3081pn.** 281.75 (5) (e) of the statutes is amended to read:

11 281.75 (5) (e) The department shall consolidate claims if more than one
12 claimant submits a claim for the same private water supply or for the same well
13 subject to abandonment.

14 **SECTION 3081pq.** 281.75 (7) (a) of the statutes is amended to read:

15 281.75 (7) (a) If the department finds that the claimant meets all the
16 requirements of this section and rules promulgated under this section and that the
17 private water supply is contaminated or that the well is a well subject to
18 abandonment, the department shall issue an award. The award may not pay more
19 than 75% of the eligible costs. The award may not pay any portion of eligible costs
20 in excess of \$12,000.

21 **SECTION 3081pr.** 281.75 (7) (c) 1. of the statutes is amended to read:

22 281.75 (7) (c) 1. ~~The~~ If the claim is based on a contaminated private water
23 supply, the cost of obtaining an alternate water supply;

24 **SECTION 3081ps.** 281.75 (7) (c) 2. (intro.) of the statutes is amended to read:

1 281.75 (7) (c) 2. (intro.) ~~The~~ If the claim is based on a contaminated private
2 water supply, the cost of any one of the following:

3 **SECTION 3081pt.** 281.75 (7) (c) 3. of the statutes is amended to read:

4 281.75 (7) (c) 3. The cost of abandoning a contaminated private water supply,
5 if a new private water supply is constructed ~~or~~, if connection to a public or private
6 water supply is provided, or if the claim is based on a well subject to abandonment;

7 **SECTION 3081pu.** 281.75 (7) (c) 4. of the statutes is amended to read:

8 281.75 (7) (c) 4. The cost of obtaining 2 tests to show that the private water
9 supply was contaminated if the claim is based on a contaminated private water
10 supply and the cost of those tests was originally paid by the claimant;

11 **SECTION 3081pv.** 281.75 (7) (c) 5. of the statutes is amended to read:

12 281.75 (7) (c) 5. ~~Purchasing~~ The cost of purchasing and installing a pump, if
13 the claim is based on a contaminated private water supply and a new pump is
14 necessary for the new or reconstructed private water supply; and

15 **SECTION 3081pw.** 281.75 (7) (c) 6. of the statutes is amended to read:

16 281.75 (7) (c) 6. ~~Relocating~~ If the claim is based on a contaminated private
17 water supply, the cost of relocating pipes, as necessary, to connect the replacement
18 water supply to the buildings served by it.

19 **SECTION 3081px.** 281.75 (7) (c) 7. of the statutes is amended to read:

20 281.75 (7) (c) 7. If the claim is based on a contaminated water supply that is
21 eligible under sub. (11) (ae), the cost of properly abandoning any improperly
22 abandoned private water supply located on the property owned or leased by the
23 claimant.

24 **SECTION 3081py.** 281.75 (8) (intro.) of the statutes is renumbered 281.75 (8)

25 and amended to read:

1 281.75 (8) COPAYMENT. The department shall require a payment by the
2 claimant equal to the total of the following: copayment of \$250 unless the claim is
3 solely for well abandonment.

4 **SECTION 3081pz.** 281.75 (8) (a) and (b) of the statutes are repealed.

5 **SECTION 3081qb.** 281.75 (11) (a) 4. of the statutes is amended to read:

6 281.75 (11) (a) 4. ~~One~~ If the claim is based on a contaminated private water
7 supply, one or more of the contaminants upon which the claim is based was
8 introduced into the well through the plumbing connected to the well.

9 **SECTION 3081qc.** 281.75 (11) (a) 5. of the statutes is amended to read:

10 281.75 (11) (a) 5. ~~One~~ If the claim is based on a contaminated private water
11 supply, one or more of the contaminants upon which the claim is based was
12 introduced into the well intentionally by a claimant or a person who would be directly
13 benefited by payment of the claim.

14 **SECTION 3081qd.** 281.75 (11) (a) 6. of the statutes is amended to read:

15 281.75 (11) (a) 6. ~~All~~ If the claim is based on a contaminated private water
16 supply, all of the contaminants upon which the claim is based are naturally occurring
17 substances and the concentration of the contaminants in water produced by the well
18 does not significantly exceed the background concentration of the contaminants in
19 groundwater at that location.

20 **SECTION 3081qe.** 281.75 (11) (a) 7. of the statutes is amended to read:

21 281.75 (11) (a) 7. Except as provided in sub. (14), an award has been made
22 under this section within the previous 10 years for the parcel of land where the
23 private water supply is located and the claim is based on a contaminated private
24 water supply.

25 **SECTION 3081qf.** 281.75 (11) (a) 8. of the statutes is amended to read:

1 281.75 (11) (a) 8. ~~A~~ If the claim is based on a contaminated private water
2 supply, the contaminated private water supply is a residential water supply, is
3 contaminated by bacteria or nitrates or both, and is not contaminated by any other
4 substance, except as provided in par. (ae).

5 **SECTION 3081qg.** 281.75 (11) (a) 9. of the statutes is amended to read:

6 281.75 (11) (a) 9. ~~A~~ If the claim is based on a contaminated private water
7 supply, the contaminated private water supply is a livestock water supply, is
8 contaminated by bacteria, and is not contaminated by any other substance.

9 **SECTION 3081qh.** 281.75 (11) (b) (title) of the statutes is amended to read:

10 281.75 (11) (b) (title) *Limits on awards for contaminated wells; purposes.*

11 **SECTION 3081qi.** 281.75 (11) (d) (title) of the statutes is amended to read:

12 281.75 (11) (d) (title) *Limits on awards for contaminated wells; amount.*

13 **SECTION 3081qj.** 281.75 (17) (a) of the statutes is amended to read:

14 281.75 (17) (a) A claim based on a contaminated private water supply may be
15 submitted irrespective of the time when the contamination is or could have been
16 discovered in the private water supply. A claim may be submitted for contamination
17 which commenced before May 11, 1984, and continues at the time a claim is
18 submitted under this section.

19 **SECTION 3082.** 281.87 of the statutes is created to read:

20 **281.87 Great Lakes contaminated sediment removal.** The department
21 may expend funds from the appropriation under s. 20.866 (2) (ti) to pay a portion of
22 the costs of a project to remove contaminated sediment from Lake Michigan or Lake
23 Superior or a tributary of Lake Michigan or Lake Superior if federal funds are
24 provided for the project under 33 USC 1268 (c) (12).

25 **SECTION 3082e.** 285.14 (2) of the statutes is amended to read:

1 285.14 (2) REVIEW BY STANDING COMMITTEES. At least 60 days before the
2 department is required to submit a state implementation plan to the federal
3 environmental protection agency, the department shall prepare, and provide to the
4 standing committees of the legislature with jurisdiction over environmental
5 matters, under s. 13.172 (3) a report that describes the proposed plan and contains
6 all of the supporting documents that the department intends to submit with the plan.
7 The department shall also submit to the ~~reviser of statutes~~ legislative reference
8 bureau for publication in the administrative register a notice of availability of the
9 report. If, within 30 days after the department provides the report, the chairperson
10 of a standing committee to which the report was provided submits written comments
11 on the report to the department, the secretary shall respond to the chairperson in
12 writing within 15 days of receipt of the comments. This subsection does not apply
13 to a modification to a state implementation plan relating to an individual source.

14 **SECTION 3082r.** 285.23 (6) of the statutes is amended to read:

15 285.23 (6) REPORT TO STANDING COMMITTEES. Before the department issues
16 documents under sub. (2) and at least 60 days before the governor is required to make
17 a submission on a nonattainment designation under 42 USC 7407 (d) (1) (A), the
18 department shall prepare, and provide to the standing committees of the legislature
19 with jurisdiction over environmental matters under s. 13.172 (3), a report that
20 contains a description of any area proposed to be identified as a nonattainment area
21 and supporting documentation. The department shall also submit to the ~~reviser of~~
22 ~~statutes~~ legislative reference bureau for publication in the administrative register
23 a notice of availability of the report. If, within 30 days after the department submits
24 the report, the chairperson of a standing committee to which the report was provided

1 submits written comments on the report to the department, the secretary shall
2 respond to the chairperson in writing within 15 days of receipt of the comments.

3 **SECTION 3083.** 285.30 (5) (a) of the statutes is amended to read:

4 285.30 (5) (a) A motor vehicle of a model year of ~~1967~~ 1995 or earlier.

5 **SECTION 3084.** 285.30 (5) (b) of the statutes is amended to read:

6 285.30 (5) (b) A motor vehicle ~~with~~ of a model year of 2006 or earlier that has
7 a gross vehicle weight rating exceeding ~~10,000~~ 8,500 pounds, as determined by the
8 manufacturer of the vehicle, and a motor vehicle of a model year of 2007 or later that
9 has a gross vehicle weight rating exceeding 14,000 pounds, as determined by the
10 manufacturer of the vehicle.

11 **SECTION 3085.** 285.30 (5) (d) of the statutes is amended to read:

12 285.30 (5) (d) A motor vehicle of a model year of 2006 or earlier that is powered
13 by diesel fuel.

14 **SECTION 3086k.** 287.26 of the statutes is amended to read:

15 **287.26 Business waste reduction and recycling assistance.** The
16 department may contract with a nonprofit organization for services to assist
17 businesses to reduce the amount of solid waste generated or to reuse or recycle solid
18 waste. In any contract under this section, the department shall include goals and
19 objectives, methods to measure progress toward the goals and objectives, and a
20 schedule for reporting to the department on the use of funds and progress toward the
21 goals and objectives. The department may not provide more than \$250,000 annually
22 under this section to any nonprofit organization.

23 **SECTION 3087.** 289.43 (7) (e) 3. of the statutes is amended to read:

24 289.43 (7) (e) 3. All fees collected under this paragraph shall be credited to the
25 appropriations appropriation under s. 20.370 (2) (dg) and ~~(9) (mj)~~.