

1 veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of the
2 Wisconsin Statutes, or have received these benefits within the past 6 months.

3 ***-1195/2.137* SECTION 3526.** 812.44 (5) 2. (form) of the statutes is amended
4 to read:

5 812.44 (5) 2. (form) I receive, am eligible for, or have within 6 months received,
6 aid to families with dependent children, relief funded by a relief block grant under
7 ch. 49, relief provided by counties under section 59.53 (21) of the Wisconsin Statutes,
8 medical assistance, supplemental security income, ~~food stamps~~ supplemental
9 nutrition assistance program benefits, or veterans benefits based on need under 38
10 USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes.

11 ***-1195/2.138* SECTION 3527.** 814.29 (1) (d) 1. of the statutes is amended to
12 read:

13 814.29 (1) (d) 1. That the person is a recipient of means-tested public
14 assistance, including aid to families with dependent children, relief funded by a relief
15 block grant under ch. 49, relief provided by counties under s. 59.53 (21), medical
16 assistance, supplemental security income, ~~food stamps~~ supplemental nutrition
17 assistance program benefits, or benefits received by veterans under s. 45.40 (1m) or
18 under 38 USC 501 to 562.

19 ***-0698/3.26* SECTION 3528.** 815.18 (3) (o) of the statutes is amended to read:
20 815.18 (3) (o) *Tuition units.* Tuition units purchased under s. ~~14.63~~ 16.64.

21 ***-0698/3.27* SECTION 3529.** 815.18 (3) (p) of the statutes is amended to read:
22 815.18 (3) (p) *College savings accounts.* An interest in a college savings account
23 under s. ~~14.64~~ 16.641.

24 ***-0318/3.22* SECTION 3530.** 885.237 (2) of the statutes is amended to read:

1 885.237 (2) Notwithstanding s. 341.04, the fact that an automobile or motor
2 truck having a registered weight of 8,000 pounds or less is located on a highway, as
3 defined in s. 340.01 (22), and is not displaying valid registration plates, a temporary
4 operation plate, or other evidence of registration as provided under s. 341.18 (1) is
5 prima facie evidence, for purposes of ch. 341, that the vehicle is an unregistered or
6 improperly registered vehicle. This subsection does not apply to violations of
7 ordinances enacted under s. 341.65, but this subsection does apply to violations of
8 ordinances enacted under s. 341.65, 2003 stats.

9 *-1187/P5.505* SECTION 3531. 887.23 (1) of the statutes is amended to read:

10 887.23 (1) WHO MAY REQUIRE. The department of health services, the
11 department of corrections, the state superintendent of public instruction, the Board
12 of Trustees of the University of Wisconsin-Madison, or the ~~board of regents~~ Board
13 of Regents of the University of Wisconsin System may order the deposition of any
14 witness to be taken concerning any institution under his, her or its government or
15 superintendence, or concerning the conduct of any officer or agent thereof, or
16 concerning any matter relating to the interests thereof. Upon presentation of a
17 certified copy of such order to any municipal judge, notary public or court
18 commissioner, the officer shall take the desired deposition in the manner provided
19 for taking depositions to be used in actions. When any officer or agent of any
20 institution is concerned and will be affected by the testimony, 2 days' written notice
21 of the time and place of taking the deposition shall be given him or her. Any party
22 interested may appear in person or by counsel and examine the witness touching the
23 matters mentioned in the order. The deposition, duly certified, shall be delivered to
24 the authority which ordered it.

25 *-1356/2.29* SECTION 3532. 891.45 (1) (b) of the statutes is amended to read:

1 891.45 (1) (b) "Municipal fire fighter" includes any person designated as
2 primarily a fire fighter under s. 60.553 (2), 61.66 (2), or 62.13 (2e) (b) and any person
3 under s. 60.553, 61.66, or 62.13 (2e) whose duties as a fire fighter during the 5-year
4 qualifying period took up at least two-thirds of his or her working hours.

5 ***-1356/2.30* SECTION 3533.** 891.453 (1) (c) of the statutes is amended to read:

6 891.453 (1) (c) "Fire fighter" means a state, county, or municipal fire fighter
7 who is covered under s. 891.45 and any person under s. 60.553, 61.66, or 62.13 (2e)
8 whose duties as a fire fighter took up at least two-thirds of his or her working hours.

9 ***-1356/2.31* SECTION 3534.** 891.453 (1) (d) of the statutes is amended to read:

10 891.453 (1) (d) "Law enforcement officer" means any person employed by the
11 state or by a county or a municipality for the purpose of detecting and preventing
12 crime and enforcing laws or ordinances, who is authorized to make arrests for
13 violations of the laws or ordinances which he or she is employed to enforce. "Law
14 enforcement officer" includes a person under s. 60.553, 61.66, or 62.13 (2e) whose
15 duties as a police officer took up at least two-thirds of his or her working hours.

16 ***-1356/2.32* SECTION 3535.** 891.455 (1) of the statutes is amended to read:

17 891.455 (1) In this section, "state, county, or municipal fire fighter" means a
18 fire fighter who is covered under s. 891.45 and any person under s. 60.553, 61.66, or
19 62.13 (2e) whose duties as a fire fighter during the 10-year qualifying period
20 specified in sub. (2) took up at least two-thirds of his or her working hours.

21 ***-1187/P5.506* SECTION 3536.** 893.82 (2) (d) 4. of the statutes is created to
22 read:

23 893.82 (2) (d) 4. An officer, director, employee, or agent of the Board of Trustees
24 of the University of Wisconsin-Madison.

25 ***-1448/1.2* SECTION 3537.** 893.82 (9) of the statutes is created to read:

1 893.82 (9) For purposes of this section, any employee of the state of Minnesota
2 performing services for this state pursuant to a valid agreement between this state
3 and the state of Minnesota providing for interchange of employees or services is
4 considered to have the same status as an employee of this state performing the same
5 services for this state, and any employee of this state who performs services for the
6 state of Minnesota pursuant to such an agreement is considered to have the same
7 status as when performing the same services for this state in any action brought
8 under the laws of this state.

9 *-1465/P4.1275* *-0808/2.493* SECTION 3538. 893.925 (2) (a) of the statutes
10 is amended to read:

11 893.925 (2) (a) An action to recover damages for mining-related injuries under
12 s. 107.32 shall be brought within 3 years of the date on which the death or injury
13 occurs unless the department of ~~commerce~~ safety and professional services gives
14 written notice within the time specified in this subsection that a claim has been filed
15 with it under sub. (1), in which case an action based on the claim may be brought
16 against the person to whom the notice is given within one year after the final
17 resolution, including any appeal, of the claim or within the time specified in this
18 subsection, whichever is longer.

19 *-1465/P4.1276* *-0808/2.494* SECTION 3539. 895.07 (13) of the statutes is
20 amended to read:

21 895.07 (13) BROCHURE. The department of ~~commerce~~ safety and professional
22 services shall prepare a brochure explaining the process under this section and shall
23 provide that brochure to contractors.

24 *-1465/P4.1277* *-0808/2.495* SECTION 3540. 895.441 (5) of the statutes is
25 amended to read:

1 895.441 (5) SILENCE AGREEMENTS. Any provision in a contract or agreement
2 relating to the settlement of any claim by a patient against a therapist that limits
3 or eliminates the right of the patient to disclose sexual contact by the therapist to a
4 subsequent therapist, the department of ~~regulation and licensing~~ safety and
5 professional services, the department of health services, the injured patients and
6 families compensation fund peer review council, or a district attorney is void.

7 ***-1448/1.3* SECTION 3541.** 895.46 (10) of the statutes is created to read:

8 895.46 (10) Any employee of the state of Minnesota who is named as a
9 defendant and who is found liable as a result of performing services for this state
10 under a valid agreement between this state and the state of Minnesota providing for
11 interchange of employees or services shall be indemnified by this state to the same
12 extent as an employee of this state performing the same services for this state
13 pursuant to this section.

14 ***-1187/P5.507* SECTION 3542.** 895.46 (11) of the statutes is created to read:

15 895.46 (11) An officer, director, employee, or agent of the Board of Trustees of
16 the University of Wisconsin–Madison is a state officer, employee, or agent for the
17 purposes of this section.

18 ***-1187/P5.508* SECTION 3543.** 895.515 (1) (b) of the statutes is amended to
19 read:

20 895.515 (1) (b) “Institution of higher education” means an institution within
21 the University of Wisconsin System, the University of Wisconsin–Madison, a
22 technical college, or a private, nonprofit institution of higher education located in
23 this state.

24 ***-1050/P3.40* SECTION 3544.** 895.517 (1) (d) of the statutes is repealed.

25 ***-1050/P3.41* SECTION 3545.** 895.517 (2) of the statutes is amended to read:

SECTION 3545

1 895.517 (2) Any person who donates or sells, at a price not exceeding overhead
 2 and transportation costs, solid waste, or a material that is separated from mixed soil
 3 waste, to a materials reuse program that is operated by a charitable organization,
 4 or municipality or responsible unit is immune from civil liability for the death of or
 5 injury to an individual or the damage to property caused by the solid waste or
 6 material donated or sold by the person.

7 ***-1310/1.17* SECTION 3546.** 908.03 (6m) (c) 3. of the statutes is amended to
 8 read:

9 908.03 (6m) (c) 3. If upon a properly authorized request of an attorney, the
 10 health care provider refuses, fails, or neglects to supply within 2 business days a
 11 legible certified duplicate of its records for the fees established under s. 146.83 (1f)
 12 ~~(e) or (d) or (1h) (b) or (c), whichever are applicable~~ par. (e).

13 ***-1310/1.18* SECTION 3547.** 908.03 (6m) (e) of the statutes is created to read:

14 908.03 (6m) (e) *Fees.* The department of health services shall, by rule,
 15 prescribe uniform fees that are based on an approximation of actual costs. The fees,
 16 plus applicable tax, are the maximum amount that a health care provider may
 17 charge for certified duplicate patient health care records. The rule shall also allow
 18 the health care provider to charge for actual postage or other actual delivery costs.
 19 For duplicate patient health care records and duplicate X-ray reports or the referral
 20 of X-rays to another health care provider that are requested before commencement
 21 of an action, s. 146.83 (1c) (b) and (c) and (3f) applies.

22 ***-0829/P6.83* SECTION 3548.** 911.01 (4) (c) of the statutes is amended to read:

23 911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or
 24 rendition; sentencing, granting or revoking probation, modification of a bifurcated
 25 sentence under s. ~~302.1135~~ 302.113 (9g), adjustment of a bifurcated sentence under

5 ← Strike comma

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1 s. 973.195 (1r), ~~release to extended supervision under s. 302.113 (2) (b) or 304.06 (1)~~
2 ~~or discharge under s. 973.01 (4m) or 973.198~~; issuance of subpoenas or warrants
3 under s. 968.375, arrest warrants, criminal summonses, and search warrants;
4 hearings under s. 980.09 (2); proceedings under s. 971.14 (1r) (c); or proceedings with
5 respect to pretrial release under ch. 969 except where habeas corpus is utilized with
6 respect to release on bail or as otherwise provided in ch. 969; and proceedings under
7 s. 165.76 (6) to compel provision of a biological specimen for deoxyribonucleic acid
8 analysis.

9 ***-1213/1.43* SECTION 3549.** 938.02 (14m) of the statutes is repealed.

10 ***-1213/1.44* SECTION 3550.** 938.13 (6m) of the statutes is amended to read:

11 938.13 (6m) SCHOOL DROPOUT. The juvenile is a school dropout, as defined in
12 s. ~~118.153 (1) (b)~~ 115.001 (2m).

13 ***-1213/1.45* SECTION 3551.** 938.20 (2) (f) 2. of the statutes is amended to read:

14 938.20 (2) (f) 2. Make a determination of whether the juvenile is a child at risk,
15 as defined in s. ~~118.153 (1) (a)~~ 115.001 (1m), unless that determination has been
16 made within the current school semester. ~~If a juvenile is determined to be a child at~~
17 ~~risk under this subdivision, the school administrator shall provide a program for the~~
18 ~~juvenile according to the plan developed under s. 118.153 (2) (a).~~

19 ***-1213/1.46* SECTION 3552.** 938.245 (2) (a) 4. of the statutes is amended to
20 read:

21 938.245 (2) (a) 4. 'Alcohol and other drug abuse treatment and education.' That
22 the juvenile participate in an alcohol and other drug abuse outpatient treatment
23 program, ~~a court-approved pupil assistance program provided by the juvenile's~~
24 ~~school board~~, or a court-approved alcohol or other drug abuse education program, if
25 an alcohol and other drug abuse assessment under subd. 3. recommends outpatient

1 treatment, intervention, or education. ~~The juvenile's participation in a~~
2 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~
3 ~~school board.~~

4 ***-1213/1.47* SECTION 3553.** 938.295 (1g) of the statutes is amended to read:

5 938.295 (1g) REPORT OF RESULTS AND RECOMMENDATIONS. If the court orders an
6 alcohol or other drug abuse assessment under sub. (1), the approved treatment
7 facility shall, within 14 days after the order, report the results of the assessment to
8 the court, except that, if requested by the facility and if the juvenile is not held in
9 secure or nonsecure custody, the court may extend the period for assessment for not
10 more than 20 additional working days. The report shall include a recommendation
11 as to whether the juvenile is in need of treatment, intervention, or education relating
12 to the use or abuse of alcohol beverages, controlled substances, or controlled
13 substance analogs and, if so, shall recommend a service plan and appropriate
14 treatment from an approved treatment facility, ~~intervention from a court-approved~~
15 ~~pupil assistance program,~~ or education from a court-approved alcohol or other drug
16 abuse education program.

17 ***-1213/1.48* SECTION 3554.** 938.32 (1g) (b) of the statutes is amended to read:

18 938.32 (1g) (b) That the juvenile participate in ~~a court-approved pupil~~
19 ~~assistance program provided by the juvenile's school board or a court-approved~~
20 alcohol or other drug abuse education program. ~~The juvenile's participation in a~~
21 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~
22 ~~school board.~~

23 ***-1213/1.49* SECTION 3555.** 938.34 (7d) (a) 1. of the statutes is amended to
24 read:

1 938.34 (7d) (a) 1. A nonresidential educational program, ~~including a program~~
2 ~~for children at risk under s. 118.153~~, provided by the school district in which the
3 juvenile resides.

4 *~~-1213/1.50*~~ **SECTION 3556.** 938.34 (14s) (b) 3. of the statutes is amended to
5 read:

6 938.34 (14s) (b) 3. Participate in ~~a court-approved pupil assistance program~~
7 ~~provided by the juvenile's school board or an alcohol or other drug abuse education~~
8 ~~program. The juvenile's participation in a court-approved pupil assistance program~~
9 ~~under this subdivision is subject to the approval of the juvenile's school board.~~

10 *~~-1213/1.51*~~ **SECTION 3557.** 938.34 (14s) (d) of the statutes is amended to read:

11 938.34 (14s) (d) If the juvenile completes the alcohol or other drug abuse
12 treatment program, ~~court-approved pupil assistance program~~ or court-approved
13 alcohol or other drug abuse education program, the approved treatment facility,
14 ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug
15 abuse education program shall, with the written informed consent of the juvenile or,
16 if the juvenile has not attained the age of 12, the written informed consent of the
17 juvenile's parent, notify the agency primarily responsible for providing services to
18 the juvenile that the juvenile has complied with the order and the court shall notify
19 the juvenile of whether or not the original dispositional order will be reinstated.

20 *~~-1213/1.52*~~ **SECTION 3558.** 938.34 (14s) (e) of the statutes is amended to read:

21 938.34 (14s) (e) If an approved treatment facility, ~~court-approved pupil~~
22 ~~assistance program~~ or court-approved alcohol or other drug abuse education
23 program, with the written informed consent of the juvenile or, if the juvenile has not
24 attained the age of 12, the written informed consent of the juvenile's parent, notifies
25 the agency primarily responsible for providing services to the juvenile that a juvenile

1 is not participating in, or has not satisfactorily completed, a recommended alcohol
2 or other drug abuse treatment program, ~~a court-approved pupil assistance program~~
3 or a court-approved alcohol or other drug abuse education program, the court shall
4 impose the original disposition under par. (a) or (am).

5 ***-1213/1.53* SECTION 3559.** 938.343 (10) (c) of the statutes is amended to read:

6 938.343 (10) (c) Participate in ~~a court-approved pupil assistance program~~
7 ~~provided by the juvenile's school board or in~~ a court-approved alcohol or other drug
8 abuse education program. ~~The juvenile's participation in a court-approved pupil~~
9 ~~assistance program under this paragraph is subject to the approval of the juvenile's~~
10 ~~school board.~~

11 ***-1213/1.54* SECTION 3560.** 938.344 (2g) (a) 3. of the statutes is amended to
12 read:

13 938.344 (2g) (a) 3. Participate in ~~a court-approved pupil assistance program~~
14 ~~provided by the juvenile's school board or in~~ a court-approved alcohol or other drug
15 abuse education program. ~~The juvenile's participation in a court-approved pupil~~
16 ~~assistance program under this subdivision is subject to the approval of the juvenile's~~
17 ~~school board.~~

18 ***-1213/1.55* SECTION 3561.** 938.344 (2g) (c) of the statutes is amended to read:

19 938.344 (2g) (c) If the juvenile completes the alcohol or other drug abuse
20 treatment program, ~~court-approved pupil assistance program~~ or court-approved
21 alcohol or other drug abuse education program, the approved treatment facility,
22 ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug
23 abuse education program shall, with the written informed consent of the juvenile or,
24 if the juvenile has not attained the age of 12, the written informed consent of the
25 juvenile's parent, notify the agency primarily responsible for providing services to

1 the juvenile that the juvenile has complied with the order and the court shall notify
2 the juvenile of whether or not the penalty will be reinstated.

3 ***-1213/1.56* SECTION 3562.** 938.344 (2g) (d) of the statutes is amended to read:

4 938.344 (2g) (d) If an approved treatment facility, ~~court-approved pupil~~
5 ~~assistance program~~, or court-approved alcohol or other drug abuse education
6 program, with the written informed consent of the juvenile or, if the juvenile has not
7 attained the age of 12, the written informed consent of the juvenile's parent, notifies
8 the agency primarily responsible for providing services to the juvenile that a juvenile
9 is not participating, or has not satisfactorily completed, a recommended alcohol or
10 other drug abuse treatment program, ~~a court-approved pupil assistance program~~,
11 or a court-approved alcohol or other drug abuse education program, the court shall
12 hold a hearing to determine whether to impose the penalties under sub. (2), (2b), (2d),
13 or (2e).

14 ***-1213/1.57* SECTION 3563.** 938.345 (2) of the statutes is amended to read:

15 938.345 (2) SCHOOL DROPOUTS AND HABITUAL TRUANTS. If the court finds that a
16 juvenile is in need of protection or services based on the fact that the juvenile is a
17 school dropout, as defined in s. ~~118.153 (1) (b)~~ 115.001 (2m), or based on habitual
18 truancy, and the court also finds that the juvenile has dropped out of school or is a
19 habitual truant as a result of the juvenile's intentional refusal to attend school rather
20 than the failure of any other person to comply with s. 118.15 (1) (a) and (am), the
21 court, instead of or in addition to any other disposition imposed under sub. (1), may
22 enter an order permitted under s. 938.342.

23 ***-1465/P4.1278* *-0808/2.496* SECTION 3564.** 938.78 (2) (g) of the statutes
24 is amended to read:

1 938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing
2 information about an individual in its care or legal custody on the written request
3 of the department of ~~regulation and licensing~~ safety and professional services or of
4 any interested examining board or affiliated credentialing board in that department
5 for use in any investigation or proceeding relating to any alleged misconduct by any
6 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.
7 Unless authorized by an order of the court, the department of ~~regulation and~~
8 ~~licensing~~ safety and professional services and any examining board or affiliated
9 credentialing board in that department shall keep confidential any information
10 obtained under this paragraph and may not disclose the name of or any other
11 identifying information about the individual who is the subject of the information
12 disclosed, except to the extent that redisclosure of that information is necessary for
13 the conduct of the investigation or proceeding for which that information was
14 obtained.

15 *-1465/P4.1279* *-0808/2.497* SECTION 3565. 940.20 (7) (a) 3. of the statutes
16 is amended to read:

17 940.20 (7) (a) 3. "Health care provider" means any person who is licensed,
18 registered, permitted or certified by the department of health services or the
19 department of ~~regulation and licensing~~ safety and professional services to provide
20 health care services in this state.

21 *-1465/P4.1280* *-0808/2.498* SECTION 3566. 940.207 (title) of the statutes
22 is amended to read:

23 **940.207 (title) Battery or threat to department of ~~commerce~~ safety and**
24 **professional services or department of workforce development employee.**

1 ***-1465/P4.1281* *-0808/2.499* SECTION 3567.** 940.207 (2) (intro.) of the
2 statutes is amended to read:

3 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
4 cause bodily harm to the person or family member of any department of ~~commerce~~
5 safety and professional services or department of workforce development official,
6 employee or agent under all of the following circumstances is guilty of a Class H
7 felony:

8 ***-1465/P4.1282* *-0808/2.500* SECTION 3568.** 940.207 (2) (a) of the statutes
9 is amended to read:

10 940.207 (2) (a) At the time of the act or threat, the actor knows or should have
11 known that the victim is a department of ~~commerce~~ safety and professional services
12 or department of workforce development official, employee or agent or a member of
13 his or her family.

14 ***-1465/P4.1283* *-0808/2.501* SECTION 3569.** 940.22 (1) (a) of the statutes
15 is amended to read:

16 940.22 (1) (a) "Department" means the department of ~~regulation and licensing~~
17 safety and professional services.

18 ***-1187/P5.509* SECTION 3570.** 946.13 (12) (b) (intro.) of the statutes is
19 amended to read:

20 946.13 (12) (b) (intro.) Subsection (1) does not apply to a contract between a
21 research company and the University of Wisconsin System or any institution or
22 college campus within the system for purchase of goods or services, including
23 research, if all of the following apply:

24 ***-1187/P5.510* SECTION 3571.** 946.13 (13) of the statutes is created to read:

1 946.13 (13) (a) In this subsection, "research company" means an entity engaged
2 in commercial activity that is related to research conducted by an employee or officer
3 of the University of Wisconsin–Madison or to a product of such research.

4 (b) Subsection (1) does not apply to a contract between a research company and
5 the University of Wisconsin–Madison for purchase of goods or services, including
6 research, if all of the following apply:

7 1. The contract is approved by a University of Wisconsin–Madison employee
8 or officer responsible for evaluating and managing potential conflicts of interest.

9 2. Either of the following apply:

10 a. The contract together with all other contracts between the same parties
11 require less than \$250,000 in payments over a 24-month period.

12 b. The University of Wisconsin–Madison submits the contract to the Board of
13 Trustees of the University of Wisconsin–Madison and, within 45 days, the Board of
14 Trustees determines that the contract benefits the state and any conflicts of interest
15 are appropriately managed by the University of Wisconsin–Madison.

16 (c) Paragraphs (a) and (b) apply regardless of the date on which a contract was
17 entered into.

18 *~~-0829/P6.84~~* SECTION 3572. 950.04 (1v) (f) of the statutes is amended to read:

19 950.04 (1v) (f) To have the ~~earned release review~~ parole commission make a
20 reasonable attempt to notify the victim of applications for parole ~~or release to~~
21 ~~extended supervision~~, as provided under s. 304.06 (1).

22 *~~-0829/P6.85~~* SECTION 3573. 950.04 (1v) (g) of the statutes is amended to
23 read:

1 950.04 (1v) (g) To have reasonable attempts made to notify the victim of
2 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),
3 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

4 ***-0829/P6.86* SECTION 3574.** 950.04 (1v) (gm) of the statutes is amended to
5 read:

6 950.04 (1v) (gm) To have reasonable attempts made to notify the victim of an
7 ~~offender who submits a petition~~ petitions for sentence adjustment as provided under
8 s. 973.195 (1r) (d), ~~an offender who applies for release to extended supervision under~~
9 ~~s. 302.113 (2) (b), 302.1135, or 304.06 (1), or an offender who applies for a reduction~~
10 ~~under s. 973.01 (4m) or 973.198.~~

11 ***-0829/P6.87* SECTION 3575.** 950.04 (1v) (nt) of the statutes is amended to
12 read:

13 950.04 (1v) (nt) To attend a hearing on a petition for modification of a
14 bifurcated sentence and provide a statement concerning modification of the
15 bifurcated sentence, as provided under s. ~~302.1135 (4)~~ 302.113 (9g) (d).

16 ***-1356/2.33* SECTION 3576.** 951.01 (3f) of the statutes is amended to read:

17 951.01 (3f) "Fire department" includes a volunteer fire department and a
18 department under s. 60.553, 61.66, or 62.13 (2e).

19 ***-1465/P4.1284* *-0805/P2.55* SECTION 3577.** 961.01 (20g) of the statutes is
20 amended to read:

21 961.01 (20g) "Public housing project" means any housing project or
22 development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601
23 (2).

24 ***-1465/P4.1285* *-0808/2.502* SECTION 3578.** 961.36 (1m) of the statutes is
25 amended to read:

1 961.36 (1m) At the request of the department of ~~regulation and licensing safety~~
2 ~~and professional services~~ or a board, examining board or affiliated credentialing
3 board in the department of ~~regulation and licensing safety and professional services~~,
4 the controlled substances board shall provide advice and assistance in matters
5 related to the controlled substances law to the department or to the board, examining
6 board or affiliated credentialing board in the department making the request for
7 advice or assistance.

8 *-0829/P6.88* SECTION 3579. 973.01 (3d) of the statutes is repealed.

9 *-0829/P6.89* SECTION 3580. 973.01 (4) of the statutes is amended to read:

10 973.01 (4) ~~EXTENSION~~ NO GOOD TIME, EXTENSION OR REDUCTION OF TERM OF
11 IMPRISONMENT. A person sentenced to a bifurcated sentence under sub. (1) shall serve
12 the term of confinement in prison portion of the sentence without reduction for good
13 behavior. The term of confinement in prison portion is subject to extension under s.
14 302.113 (3) and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a.,
15 302.113 (9g), or 973.195 (1r), or adjustment under s. 302.113 (2) (b), 302.1135 (6) (a),
16 ~~or 304.06 (1) or 973.198.~~

17 *-0829/P6.90* SECTION 3581. 973.01 (4m) of the statutes is repealed.

18 *-0829/P6.91* SECTION 3582. 973.01 (7) of the statutes is amended to read:

19 973.01 (7) ~~DISCHARGE~~ NO DISCHARGE. The department of corrections shall may
20 not discharge a person who is serving a bifurcated sentence from custody, control and
21 supervision ~~when~~ until the person has served the entire bifurcated sentence, ~~as~~
22 ~~modified under sub. (4m) or s. 302.113 (2) (b) or (9h), 302.1135, or 304.06 (1), if~~
23 applicable.

24 *-0829/P6.92* SECTION 3583. 973.031 of the statutes is repealed.

1 ***-0097/P3.1* SECTION 3584.** 973.045 (1r) (a) (intro.) of the statutes is amended
2 to read:

3 973.045 (1r) (a) (intro.) The clerk shall record any crime victim and witness
4 surcharge imposed under sub. (1) in 2 parts as follows:

5 ***-0097/P3.2* SECTION 3585.** 973.045 (1r) (a) 2. of the statutes is amended to
6 read:

7 973.045 (1r) (a) 2. Part B equals ~~\$27~~ \$20 for each misdemeanor offense or count
8 and ~~\$27~~ \$20 for each felony offense or count.

9 ***-0097/P3.3* SECTION 3586.** 973.045 (1r) (a) 3. of the statutes is created to
10 read:

11 973.045 (1r) (a) 3. Part C equals \$7 for each misdemeanor offense or count and
12 \$7 for each felony offense or count.

13 ***-0097/P3.4* SECTION 3587.** 973.045 (2m) of the statutes, as affected by 2009
14 Wisconsin Act 28, section 3391c, is amended to read:

15 973.045 (2m) (a) The secretary of administration shall credit to the
16 appropriation account under s. 20.455 (5) (gc) ~~the first \$20 of part B of the crime~~
17 ~~victim and witness surcharge.~~

18 (b) The secretary of administration shall credit to the appropriation account
19 under s. 20.455 (5) (g) ~~part A of the crime victim and witness surcharge and any part~~
20 ~~of part B C of the crime victim and witness surcharge that remains after the secretary~~
21 ~~of administration complies with par. (a).~~

22 ***-0097/P3.5* SECTION 3588.** 973.045 (3) (c) of the statutes is created to read:

23 973.045 (3) (c) The person paying the crime victim and witness surcharge shall
24 pay all of the moneys due under part A and part B before he or she pays any of the
25 moneys due under part C.

1 ***-0097/P3.6*** SECTION 3589. 973.05 (2m) (dg) of the statutes is created to read:

2 973.05 (2m) (dg) To payment of part C of the crime victim and witness
3 assistance surcharge until paid in full.

4 ***-0829/P6.93*** SECTION 3590. 973.09 (3) (d) of the statutes is repealed.

5 ***-0829/P6.94*** SECTION 3591. 973.195 (1r) (a) of the statutes is amended to
6 read:

7 973.195 (1r) (a) ~~An~~ Except as provided in s. 973.198, an inmate who is serving
8 a sentence imposed under s. 973.01 ~~before October 1, 2009~~, for a crime other than a
9 Class B felony may petition the sentencing court to adjust the sentence if the inmate
10 has served at least the applicable percentage of the term of confinement in prison
11 portion of the sentence. If an inmate is subject to more than one sentence imposed
12 under this section, the sentences shall be treated individually for purposes of
13 sentence adjustment under this subsection.

14 ***-0829/P6.95*** SECTION 3592. 973.195 (1r) (j) of the statutes is repealed.

15 ***-0829/P6.96*** SECTION 3593. 973.198 of the statutes is created to read:

16 **973.198 Sentence adjustment; positive adjustment time.** (1) Subject to
17 sub. (2), an inmate who is serving a sentence imposed under s. 973.01 on or after
18 October 1, 2009, but before the effective date of this subsection [LRB inserts date],
19 and who has earned positive adjustment time under s. 302.113, 2009 stats., or under
20 s. 304.06, 2009 stats., may petition the sentencing court to adjust the sentence under
21 this section.

22 (2) When the department of corrections determines that an inmate has served
23 the confinement portion of his or her sentence less positive adjustment time earned
24 between October 1, 2009, and the effective date of this subsection [LRB inserts
25 date], the inmate may petition the sentencing court to adjust his or her sentence

1 based on the number of days of positive adjustment time the inmate claims that he
2 or she has earned.

3 (3) Within 60 days of receipt of a petition filed under sub. (2), the sentencing
4 court shall either deny the petition or hold a hearing and issue an order relating to
5 the inmate's sentence adjustment and release to extended supervision.

6 (4) At the hearing under sub. (3), the court may consider the inmate's conduct
7 in prison, his or her level of risk of reoffending, based on a verified, objective
8 instrument, and the nature of the offense committed by the inmate.

9 (5) If the court determines that the inmate has earned positive adjustment
10 time, the court may reduce the term of confinement in prison by the amount of time
11 remaining in the term of confinement in prison portion of the sentence, less up to 30
12 days, and shall lengthen the term of extended supervision so that the total length of
13 the bifurcated sentence originally imposed does not change.

14 (6) An inmate who submits a petition under this section may not apply for
15 adjustment of the same sentence under s. 973.195.

16 *-0829/P6.97* SECTION 3594. 974.07 (4) (b) of the statutes is amended to read:

17 974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing
18 addresses from completed information cards submitted by victims under ss. 51.37
19 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f),
20 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections,
21 the ~~earned release review~~ parole commission, and the department of health services
22 shall, upon request, assist clerks of court in obtaining information regarding the
23 mailing address of victims for the purpose of sending copies of motions and notices
24 of hearings under par. (a).

1 ***-0829/P6.98* SECTION 3595.** 976.03 (23) (c) of the statutes is amended to
2 read:

3 976.03 (23) (c) The application shall be verified by affidavit, shall be executed
4 in duplicate and shall be accompanied by 2 certified copies of the indictment
5 returned, or information and affidavit filed, or of the complaint made to a judge,
6 stating the offense with which the accused is charged, or of the judgment of
7 conviction or of the sentence. The prosecuting officer, ~~earned release review parole~~
8 commission, warden or sheriff may also attach such further affidavits and other
9 documents in duplicate as he, she or it deems proper to be submitted with the
10 application. One copy of the application, with the action of the governor indicated
11 by endorsement thereon, and one of the certified copies of the indictment, complaint,
12 information and affidavits, or of the judgment of conviction or of the sentence shall
13 be filed in the office of the governor to remain of record in that office. The other copies
14 of all papers shall be forwarded with the governor's requisition.

15 ***-1195/2.139* SECTION 3596.** 977.01 (2) of the statutes is amended to read:

16 977.01 (2) "Public assistance" means relief provided by counties under s. 59.53
17 (21), Wisconsin ~~works~~ Works under ss. 49.141 to 49.161, medical assistance under
18 subch. IV of ch. 49, low-income energy assistance under s. 16.27, weatherization
19 assistance under s. 16.26, and the ~~food stamp~~ supplemental nutrition assistance
20 program under 7 USC 2011 to ~~2029~~ 2036.

21 ***-0829/P6.99* SECTION 3597.** 977.05 (4) (jm) of the statutes is amended to
22 read:

23 977.05 (4) (jm) At the request of an inmate determined by the state public
24 defender to be indigent or upon referral of ~~the department of corrections~~ a court
25 under s. ~~302.1135 (10)~~ 302.113 (9g) (j), represent the inmate in proceedings for

1 modification of a bifurcated sentence under s. ~~302.1135~~ before the earned release
2 review commission 302.113 (9g) before a program review committee and the
3 sentencing court, if the state public defender determines the case should be pursued.

4 ***-1465/P4.1286* *-0808/2.503* SECTION 3598.** 978.05 (6) (b) of the statutes
5 is amended to read:

6 978.05 (6) (b) Enforce the provisions of all general orders of the department of
7 commerce safety and professional services relating to the sale, transportation and
8 storage of explosives.

9 ***-1356/2.34* SECTION 3599.** 990.01 (7g) of the statutes is amended to read:

10 990.01 (7g) FIRE CHIEF. "Fire chief" or "chief of a fire department" includes the
11 chief of a department under s. 60.553, 61.66, or 62.13 (2e).

12 ***-1356/2.35* SECTION 3600.** 990.01 (7m) of the statutes is amended to read:

13 990.01 (7m) FIRE DEPARTMENT. "Fire department" includes a department under
14 s. 60.553, 61.66, or 62.13 (2e).

15 ***-1356/2.36* SECTION 3601.** 990.01 (7r) of the statutes is amended to read:

16 990.01 (7r) FIRE FIGHTER. "Fire fighter" includes a person serving under s.
17 60.553, 61.66, or 62.13 (2e).

18 ***-1356/2.37* SECTION 3602.** 990.01 (28g) of the statutes is amended to read:

19 990.01 (28g) POLICE CHIEF. "Police chief" or "chief of a police department"
20 includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

21 ***-1356/2.38* SECTION 3603.** 990.01 (28m) of the statutes is amended to read:

22 990.01 (28m) POLICE DEPARTMENT. "Police department" includes a department
23 under s. 60.553, 61.66, or 62.13 (2e).

24 ***-1356/2.39* SECTION 3604.** 990.01 (28r) of the statutes is amended to read:

1 990.01 (28r) POLICE OFFICER. "Police officer" includes a person serving under
2 s. 60.553, 61.66, or 62.13 (2e).

3 ***-1146/1.28* SECTION 3605.** 2009 Wisconsin Act 333, section 20 (2) is amended
4 to read:

5 [2009 Wisconsin Act 333] Section 20 (2) PUBLISH NOTICE IN THE WISCONSIN
6 ADMINISTRATIVE REGISTER THAT FUNDING IS NOT AVAILABLE. If, after making the
7 determination under subsection (1m), the department of children and families
8 determines that federal moneys from the Temporary Assistance for Needy Families
9 Emergency Fund under the American Recovery and Reinvestment Act of 2009 are
10 no longer available to support an expansion of trial jobs under section 49.147 (3) of
11 the statutes, as affected by this act, ~~and the project under section 49.162 of the~~
12 ~~statutes, as affected by this act,~~ the department shall publish a notice in the
13 Wisconsin Administrative Register that states the date on which the federal moneys
14 may no longer be obtained.

15 ***-1146/1.29* SECTION 3606.** 2009 Wisconsin Act 333, section 20 (5) is amended
16 to read:

17 [2009 Wisconsin Act 333] Section 20 (5) ADDITIONAL FUNDING FOR PROGRAMS. If
18 any other federal funding becomes available for the ~~programs~~ program under
19 ~~sections~~ section 49.147 (3) ~~and 49.162~~ of the statutes, as affected by this act, the
20 department of children and families shall take any actions that may be necessary to
21 obtain the funding and use it for ~~those programs~~ that program.

22 ***-1146/1.30* SECTION 3607.** 2009 Wisconsin Act 333, section 22 (2) is amended
23 to read:

24 [2009 Wisconsin Act 333] Section 22 (2) The repeal of ~~sections~~ section 49.147 (3)
25 (cm) ~~and (dm)~~ ~~and 49.162 (3) (am) and (d)~~ of the statutes and the amendment of

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1 ~~sections~~ section 49.147 (3) (a) (by SECTION 4) and 49.162 (3) (a) (by SECTION 10) of the
2 statutes take effect on the date stated in the notice published by the department of
3 children and families under SECTION 20 (2) of this act.

4 ***-0179/P1.9101* SECTION 9101. Nonstatutory provisions;**
5 **Administration.**

6 ***-0912/2.9101* (1) YOUTH DIVERSION GRANT REDUCTIONS.**

7 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the
8 statutes, the office of justice assistance in the department of administration shall
9 reduce the amount of money allocated under section 16.964 (8) (a) of the statutes by
10 \$85,900 in each of fiscal years 2011-12 and 2012-13.

11 (b) Notwithstanding the amount specified under section 16.964 (8) (b) of the
12 statutes, the office of justice assistance in the department of administration shall
13 reduce the amount of money distributed under section 16.964 (8) (b) of the statutes
14 by \$18,400 in each of fiscal years 2011-12 and 2012-13.

15 (c) Notwithstanding the amounts specified under section 16.964 (8) (c) of the
16 statutes, the office of justice assistance in the department of administration shall
17 reduce the amount of money allocated for each of the 4 contracts that are funded with
18 moneys from the appropriation accounts under section 20.505 (6) (d) and (kj) of the
19 statutes by \$25,650 in each of fiscal years 2011-12 and 2012-13 and shall reduce the
20 amount of money allocated for the contract that is funded only with moneys from the
21 appropriation account under section 20.505 (6) (kj) of the statutes by \$18,100 in each
22 of fiscal years 2011-12 and 2012-13.

23 ***-1192/P2.9101* (2) LITERACY INITIATIVE; GOVERNOR'S TASK FORCE.** A task force
24 created by the governor by executive order and charged with developing detailed
25 recommendations for a program to assess and improve literacy in elementary school

1 children may request the department of administration to release funding from the
2 department's appropriation account under section 20.505 (4) (c) of the statutes, as
3 created by this act, for use by the department to implement the recommendations of
4 the task force after the governor has approved the detailed recommendations
5 proposed by the task force.

6 ***-1231/2.9101*** (3) ELIMINATION OF OFFICE OF THE WISCONSIN COVENANT
7 SCHOLARS PROGRAM.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
9 liabilities of the office of the Wisconsin Covenant Scholars Program shall become the
10 assets and liabilities of the higher educational aids board.

11 (b) *Tangible personal property.* On the effective date of this paragraph, all
12 tangible personal property, including records, of the office of the Wisconsin Covenant
13 Scholars Program is transferred to the higher educational aids board.

14 (c) *Contracts.* All contracts entered into by the office of the Wisconsin Covenant
15 Scholars Program in effect on the effective date of this paragraph remain in effect
16 and are transferred to the higher educational aids board. The higher educational
17 aids board shall carry out any obligations under such a contract until the contract
18 is modified or rescinded by the higher educational aids board to the extent allowed
19 under the contract.

20 (d) *Rules and orders.* All rules promulgated by the office of the Wisconsin
21 Covenant Scholars Program that are in effect on the effective date of this paragraph
22 remain in effect until their specified expiration dates or until amended or repealed
23 by the higher educational aids board. All orders issued by the office of the Wisconsin
24 Covenant Scholars Program that are in effect on the effective date of this paragraph

1 remain in effect until their specified expiration dates or until modified or rescinded
2 by the higher educational aids board.

3 (e) *Pending matters.* Any matter pending with the office of the Wisconsin
4 Covenant Scholars Program on the effective date of this paragraph is transferred to
5 the higher educational aids board and all materials submitted to or actions taken by
6 the office of the Wisconsin Covenant Scholars Program with respect to the pending
7 matter are considered as having been submitted to or taken by the higher
8 educational aids board.

9 ***-1304/1.9101*** (4) ELIMINATION OF CERTAIN VACANT POSITIONS IN THE EXECUTIVE
10 BRANCH OF STATE GOVERNMENT.

11 (a) In this subsection, "state agency" means any office, department, or
12 independent agency in the executive branch of state government.

13 (b) Notwithstanding section 16.505 (1), during the 2011-13 fiscal biennium,
14 the secretary of administration may abolish any full-time equivalent position at any
15 state agency if the position is vacant and if the secretary of administration
16 determines that filling the position is not required for the state agency to carry out
17 its duties and exercise its powers.

18 ***-0179/P1.9102*** SECTION 9102. **Nonstatutory provisions; Aging and**
19 **Long-Term Care Board.**

20 ***-0179/P1.9103*** SECTION 9103. **Nonstatutory provisions; Agriculture,**
21 **Trade and Consumer Protection.**

22 ***-0179/P1.9104*** SECTION 9104. **Nonstatutory provisions; Arts Board.**

23 ***-1097/3.9104*** (1) ELIMINATION OF PERCENT FOR ART PROGRAM.

24 Notwithstanding the repeal of section 44.57 (4) and (5) (a) and (b) of the statutes by
25 this act, any contract entered into by the arts board under section 44.57 (4), 2009

1 stats., for the procurement of a work of art that is in effect on the day before the
 2 effective date of this subsection remains in effect. The arts board shall carry out any
 3 obligation under the contract, unless the contract is modified or rescinded as
 4 permitted under the contract, and shall ensure that the work of art procured under
 5 the contract is properly executed and installed as required under section 44.57 (5)
 6 (a) and (b), 2009 stats.

7 (2) PLACEMENT OF ARTS BOARD IN DEPARTMENT OF TOURISM.

8 (a) *Employee transfers.* All incumbent employees holding positions in the arts
 9 board are transferred on the effective of this paragraph to the department of tourism.

10 (b) *Employee status.* Employees transferred under paragraph (a) have all the
 11 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
 12 statutes in the department of tourism that they enjoyed in the arts board
 13 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
 14 no employee so transferred who has attained permanent status in class is required
 15 to serve a probationary period.

16 ***-0179/P1.9105* SECTION 9105. Nonstatutory provisions; Board for**
 17 **People with Developmental Disabilities.**

18 ***-0179/P1.9106* SECTION 9106. Nonstatutory provisions; Building**
 19 **Commission.**

20 ***-0179/P1.9107* SECTION 9107. Nonstatutory provisions; Child Abuse**
 21 **and Neglect Prevention Board.**

22 **SECTION 9108. Nonstatutory provisions; Children and Families.**

23 ***-0153/P1.9108* (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC**
 24 **SUPPORT.**

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 from p.1127

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1 (a) *Positions and employees.* On the effective date of this paragraph, 3 positions
2 and the incumbent employee or employees, if any, holding those positions in the
3 department of children and families performing duties that are primarily related to
4 automation security for the Client Assistance for Reemployment and Economic
5 Support system, as determined by the secretary of administration, are transferred
6 to the department of health services.

7 (b) *Employee status.* Any employee transferred under paragraph (a) has all the
8 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
9 statutes in the department of health services that he or she enjoyed in the
10 department of children and families immediately before the transfer.
11 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
12 has attained permanent status in class is required to serve a probationary period.

13 ***-0179/P1.9108* SECTION 9108. Nonstatutory provisions; Children and**
14 **Families.**

15 ***-0179/P1.9109* SECTION 9109. Nonstatutory provisions; Circuit**
16 **Courts.**

17 ***-0179/P1.9110* SECTION 9110. Nonstatutory provisions; Commerce.**

18 ***-1465/P4.9110* *-0805/P2.9110*** (1) HOUSING ASSISTANCE TRANSFER.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
20 liabilities of the department of commerce primarily related to the functions of the
21 department under subchapter X of chapter 560, 2009 stats., as determined by the
22 secretary of administration, shall become the assets and liabilities of the Wisconsin
23 Housing and Economic Development Authority.

24 (b) *Tangible personal property.* On the effective date of this paragraph, all
25 tangible personal property, including records, of the department of commerce that

1 is primarily related to the functions of the department under subchapter X of chapter
2 560, 2009 stats., as determined by the secretary of administration, is transferred to
3 the Wisconsin Housing and Economic Development Authority.

4 (c) *Contracts*. All contracts entered into by the department of commerce in
5 effect on the effective date of this paragraph that are primarily related to the
6 functions of the department under subchapter X of chapter 560, 2009 stats., as
7 determined by the secretary of administration, remain in effect and are transferred
8 to the Wisconsin Housing and Economic Development Authority. The Wisconsin
9 Housing and Economic Development Authority shall carry out any obligations under
10 such a contract until the contract is modified or rescinded by the Wisconsin Housing
11 and Economic Development Authority to the extent allowed under the contract.

12 ***-0808/2.9110*** (2) TRANSFER OF BUSINESS ASSISTANCE PROGRAMS.

13 (a) *Assets and liabilities*. On the effective date of this paragraph, the assets and
14 liabilities of the department of commerce primarily related to disabled
15 veteran-owned business certifications, woman-owned business certifications,
16 minority business certifications, women's business initiative corporation grants,
17 small business innovation research assistance grants, or diesel truck idling
18 reduction grants, as determined by the secretary of administration, shall become the
19 assets and liabilities of the department of safety and professional services.

20 (b) *Employee transfers*. All positions and all incumbent employees holding
21 those positions in the department of commerce performing duties primarily related
22 to disabled veteran-owned business certifications, woman-owned business
23 certifications, minority business certifications, women's business initiative
24 corporation grants, small business innovation research assistance grants, or diesel
25 truck idling reduction grants, as determined by the secretary of administration, are

1 transferred on the effective date of this paragraph to the department of safety and
2 professional services.

3 (c) *Employee status.* Employees transferred under paragraph (b) have all the
4 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
5 statutes in the department of safety and professional services that they enjoyed in
6 the department of commerce immediately before the transfer. Notwithstanding
7 section 230.28 (4) of the statutes, no employee so transferred who has attained
8 permanent status in class is required to serve a probationary period.

9 (d) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of commerce that
11 is primarily related to disabled veteran-owned business certifications,
12 woman-owned business certifications, minority business certifications, women's
13 business initiative corporation grants, small business innovation research
14 assistance grants, or diesel truck idling reduction grants, as determined by the
15 secretary of administration, is transferred to the department of safety and
16 professional services.

17 (e) *Contracts.* All contracts entered into by the department of commerce in
18 effect on the effective date of this paragraph that are primarily related to disabled
19 veteran-owned business certifications, woman-owned business certifications,
20 minority business certifications, women's business initiative corporation grants,
21 small business innovation research assistance grants, or diesel truck idling
22 reduction grants, as determined by the secretary of administration, remain in effect
23 and are transferred to the department of safety and professional services. The
24 department of safety and professional services shall carry out any obligations under

1 such a contract until the contract is modified or rescinded by the department of safety
2 and professional services to the extent allowed under the contract.

3 (f) *Rules and orders.* All rules promulgated by the department of commerce
4 that relate to disabled veteran-owned business certifications, woman-owned
5 business certifications, minority business certifications, women's business initiative
6 corporation grants, small business innovation research assistance grants, or diesel
7 truck idling reduction grants, that are in effect on the effective date of this
8 subsection, remain in effect until their specified expiration dates or until amended
9 or repealed by the department of safety and professional services. All orders issued
10 by the department of commerce relating to such business certifications or grants that
11 are in effect on the effective date of this subsection remain in effect until their
12 specified expiration dates or until modified or rescinded by the department of safety
13 and professional services.

14 (g) *Pending matters.* Any matter pending with the department of commerce
15 on the effective date of this paragraph that is primarily related to disabled
16 veteran-owned business certifications, woman-owned business certifications,
17 minority business certifications, women's business initiative corporation grants,
18 small business innovation research assistance grants, or diesel truck idling
19 reduction grants, as determined by the secretary of administration, is transferred to
20 the department of safety and professional services and all materials submitted to or
21 actions taken by the department of commerce with respect to the pending matters
22 are considered as having been submitted to or taken by the department of safety and
23 professional services.

24 (3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND
25 REGULATORY SERVICES.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
2 liabilities of the department of commerce primarily related to the functions of the
3 division of safety and buildings and the division of environmental and regulatory
4 services, as determined by the secretary of administration, shall become the assets
5 and liabilities of the department of safety and professional services.

6 (b) *Employee transfers.* All positions and all incumbent employees holding
7 those positions in the department of commerce performing duties primarily related
8 to the functions of the division of safety and buildings and the division of
9 environmental and regulatory services, as determined by the secretary of
10 administration, are transferred on the effective date of this paragraph to the
11 department of safety and professional services.

12 (c) *Employee status.* Employees transferred under paragraph (b) have all the
13 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
14 statutes in the department of safety and professional services that they enjoyed in
15 the department of commerce immediately before the transfer. Notwithstanding
16 section 230.28 (4) of the statutes, no employee so transferred who has attained
17 permanent status in class is required to serve a probationary period.

18 (d) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of commerce that
20 is primarily related to the functions of the division of safety and buildings and the
21 division of environmental and regulatory services, as determined by the secretary of
22 administration, is transferred to the department of safety and professional services.

23 (e) *Contracts.* All contracts entered into by the department of commerce in
24 effect on the effective date of this paragraph that are primarily related to the
25 functions of the division of safety and buildings and the division of environmental

1 and regulatory services, as determined by the secretary of administration, remain
2 in effect and are transferred to the department of safety and professional services.
3 The department of safety and professional services shall carry out any obligations
4 under such a contract until the contract is modified or rescinded by the department
5 of safety and professional services to the extent allowed under the contract.

6 (f) *Rules and orders.* All rules promulgated by the department of commerce
7 that are in effect on the effective date of this paragraph and that are primarily related
8 to the functions of the division of safety and buildings and the division of
9 environmental and regulatory services, as determined by the secretary of
10 administration, remain in effect until their specified expiration dates or until
11 amended or repealed by the department of safety and professional services. All
12 orders issued by the department of commerce that are in effect on the effective date
13 of this paragraph and that are primarily related to the functions of the division of
14 safety and buildings and the division of environmental and regulatory services, as
15 determined by the secretary of administration, remain in effect until their specified
16 expiration dates or until modified or rescinded by the department of safety and
17 professional services.

18 (g) *Pending matters.* Any matter pending with the department of commerce
19 on the effective date of this paragraph that is primarily related to the functions of the
20 division of safety and buildings and the division of environmental and regulatory
21 services, as determined by the secretary of administration, is transferred to the
22 department of safety and professional services and all materials submitted to or
23 actions taken by the department of commerce with respect to the pending matters
24 are considered as having been submitted to or taken by the department of safety and
25 professional services.

1 (4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF
2 COMMERCE.

3 (a) The positions, and the incumbent employees holding those positions, in the
4 division of administrative services in the department of commerce that the secretary
5 of administration determines shall be transferred to the department of safety and
6 professional services, are transferred on the effective date of this paragraph.

7 (b) Employees transferred under paragraph (a) have all the rights and the
8 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
9 department of safety and professional services that they enjoyed in the department
10 of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of
11 the statutes, no employee so transferred who has attained permanent status in class
12 is required to serve a probationary period.

13 (5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND
14 PROFESSIONAL SERVICES.

15 (a) In this subsection:

16 1. "Schedule" means the schedule under section 20.005 of the statutes, as
17 affected by this act.

18 2. "Secretary" means the secretary of administration.

19 (b) Before July 1, 2013, the secretary may transfer moneys from any
20 appropriation under section 20.165 of the statutes, as affected by this act, to any
21 other appropriation under section 20.165 of the statutes, as affected by this act, and
22 may increase or decrease the amounts shown in the schedule for any appropriation
23 under section 20.165 of the statutes, as affected by this act, if necessary to reallocate
24 funding in accordance with the transfer of functions or personnel from the
25 department of commerce to the department of safety and professional services,

1 except that the secretary may not adjust the amounts shown in the schedule in a
2 manner so that the total amounts appropriated under the adjusted appropriations
3 exceed the total amounts shown in the schedule for those appropriations on the
4 effective date of this act. The secretary shall submit a report to the joint committee
5 on finance before July 1, 2013, that identifies the actions taken by the secretary
6 under this subsection.

7 ***-1059/P3.9110*** (6) ECONOMIC DEVELOPMENT TRANSFER.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
9 liabilities of the department of commerce primarily related to the functions of the
10 department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009
11 stats., as determined by the secretary of administration, shall become the assets and
12 liabilities of the Wisconsin Economic Development Corporation.

13 (b) *Tangible personal property.* On the effective date of this paragraph, all
14 tangible personal property, including records, of the department of commerce that
15 is primarily related to the functions of the department under subchapters I, II, III,
16 IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal
17 property, including records, transferred to the department of agriculture, trade and
18 consumer protection under subsection (7) (a) and except the tangible personal
19 property, including records, transferred to the department of administration under
20 subsection (8) (b), as determined by the secretary of administration, is transferred
21 to the Wisconsin Economic Development Corporation.

22 (c) *Contracts.* All contracts entered into by the department of commerce in
23 effect on the effective date of this paragraph that are primarily related to the
24 functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of
25 chapter 560, 2009 stats., as determined by the secretary of administration, remain

1 in effect and are transferred to the Wisconsin Economic Development Corporation.
2 The Wisconsin Economic Development Corporation shall carry out any obligations
3 under such a contract until the contract is modified or rescinded by the Wisconsin
4 Economic Development Corporation to the extent allowed under the contract.

5 (7) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT; TRANSFER.

6 (a) *Tangible personal property.* On the effective date of this paragraph, all
7 tangible personal property, including records, of the department of commerce that
8 is primarily related to the functions of the department of commerce with respect to
9 section 560.207, 2009 stats., as determined by the secretary of administration, is
10 transferred to the department of agriculture, trade and consumer protection.

11 (b) *Rules.* All rules promulgated by the department of commerce under section
12 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph
13 remain in effect until their specified expiration date or until amended or repealed by
14 the department of agriculture, trade and consumer protection.

15 (8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.

16 (a) *Tangible personal property.* On the effective date of this paragraph, all
17 tangible personal property, including records, of the department of commerce that
18 is primarily related to the functions of the department of commerce with respect to
19 section 231.35, 2009 stats., as determined by the secretary of administration, is
20 transferred to the department of administration.

21 (b) *Rules.* All rules promulgated by the department of commerce under section
22 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph
23 remain in effect until their specified expiration date or until amended or repealed by
24 the department of administration.

25 ***-0179/P1.9111* SECTION 9111. Nonstatutory provisions; Corrections.**

1 ***-0179/P1.9112*** SECTION 9112. Nonstatutory provisions; Court of
2 Appeals.

3 ***-0179/P1.9113*** SECTION 9113. Nonstatutory provisions; District
4 Attorneys.

5 ***-0830/P6.9113*** (1) ASSISTANT DISTRICT ATTORNEY SALARIES. The offices of the
6 district attorneys shall work with the office of state employment relations to allocate
7 the moneys appropriated under section 20.475 (1) (kg) of the statutes, as created by
8 this act.

9 ***-0179/P1.9114*** SECTION 9114. Nonstatutory provisions; Educational
10 Communications Board.

11 ***-0179/P1.9115*** SECTION 9115. Nonstatutory provisions; Employee
12 Trust Funds.

13 ***-0179/P1.9116*** SECTION 9116. Nonstatutory provisions; Employment
14 Relations Commission.

15 ***-0179/P1.9117*** SECTION 9117. Nonstatutory provisions; Financial
16 Institutions.

17 ***-0179/P1.9118*** SECTION 9118. Nonstatutory provisions; Government
18 Accountability Board.

19 ***-0179/P1.9119*** SECTION 9119. Nonstatutory provisions; Governor.

20 ***-0179/P1.9120*** SECTION 9120. Nonstatutory provisions; Health and
21 Educational Facilities Authority.

22 ***-0179/P1.9121*** SECTION 9121. Nonstatutory provisions; Health
23 Services.

24 ***-0582/P3.9121*** (1) FAMILY CARE ENROLLMENT. Notwithstanding section
25 46.286 (3) (a) of the statutes, in a county where the family care benefit, as described

1 in section 46.286 of the statutes, is available on June 20, 2011, or the effective date
2 of this subsection, whichever is later, the department of health services may not
3 enroll more persons in care management organizations, as defined in section 46.2805
4 (1) of the statutes, to receive the family care benefit than the number of persons
5 receiving the family care benefit in that county on June 20, 2011, or the effective date
6 of this subsection, whichever is later. This subsection does not apply after June 30,
7 2013.

8 (2) FAMILY CARE PARTNERSHIP ENROLLMENT.

9 (a) *Definition.* In this subsection, “family care partnership program” means an
10 integrated health and long-term care program operated under an amendment to the
11 state medical assistance plan, as authorized in 42 USC 1396n (i).

12 (b) *Enrollment.* In a county where the family care partnership program is
13 available on June 20, 2011, or the effective date of this paragraph, whichever is later,
14 the department of health services may not enroll more persons in the family care
15 partnership program than the number of persons participating in the family care
16 partnership program in that county on June 20, 2011, or the effective date of this
17 paragraph, whichever is later. This paragraph does not apply after June 30, 2013.

18 (3) PROGRAM FOR ALL-INCLUSIVE CARE FOR THE ELDERLY ENROLLMENT. In a county
19 that administers the program for all-inclusive care for the elderly under 42 USC
20 1396u-4 on June 20, 2011, or the effective date of this subsection, whichever is later,
21 the department of health services may not enroll more persons in the program for
22 all-inclusive care for the elderly than the number of persons enrolled in that county
23 on June 20, 2011, or the effective date of this subsection, whichever is later. This
24 subsection does not apply after June 30, 2013.

1 (4) SELF-DIRECTED SERVICES OPTION TO RECEIVE LONG-TERM CARE SERVICES
2 ENROLLMENT.

3 (a) *Definition.* In this subsection, the “self-directed services option” means the
4 program operated under a waiver from the secretary of the federal department of
5 health and human services under 42 USC 1396n (c) that allows participants to
6 self-manage publicly funded long-term care services.

7 (b) *Enrollment.* In a county where the self-directed services option is available
8 on June 20, 2011, or the effective date of this paragraph, whichever is later, the
9 department of health services may not enroll more persons in the self-directed
10 services option than the number of persons participating in the self-directed services
11 option in that county on June 20, 2011, or the effective date of this paragraph,
12 whichever is later. This paragraph does not apply after June 30, 2013.

13 (5) EXPANSION OF FAMILY CARE. Beginning on July 1, 2011, and ending on June
14 30, 2013, the department of health services may not propose to contract with entities
15 to administer the family care benefit, as described in section 46.286 of the statutes,
16 in a county in which the family care benefit is not available on July 1, 2011, unless
17 the department of health services determines that administering the family care
18 benefit in such a county would be more cost-effective than the county’s current
19 mechanism for delivering long-term care services.

20 ***-1019/5.9121*** (6) TRANSFER OF INCOME MAINTENANCE ADMINISTRATION TO
21 INCOME MAINTENANCE ADMINISTRATION UNIT.

22 (a) *Definitions.* In this subsection:

23 1. “County” means a county administering income maintenance programs, as
24 defined in section 49.78 (1) (b) of the statutes on the effective date of this subdivision.

25 2. “Department” means the department of health services.

1 3. "Income maintenance programs" has the meaning given in section 49.78 (1)
2 (b) of the statutes.

3 4. "Unit" has the meaning given in section 49.78 (1) (f) of the statutes, as created
4 by this act.

5 (b) *Transition Plan.* On the effective date of this paragraph, the department
6 shall begin to transition the administration of the income maintenance programs
7 from counties to the unit. The department shall develop a transition plan that
8 includes a deadline by which each county must transfer to the department all records
9 in the possession of the county that are related to the administration of income
10 maintenance programs.

11 (c) *Delegation of administrative functions to counties.* Notwithstanding section
12 49.78 of the statutes, as affected by this act, before May 1, 2012, the department may
13 delegate some or all of the administrative functions related to income maintenance
14 programs to counties, on a county by county basis. If the department delegates
15 administrative functions related to income maintenance programs to a county, the
16 county shall continue to perform the delegated administrative functions until the
17 department notifies the county that the unit is prepared to assume responsibility for
18 the administrative functions. The department and a county to which the department
19 delegates administrative functions related to income maintenance programs shall
20 enter into a contract relating to the county's administrative functions and
21 reimbursement for the reasonable costs of performing those administrative
22 functions. Reimbursements to counties that continue to administer income
23 maintenance programs shall be considered costs incurred by the unit to administer
24 income maintenance programs.

25 (7) ELIMINATION OF MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT.

1 (a) *Date of transfer to unit.* The department of health services shall determine
2 when the income maintenance administration unit established under section 49.78
3 (1m) of the statutes, as created by this act, is prepared to take over income
4 maintenance administration responsibilities in Milwaukee County and shall notify
5 the legislative reference bureau of that date. The legislative reference bureau shall
6 publish a notice in the Wisconsin Administrative Register that specifies that date.

7 (b) *Unreimbursed expenditure.* In the calendar year in which the income
8 maintenance program administration unit takes over income maintenance program
9 administration responsibilities in Milwaukee County, Milwaukee County's
10 unreimbursed required minimum expenditure under section 49.825 (2) (d) 2. of the
11 statutes shall be prorated on the basis of the length of time the Milwaukee County
12 enrollment services unit administers the programs under section 49.825 (2) (a) 1. of
13 the statutes.

14 ***-1195/2.9121*** (8) FOOD STAMP PROGRAM TRANSFER TO DEPARTMENT OF CHILDREN
15 AND FAMILIES.

16 (a) *Employee transfers.* The classified positions, and incumbent employees
17 holding positions, in the department of health services relating primarily to the food
18 stamp program under section 49.79, 2009 stats., as determined by the secretary of
19 administration, are transferred to the department of children and families. Upon
20 determination of these employees, the secretary of administration may transfer
21 moneys between the general purpose revenue appropriations for the department of
22 health services and the department of children and families, between the program
23 revenue appropriations for the department of health services and the department of
24 children and families, between the program revenue-service appropriations for the
25 department of health services and the department of children and families, between

1 the appropriations of given segregated funds for the department of health services
2 and the department of children and families, and between the federal revenue
3 appropriations for the department of health services and the department of children
4 and families, if necessary to adjust previously allocated costs in accordance with the
5 transfer of personnel and administrative functions.

6 (b) *Employee status.* Employees transferred under paragraph (a) shall have the
7 same rights and status under subchapter V of chapter 111 and chapter 230 of the
8 statutes in the department of children and families that they enjoyed in the
9 department of health services immediately before the transfer. Notwithstanding
10 section 230.28 (4) of the statutes, no employee so transferred who has attained
11 permanent status in class is required to serve a probationary period.

12 (c) *Tangible personal property.* On the effective date of this paragraph, all
13 tangible personal property, including records, of the department of health services
14 that is primarily related to the food stamp program under section 49.79, 2009 stats.,
15 as determined by the secretary of administration, shall be transferred to the
16 department of children and families.

17 (d) *Contracts.* All contracts entered into by the department of health services
18 in effect on the effective date of this paragraph that are primarily related to the
19 related to the food stamp program under section 49.79, 2009 stats., as determined
20 by the secretary of administration, remain in effect and are transferred to the
21 department of children and families. The department of children and families shall
22 carry out any such contractual obligations unless modified or rescinded by the
23 department of children and families to the extent allowed under the contract.

24 (e) *Pending matters.* Any matter pending with the department of health
25 services on the effective date of this paragraph that is primarily related to the food

1 stamp program under section 49.79, 2009 stats., as determined by the secretary of
2 administration, is transferred to the department of children and families and all
3 materials submitted to or actions taken by the department of health services with
4 respect to the pending matter are considered as having been submitted to or taken
5 by the department of children and families.

6 (f) *Rules and orders.* All rules promulgated by the department of health
7 services that are primarily related to the food stamp program under section 49.79,
8 2009 stats., as determined by the secretary of administration, and that are in effect
9 on the effective date of this paragraph remain in effect until their specified expiration
10 dates or until amended or repealed by the department of children and families. All
11 orders issued by the department of health services that are primarily related to the
12 food stamp program under section 49.79, 2009 stats., as determined by the secretary
13 of administration, and that are in effect on the effective date of this paragraph
14 remain in effect until their specified expiration dates or until modified or rescinded
15 by the department of children and families.

16 ***-1309/1.9121*** (9) CONGENITAL DISORDER TESTING FEES; RULES. Using the
17 procedure under section 227.24 of the statutes, the department of health services
18 shall promulgate rules required under section 253.13 (2) of the statutes, as affected
19 by this act, for the period before the effective date of the permanent rules
20 promulgated under section 253.13 (2) of the statutes, as affected by this act, but not
21 to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject
22 to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24
23 (1) (a), (2) (b), and (3) of the statutes, the department of health services is not required
24 to provide evidence that promulgating a rule under this subsection as an emergency
25 rule is necessary for the preservation of public peace, health, safety, or welfare and

1 is not required to provide a finding of emergency for a rule promulgated under this
2 subsection.

3 ***-1310/1.9121*** (10) PATIENT HEALTH CARE RECORDS FEES; RULES. Using the
4 procedure under section 227.24 of the statutes, the department of health services
5 shall promulgate rules required under sections 146.83 (3f) and 908.03 (6m) (e) of the
6 statutes, as created by this act, for the period before the effective date of the
7 permanent rules promulgated under sections 146.83 (3f) and 908.03 (6m) ^(e) of the FFK
8 statutes, as created by this act, but not to exceed the period authorized under section
9 227.24 (1) (c), subject to extension under section 227.24 (2) of the statutes.
10 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
11 of health services is not required to provide evidence that promulgating a rule under
12 this subsection as an emergency rule is necessary for the preservation of public
13 peace, health, safety, or welfare and is not required to provide a finding of emergency
14 for a rule promulgated under this subsection.

15 ***-1325/2.9121*** (11) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY ELIGIBILITY.
16 Notwithstanding section 49.688 (2) of the statutes, as affected by this act, a person
17 who is participating in the program under section 49.688 of the statutes, as affected e
18 by this act, on the effective date of this subsection is not required to comply with TD
19 section 49.688 (2) (a) 6. of the statutes, as created by this act, before January 1, 2012.

20 ***-0179/P1.9122*** SECTION 9122. Nonstatutory provisions; Higher
21 Educational Aids Board.

22 ***-0179/P1.9123*** SECTION 9123. Nonstatutory provisions; Historical
23 Society.

24 ***-0179/P1.9124*** SECTION 9124. Nonstatutory provisions; Housing and
25 Economic Development Authority.

1 ***-0179/P1.9125* SECTION 9125. Nonstatutory provisions; Insurance.**

2 ***-0179/P1.9126* SECTION 9126. Nonstatutory provisions; Investment**
3 **Board.**

4 ***-0179/P1.9127* SECTION 9127. Nonstatutory provisions; Joint**
5 **Committee on Finance.**

6 ***-0179/P1.9128* SECTION 9128. Nonstatutory provisions; Judicial**
7 **Commission.**

8 ***-0179/P1.9129* SECTION 9129. Nonstatutory provisions; Justice.**

9 ***-0179/P1.9130* SECTION 9130. Nonstatutory provisions; Legislature.**

10 ***-0179/P1.9131* SECTION 9131. Nonstatutory provisions; Lieutenant**
11 **Governor.**

12 ***-0179/P1.9132* SECTION 9132. Nonstatutory provisions; Local**
13 **Government.**

14 ***-0179/P1.9133* SECTION 9133. Nonstatutory provisions; Medical**
15 **College of Wisconsin.**

16 ***-0179/P1.9134* SECTION 9134. Nonstatutory provisions; Military**
17 **Affairs.**

18 ***-0179/P1.9135* SECTION 9135. Nonstatutory provisions; Natural**
19 **Resources.**

20 ***-1328/3.9135* (1) NONPOINT SOURCE WATER POLLUTION RULES.**

21 (a) The department of natural resources shall promulgate rules under section
22 281.16 (2) of the statutes that repeal and recreate chapter NR 151, Wisconsin
23 Administrative Code, in effect on the effective date of this subsection. The repealed
24 and recreated rules shall take effect 90 days after the effective date of this paragraph

1 and shall be no more stringent than the requirements under the federal Water
2 Pollution Control Act, 33 USC 1251 to 1387, and regulations adopted under that act.

3 (b) 1. In this paragraph:

4 a. "Covered municipality" means a municipality for which the department of
5 natural resources granted coverage under a general permit issued under section
6 283.35 of the statutes.

7 b. "Municipality" has the meaning given in section 281.01 (6) of the statutes.

8 c. "Storm water management program" means a program that requires a
9 covered municipality to achieve a minimum reduction in total suspended solids for
10 runoff from existing development that enters the waters of this state.

11 2. To the extent allowed under federal law, if the rules promulgated under
12 paragraph (a) establish a deadline by fixing a date by which a covered municipality
13 must develop and implement a storm water management program, the rules shall
14 also provide that the deadline for developing and implementing a storm water
15 management program does not apply to a covered municipality that determines that
16 compliance with the deadline would have a significant adverse economic impact on
17 that municipality.

18 ***-1465/P4.9135* *-1369/1.9135*** (2) COMMERCIAL CONSTRUCTION SITE EROSION
19 CONTROL.

20 (a) In this subsection, "commercial building site" means a building site for
21 construction of public buildings and buildings that are places of employment.

22 (b) All rules promulgated by the department of natural resources under section
23 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that
24 are in effect on the effective date of this paragraph, as determined by the secretary
25 of administration, remain in effect until their specified expiration dates or until

1 amended or repealed by the department of safety and professional services. All
2 orders issued by the department of natural resources that are in effect on the
3 effective date of this paragraph and that are primarily related to erosion control for
4 commercial building sites, as determined by the secretary of administration, remain
5 in effect until their specified expiration dates or until modified or rescinded by the
6 department of safety and professional services.

7 (c) Any matter pending with the department of natural resources on the
8 effective date of this paragraph that is primarily related to its commercial building
9 site erosion control responsibilities under section 281.33 (3m), 2009 stats., as
10 determined by the secretary of administration, is transferred to the department of
11 safety and professional services and all materials submitted to or actions taken by
12 the department of natural resources with respect to the pending matters are
13 considered as having been submitted to or taken by the department of safety and
14 professional services.

15 (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,
16 made by the department of natural resources to a county, city, village, or town that
17 is in effect on the effective date of this paragraph remains in effect until revoked by
18 the department of safety and professional services.

19 ***-0179/P1.9136* SECTION 9136. Nonstatutory provisions; Public**
20 **Defender Board.**

21 ***-0179/P1.9137* SECTION 9137. Nonstatutory provisions; Public**
22 **Instruction.**

23 ***-1279/3.9137* (1) STUDENT INFORMATION SYSTEM.** The state superintendent
24 shall submit its plan to the governor for the expenditure of moneys appropriated

1 under section 20.255 (1) (e) of the statutes, as created by this act, in the 2011-12 fiscal
2 year by October 1, 2011.

3 ***-1485/1.9137*** (2) SPECIAL ADJUSTMENT AIDS. Notwithstanding section 121.105
4 (2) of the statutes, for state aid distributed in the 2011-12 school year, the
5 department of public instruction shall calculate the aid adjustment under that
6 section using 90 percent instead of 85 percent in section 121.105 (2) (am) 1. and 2.
7 of the statutes.

8 ***-0179/P1.9138*** SECTION 9138. **Nonstatutory provisions; Public Lands,**
9 **Board of Commissioners of.**

10 ***-0179/P1.9139*** SECTION 9139. **Nonstatutory provisions; Public**
11 **Service Commission.**

12 ***-0179/P1.9140*** SECTION 9140. **Nonstatutory provisions; Regulation**
13 **and Licensing.**

14 ***-1272/P4.9140*** (1) RULES AND ORDERS. All rules promulgated by the
15 department of regulation and licensing that relate to the licensure of real estate
16 brokers and salespersons or the registration of time-share salespersons that are in
17 effect on the effective date of this subsection remain in effect until their specified
18 expiration dates or until amended or repealed by the real estate examining board.
19 All orders issued by the department of regulation and licensing relating to such
20 licensure or registration that are in effect on the effective date of this subsection
21 remain in effect until their specified expiration dates or until modified or rescinded
22 by the real estate examining board.

23 (2) PENDING MATTERS. Any matter pending with the department of regulation
24 and licensing on the effective date of this subsection that is primarily related to the
25 licensure of real estate brokers and salespersons or the registration of time-share

SECTION 9140

1 salespersons, as determined by the secretary of regulation and licensing, is
 2 transferred to the real estate examining board, and all materials submitted to or
 3 actions taken by the department of regulation and licensing with respect to the
 4 pending matters are considered as having been submitted to or taken by the real
 5 estate examining board.

6 (3) **CONTRACTS.** All contracts entered into by the department of regulation and
 7 licensing in effect on the effective date of this subsection that are primarily related
 8 to licensure of real estate brokers and salespersons or the registration of time-share
 9 salespersons, as determined by the secretary of regulation and licensing, remain in
 10 effect and are transferred to the real estate examining board. The real estate
 11 examining board shall carry out any obligations under such a contract until the
 12 contract is modified or rescinded by the real estate examining board to the extent
 13 allowed under the contract.

14 (4) **INITIAL APPOINTMENTS.** Notwithstanding the lengths of terms specified in
 15 section 15.405 (11m) of the statutes, as created by this act, the initial members of the
 16 real estate examining board shall be appointed for the following terms:

17 (a) One real estate broker or salesperson licensed under chapter 452 of the
 18 statutes and one public member, for terms expiring on July 1, 2012.

19 (b) One licensed real estate broker or salesperson licensed under chapter 452
 20 of the statutes and one public member, for terms expiring on July 1, 2013.

21 (c) Three licensed real estate brokers or salespersons licensed under chapter
 22 452 of the statutes, for terms expiring on July 1, 2014.

23 ***-0179/P1.9141* SECTION 9141. Nonstatutory provisions; Revenue.**

24 ***-0179/P1.9142* SECTION 9142. Nonstatutory provisions; Secretary of**
 25 **State.**

1 ***-0721/7.9142*** (1) TRANSFER OF TRADEMARK AND NOTARY FUNCTIONS TO THE
2 DEPARTMENT OF FINANCIAL INSTITUTIONS; TRANSITIONAL PROVISIONS.

3 (a) *Definitions.* In this subsection:

4 1. "Department" means the department of financial institutions.

5 2. "Office" means the office of the secretary of state.

6 3. "Relating to the office's trademark or notary functions" means relating to the
7 office's functions and duties under section 137.01, 2009 stats., or chapter 132, 2009
8 stats.

9 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
10 liabilities of the office relating to the office's trademark or notary functions shall
11 become the assets and liabilities of the department.

12 (c) *Staff.*

13 1. On the effective date of this subdivision, 1.0 FTE PR position relating to the
14 office's trademark or notary functions and the incumbent employee, identified by the
15 secretary of administration, holding that position in the office are transferred to the
16 department.

17 2. The employee transferred under subdivision 1. to the division has all of the
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the division that he or she enjoyed in the office immediately before the
20 transfer. Notwithstanding section 230.28 (4) of the statutes, the employee so
21 transferred who has attained permanent status in class is not required to serve a
22 probationary period.

23 3. On the effective date of this subdivision, the remaining 1.0 FTE PR position
24 of the office relating to the office's trademark or notary functions not transferred
25 under subdivision 1. is deauthorized.

1 (d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the office relating to the office's
3 trademark or notary functions is transferred to the department.

4 (e) *Contracts.* All contracts entered into by the office, in effect on the effective
5 date of this paragraph, relating to the office's trademark or notary functions remain
6 in effect and are transferred to the department. The department shall carry out any
7 obligations under such a contract until the contract is modified or rescinded by the
8 department to the extent allowed under the contract.

9 (f) *Rules and orders.*

10 1. All rules promulgated by the office relating to the office's trademark or
11 notary functions that are in effect on the effective date of this subdivision remain in
12 effect until their specified expiration dates or until amended or repealed by the
13 department.

14 2. All orders issued by the office relating to the office's trademark or notary
15 functions that are in effect on the effective date of this subdivision remain in effect
16 until their specified expiration dates or until modified or rescinded by the
17 department.

18 (g) *Pending matters.* Any matter relating to the office's trademark or notary
19 functions pending with the office on the effective date of this paragraph is
20 transferred to the department, and all materials submitted to or actions taken by the
21 office with respect to the pending matter are considered as having been submitted
22 to or taken by the department.

23 (h) *Department of administration to arbitrate disputes.* In the case of
24 disagreement between the secretary of financial institutions and the secretary of
25 state with respect to any matter specified in paragraph (c), (d), (e), (f), or (g), the