

BILL

1 233.02 (1) (d) The dean of the University of ~~Wisconsin-Madison Medical~~
2 Wisconsin School of Medicine and Public Health.

3 **SECTION 2794.** 233.02 (1) (e) of the statutes is amended to read:

4 233.02 (1) (e) A chairperson of a department at the University of
5 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health,
6 appointed by the chancellor of the University of Wisconsin-Madison.

7 **SECTION 2795.** 233.02 (1) (f) of the statutes is amended to read:

8 233.02 (1) (f) A faculty member of a health professions school of the University
9 of Wisconsin-Madison ~~health professions school~~, other than the University of
10 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health,
11 appointed by the chancellor of the University of Wisconsin-Madison.

12 **SECTION 2796.** 233.03 (2) of the statutes is amended to read:

13 233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have
14 perpetual existence; maintain an office; negotiate and enter into leases; accept gifts
15 or grants, but not including research grants in which the grant investigator is an
16 employee of the ~~board of regents~~ Board of Trustees; accept bequests or loans; accept
17 and comply with any lawful conditions attached to federal financial assistance; and
18 make and execute other instruments necessary or convenient to the exercise of the
19 powers of the authority.

20 **SECTION 2797.** 233.03 (10) of the statutes is amended to read:

21 233.03 (10) Enter into procurement contracts with the ~~board of regents~~ Board
22 of Trustees or joint contracts with the ~~board of regents~~ Board of Trustees for
23 procurements from 3rd parties and may enter into other contracts, rental
24 agreements and cooperative agreements and other necessary arrangements with the

BILL**SECTION 2797**

1 ~~board of regents~~ Board of Trustees which may be necessary and convenient for the
2 missions, purposes, objects and uses of the authority authorized by law.

3 **SECTION 2798.** 233.04 (1) of the statutes is amended to read:

4 233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief
5 clerk of each house of the legislature under s. 13.172 (2), the ~~president~~ chairperson
6 of the ~~board of regents~~ Board of Trustees, the secretary of administration and the
7 governor a report on the patient care, education, research and community service
8 activities and accomplishments of the authority and an audited financial statement,
9 certified by an independent auditor, of the authority's operations.

10 **SECTION 2799.** 233.04 (3b) (b) of the statutes is amended to read:

11 233.04 (3b) (b) Paragraph (a) does not apply unless a lease agreement under
12 sub. (7) or (7g) and an affiliation agreement under sub. (7m) or (7p) are in effect that
13 comply with all applicable requirements of those provisions. In the event either of
14 these agreements are not in effect, the on-campus facilities and any improvements,
15 modifications or other facilities specified in sub. (7) (c) shall transfer to the ~~board of~~
16 regents Board of Trustees.

17 **SECTION 2800.** 233.04 (4m) (b) of the statutes is amended to read:

18 233.04 (4m) (b) If a lease agreement under sub. (7) or (7g) or an affiliation
19 agreement under sub. (7m) or (7p) is not in effect, the contractual services agreement
20 is terminated and the University of Wisconsin Hospitals and Clinics Board may
21 negotiate and enter into a contractual services agreement with the board of directors
22 that meets the requirements under sub. (4) (a) and (b) or with the ~~board of regents~~
23 Board of Trustees that meets the requirements under s. ~~36.25~~ 37.25 (13g) (c).

24 **SECTION 2801.** 233.04 (7) (intro.) of the statutes is amended to read:

BILL

1 233.04 (7) (intro.) Subject to s. 233.05 (1) and 1995 Wisconsin Act 27, section
2 9159 (2) (k), negotiate and enter into a lease agreement with the ~~board of regents~~
3 Board of Trustees to lease the on-campus facilities beginning on June 29, 1996, for
4 an initial period of not more than 30 years. The lease agreement shall include all of
5 the following:

6 **SECTION 2802.** 233.04 (7) (e) of the statutes is amended to read:

7 233.04 (7) (e) Any provision necessary to ensure that the general management
8 and operation of the on-campus facilities are consistent with the mission and
9 responsibilities of the University of ~~Wisconsin System~~ Wisconsin-Madison specified
10 in ss. ~~36.01 37.001~~ and ~~36.09 37.03~~.

11 **SECTION 2803.** 233.04 (7) (g) of the statutes is amended to read:

12 233.04 (7) (g) A provision that protects the ~~board of regents~~ Board of Trustees
13 from all liability associated with the management, operation, use or maintenance of
14 the on-campus facilities. No such provision shall make the authority liable for the
15 acts or omissions of any officer, employee or agent of the ~~board of regents~~ Board of
16 Trustees, including any student who is enrolled at the University of
17 Wisconsin-Madison or an institution within the University of Wisconsin System,
18 unless the officer, employee or agent acts at the direction of the authority.

19 **SECTION 2804.** 233.04 (7g) (a) of the statutes is amended to read:

20 233.04 (7g) (a) Submit any modification, extension or renewal of the lease
21 agreement under sub. (7) to the joint committee on finance. No extension or renewal
22 of the lease agreement may be for a period of more than 30 years. Modification,
23 extension or renewal of the agreement may be made as proposed by the authority and
24 the ~~board of regents~~ Board of Trustees only upon approval of the committee.

25 **SECTION 2805.** 233.04 (7g) (b) of the statutes is amended to read:

BILL**SECTION 2805**

1 233.04 (7g) (b) If the committee does not approve an extension or renewal of
2 the agreement, the on-campus facilities and any improvements, modifications or
3 other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of
4 Regents.

5 **SECTION 2806.** 233.04 (7m) (intro.) of the statutes is amended to read:

6 233.04 (7m) (intro.) Subject to 1995 Wisconsin Act 27, section 9159 (2) (k),
7 negotiate and enter into an affiliation agreement with the ~~board of regents~~ Board of
8 Trustees. The affiliation agreement shall take effect on June 29, 1996. The initial
9 period of the affiliation agreement shall run concurrently with the initial period of
10 the lease agreement under sub. (7), and the affiliation agreement shall include all
11 of the following:

12 **SECTION 2807.** 233.04 (7m) (c) of the statutes is amended to read:

13 233.04 (7m) (c) A provision that requires the development of standards
14 relating to the selection and financing by the authority of any corporation or
15 partnership that provides health-related services. The standards shall be
16 consistent with the missions of the authority and the ~~board of regents~~ Board of
17 Trustees.

18 **SECTION 2808.** 233.04 (7m) (d) of the statutes is amended to read:

19 233.04 (7m) (d) A provision that requires the ~~board of regents~~ Board of Trustees
20 to make reasonable charges for any services provided by the ~~board of regents~~ Board
21 of Trustees to the authority.

22 **SECTION 2809.** 233.04 (7p) (a) of the statutes is amended to read:

23 233.04 (7p) (a) Submit any modification, extension or renewal of the affiliation
24 agreement under sub. (7m) to the joint committee on finance. No extension or
25 renewal of the affiliation agreement may be for a period of more than 30 years.

BILL

1 Modification, extension or renewal of the agreement may be made as proposed by the
2 authority and the ~~board of regents~~ Board of Trustees only upon approval of the
3 committee.

4 **SECTION 2810.** 233.04 (7p) (b) of the statutes is amended to read:

5 233.04 (7p) (b) If the committee does not approve an extension or renewal of
6 the agreement, the on-campus facilities and any improvements, modifications or
7 other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of
8 Trustees.

9 **SECTION 2811.** 233.05 (1) (a) 1. of the statutes is amended to read:

10 233.05 (1) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees
11 adopts a resolution opposing the automatic extensions or the joint committee on
12 finance takes action opposing the automatic extensions.

13 **SECTION 2812.** 233.05 (2) (a) 1. of the statutes is amended to read:

14 233.05 (2) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees
15 adopts a resolution opposing the automatic extension or the joint committee on
16 finance takes action opposing the automatic extension.

17 **SECTION 2813.** 233.10 (3r) (b) 3. of the statutes is amended to read:

18 233.10 (3r) (b) 3. Grant to the carry-over employee, except when he or she is
19 on an unpaid leave of absence, a paid holiday on each of the days specified as a
20 holiday in policies and procedures established by the ~~board of regents~~ Board of
21 Regents under s. 36.15 (2) as of the last day of the employee's employment as a state
22 employee and any holiday compensatory time off that may be specified in policies and
23 procedures established by the ~~board of regents~~ Board of Regents of the University
24 of Wisconsin System under s. 36.15 (2) as of the last day of the employee's
25 employment in the academic staff appointment.

BILL**SECTION 2814**

1 **SECTION 2814.** 233.10 (3r) (b) 5. of the statutes is amended to read:

2 233.10 **(3r)** (b) 5. Grant to the carry-over employee military leave, treatment
3 of military leave, jury service leave and voting leave in accordance with policies and
4 procedures established by the ~~board of regents~~ Board of Regents of the University
5 of Wisconsin System under s. 36.15 (2) and, as of the last day of the employee's
6 employment in the academic staff appointment.

7 **SECTION 2815.** 233.10 (3r) (b) 6. of the statutes is amended to read:

8 233.10 **(3r)** (b) 6. Grant to the carry-over employee the same opportunity for
9 any employee training that may be provided under policies and procedures
10 established by the ~~board of regents~~ Board of Regents of the University of Wisconsin
11 System under s. 36.15 (2) as of the last day of his or her employment in the academic
12 staff appointment.

13 **SECTION 2816.** 233.17 (2) (a) of the statutes is amended to read:

14 233.17 **(2)** (a) No officer, employee or agent of the ~~board of regents~~ Board of
15 Regents or Board of Trustees, including any student who is enrolled at the University
16 of Wisconsin-Madison or an institution within the University of Wisconsin System,
17 is an agent of the authority unless the officer, employee or agent acts at the express
18 written direction of the authority.

19 **SECTION 2817.** 233.17 (2) (b) of the statutes is amended to read:

20 233.17 **(2)** (b) Notwithstanding par. (a), no member of the faculty or academic
21 staff of the University of ~~Wisconsin System~~ Wisconsin-Madison, acting within the
22 scope of his or her employment, may be considered, for liability purposes, as an agent
23 of the authority.

24 **SECTION 2818.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

BILL

1 234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined
2 by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005
3 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m)
4 (g), 2007 stats., and s. 560.605 (2m) (a), (b), (f), and (h), 2009 stats.

5 **SECTION 2819.** 234.02 (1) of the statutes is amended to read:

6 234.02 (1) There is created a public body corporate and politic to be known as
7 the "Wisconsin Housing and Economic Development Authority." The members of the
8 authority shall be the ~~secretary of commerce~~ chief executive officer of the Wisconsin
9 Economic Development Corporation or his or her designee and the secretary of
10 administration or his or her designee, and 6 public members nominated by the
11 governor, and with the advice and consent of the senate appointed, for staggered
12 4-year terms commencing on the dates their predecessors' terms expire. In addition,
13 one senator of each party and one representative to the assembly of each party
14 appointed as are the members of standing committees in their respective houses
15 shall serve as members of the authority. A member of the authority shall receive no
16 compensation for services but shall be reimbursed for necessary expenses, including
17 travel expenses, incurred in the discharge of duties. Subject to the bylaws of the
18 authority respecting resignations, each member shall hold office until a successor
19 has been appointed and has qualified. A certificate of appointment or reappointment
20 of any member shall be filed with the authority and the certificate shall be conclusive
21 evidence of the due and proper appointment.

22 **SECTION 2820.** 234.032 (2) (intro.) of the statutes is amended to read:

23 234.032 (2) (intro.) The authority, in consultation with the ~~department of~~
24 ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the
25 following for each economic development program administered by the authority:

BILL**SECTION 2821**

1 **SECTION 2821.** 234.034 of the statutes is amended to read:

2 **234.034 Consistency with state housing strategy plan.** Subject to
3 agreements with bondholders or noteholders, the authority shall exercise its powers
4 and perform its duties related to housing consistent with the state housing strategy
5 plan under s. ~~560.9802~~ 234.5602.

6 **SECTION 2822.** 234.06 (1) of the statutes is amended to read:

7 **234.06 (1)** The authority may, as authorized in the state housing strategy plan
8 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
9 to make temporary loans to eligible sponsors, with or without interest, and with such
10 security for repayment, if any, as the authority determines reasonably necessary and
11 practicable, solely from the housing development fund, to defray development costs
12 for the construction of proposed housing projects for occupancy by persons and
13 families of low and moderate income. No temporary loan may be made unless the
14 authority may reasonably anticipate that satisfactory financing may be obtained by
15 the eligible sponsor for the permanent financing of the housing project.

16 **SECTION 2823.** 234.06 (3) of the statutes is amended to read:

17 **234.06 (3)** The authority may, as authorized in the state housing strategy plan
18 under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund
19 to establish and administer programs of grants to counties, municipalities, and
20 eligible sponsors of housing projects for persons of low and moderate income, to pay
21 organizational expenses, administrative costs, social services, technical services,
22 training expenses, or costs incurred or expected to be incurred by counties,
23 municipalities, or sponsors for land and building acquisition, construction,
24 improvements, renewal, rehabilitation, relocation, or conservation under a plan to

BILL

1 provide housing or related facilities, if the costs are not reimbursable from other
2 private or public loan, grant, or mortgage sources.

3 **SECTION 2824.** 234.08 (5) of the statutes is amended to read:

4 234.08 (5) This section does not supersede or impair the power of the
5 ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out
6 its program responsibilities relating to economic development which are funded by
7 bonds or notes issued under this section.

8 **SECTION 2825.** 234.08 (6) of the statutes is amended to read:

9 234.08 (6) The authority may reimburse the ~~department of commerce~~
10 Wisconsin Economic Development Corporation its operating costs to carry out its
11 program responsibilities relating to economic development which are funded by
12 bonds or notes issued under this section.

13 **SECTION 2826.** 234.165 (2) (b) 2. of the statutes is amended to read:

14 234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the
15 governor a plan for expending or encumbering the actual surplus reported under
16 subd. 1. The part of the plan related to housing shall be consistent with the state
17 housing strategy plan under s. ~~560.9802~~ 234.5602. The plan submitted under this
18 subdivision may be attached to and submitted as a part of the report filed under subd.
19 1.

20 **SECTION 2827.** 234.25 (1) (e) of the statutes is amended to read:

21 234.25 (1) (e) An evaluation of its progress in implementing within its own
22 housing programs the goals, policies, and objectives of the state housing strategy
23 plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its
24 ability to carry out its programs consistent with the state housing strategy plan.

25 **SECTION 2828.** 234.255 (title) of the statutes is amended to read:

BILL**SECTION 2828**

1 **234.255** (title) **Economic development assistance coordination and**
2 **reporting.**

3 **SECTION 2829.** 234.255 of the statutes is renumbered 234.255 (2) and amended
4 to read:

5 **234.255 (2)** Annually, no later than October 1, the authority shall submit to the
6 joint legislative audit committee and to the appropriate standing committees of the
7 legislature under s. 13.172 (3) a comprehensive report assessing economic
8 development programs, as defined in s. 234.032 (1), administered by the authority.
9 The report shall include all of the information required under s. ~~560.01 (2) (am)~~
10 238.07 (2). The authority shall collaborate with the ~~department of commerce~~
11 Wisconsin Economic Development Corporation to make readily accessible to the
12 public on an Internet-based system the information required under this section.

13 **SECTION 2830.** 234.255 (1) of the statutes is created to read:

14 **234.255 (1)** The authority shall coordinate any economic development
15 assistance with the Wisconsin Economic Development Corporation.

16 **SECTION 2831.** 234.35 (1) of the statutes is amended to read:

17 **234.35 (1)** In this section, “minority business”, “minority financial adviser” and
18 “minority investment firm” mean a business, financial adviser and investment firm,
19 respectively, certified by the department of ~~commerce~~ safety and professional
20 services under s. ~~560.036~~ 490.04 (2).

21 **SECTION 2832.** 234.36 (1) of the statutes is amended to read:

22 **234.36 (1)** In this section, “business,” “financial adviser,” and “investment firm”
23 mean a business, financial adviser, and investment firm certified by the department
24 of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

25 **SECTION 2833.** 234.65 (1) (a) of the statutes is amended to read:

BILL

1 234.65 (1) (a) With the consent of the ~~department of commerce~~ Wisconsin
2 Economic Development Corporation and subject to par. (f), the authority may issue
3 its negotiable bonds and notes to finance its economic development activities
4 authorized or required under this chapter, including financing economic
5 development loans.

6 **SECTION 2834.** 234.65 (1) (f) of the statutes is amended to read:

7 234.65 (1) (f) The authority may not issue bonds or notes under par. (a) unless
8 it has contracted to reimburse the ~~department of commerce~~ Wisconsin Economic
9 Development Corporation a sum certain for the ~~department's~~ corporation's operating
10 costs in carrying out its responsibilities to effectuate and promote the economic
11 development programs created with the bonding authority in this chapter and its
12 responsibilities under s. ~~560.03 (17)~~ 238.25.

13 **SECTION 2835.** 234.65 (1m) of the statutes is amended to read:

14 234.65 (1m) The ~~department of commerce~~ Wisconsin Economic Development
15 Corporation shall, in consultation with the authority, ~~promulgate rules and adopt~~
16 rules and procedures, in accordance with the procedures under ch. 227, to implement
17 sub. (3).

18 **SECTION 2836.** 234.65 (3) (a) of the statutes is amended to read:

19 234.65 (3) (a) The business that will receive the loan, at least 30 days prior to
20 signing of the loan contract, has given notice of intent to sign the contract, on a form
21 prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~ Wisconsin
22 Economic Development Corporation and to any collective bargaining agent in this
23 state with whom the person has a collective bargaining agreement.

24 **SECTION 2837.** 234.65 (3) (am) of the statutes is amended to read:

BILL**SECTION 2837**

1 234.65 (3) (am) The authority has received an estimate issued under s. 560.034
2 238.11 (5) (b), and the ~~department of commerce~~ Wisconsin Economic Development
3 Corporation has estimated whether the project that the authority would finance
4 under the loan is expected to eliminate, create, or maintain jobs on the project site
5 and elsewhere in this state and the net number of jobs expected to be eliminated,
6 created, or maintained as a result of the project.

7 **SECTION 2838.** 234.65 (3m) of the statutes is amended to read:

8 234.65 (3m) An economic development loan may not be made unless the
9 ~~department of commerce~~ Wisconsin Economic Development Corporation complies
10 with sub. (1m) and certifies that each loan complies with sub. (3).

11 **SECTION 2839.** 234.65 (3r) of the statutes is amended to read:

12 234.65 (3r) Any economic development loan ~~which~~ that a business receives
13 from the authority under this section to finance a project shall require the business
14 to submit to the ~~department of commerce~~ Wisconsin Economic Development
15 Corporation within 12 months after the project is completed or 2 years after a loan
16 is issued to finance the project, whichever is sooner, on a form prescribed under s.
17 560.034 234.11 (1), the net number of jobs eliminated, created, or maintained on the
18 project site and elsewhere in this state as a result of the project. This subsection does
19 not apply to an economic development loan to finance an economic development
20 project described under s. 234.01 (4n) (c).

21 **SECTION 2840.** 234.65 (5) (intro.) of the statutes is amended to read:

22 234.65 (5) (intro.) On or before July 1, 1985, and every July 1 thereafter, the
23 ~~department of commerce~~ Wisconsin Economic Development Corporation shall
24 submit to the chief clerk of each house of the legislature, for distribution to the

BILL

1 appropriate standing committees under s. 13.172 (3), a report ~~which shall address~~
2 that addresses the effects of lending under this section in the following areas:

3 **SECTION 2841.** 234.83 (1c) (b) of the statutes is amended to read:

4 234.83 (1c) (b) "Small business" means a business, as defined in s. 560.60 (2)
5 84.185 (1) (a), that employs 50 or fewer employees on a full-time basis.

6 **SECTION 2842.** 234.84 (1) of the statutes is amended to read:

7 234.84 (1) DEFINITION. In this section, "~~department~~" "corporation" means the
8 ~~department of commerce~~ Wisconsin Economic Development Corporation.

9 **SECTION 2843.** 234.84 (3) (c) of the statutes is amended to read:

10 234.84 (3) (c) The interest rate on the loan, including any origination fees or
11 other charges, is approved by the ~~department~~ corporation.

12 **SECTION 2844.** 234.84 (4) (a) of the statutes is amended to read:

13 234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a
14 percentage of the principal of, and all interest and any other amounts outstanding
15 on, any loan eligible for a guarantee under sub. (2). The ~~department~~ corporation
16 shall establish the percentage of the principal of an eligible loan that will be
17 guaranteed, using the procedures described in the agreement under s. 234.932 (3)
18 (a). The ~~department~~ corporation may establish a single percentage for all
19 guaranteed loans or establish different percentages for eligible loans on an
20 individual basis.

21 **SECTION 2845.** 234.84 (5) (a) of the statutes is amended to read:

22 234.84 (5) (a) The program under this section shall be administered by the
23 ~~department~~ corporation with the cooperation of the authority. The ~~department~~
24 corporation shall enter into a memorandum of understanding with the authority
25 setting forth the respective responsibilities of the ~~department~~ corporation and the

BILL**SECTION 2845**

1 authority with regard to the administration of the program, including the functions
2 and responsibilities specified in s. 234.932. The memorandum of understanding
3 shall provide for reimbursement to the ~~department~~ corporation by the authority for
4 costs incurred by the ~~department~~ corporation in the administration of the program.

5 **SECTION 2846.** 234.84 (5) (b) of the statutes is amended to read:

6 234.84 (5) (b) The ~~department~~ corporation may charge a premium, fee, or other
7 charge to a borrower of a guaranteed loan under this section for the administration
8 of the loan guarantee.

9 **SECTION 2847.** 234.932 (1) of the statutes is repealed.

10 **SECTION 2848.** 234.932 (2) (a) of the statutes is amended to read:

11 234.932 (2) (a) Moneys ~~appropriated to the authority under s. 20.490 (6) (a) and~~
12 ~~(k)~~ or received by the authority for the Wisconsin job training reserve fund from any
13 other source.

14 **SECTION 2849.** 234.932 (3) (a) (intro.) of the statutes is amended to read:

15 234.932 (3) (a) (intro.) The authority ~~or department~~ shall enter into a
16 guarantee agreement with any bank, production credit association, credit union,
17 savings bank, savings and loan association, or other person who wishes to participate
18 in the loan program guaranteed by the Wisconsin job training reserve fund. The
19 authority ~~or department~~ may determine all of the following, consistent with the
20 terms of the loan guarantee program:

21 **SECTION 2850.** 234.932 (3) (a) 2. of the statutes is amended to read:

22 234.932 (3) (a) 2. Any conditions upon which the authority ~~or department~~ may
23 refuse to enter into such an agreement.

24 **SECTION 2851.** 234.932 (3) (c) of the statutes is amended to read:

BILL

1 234.932 (3) (c) The ~~department~~ Wisconsin Economic Development Corporation
2 may establish an eligibility criteria review panel, consisting of experts in finance and
3 in the subject area of the job training loan guarantee program, to provide advice
4 about lending requirements and issues related to the job training loan guarantee
5 program.

6 **SECTION 2852.** 234.932 (4) of the statutes is amended to read:

7 234.932 (4) INCREASES OR DECREASES IN LOAN GUARANTEES. The authority ~~or~~
8 ~~department~~ may request the joint committee on finance to take action under s. 13.10
9 to permit the authority to increase or decrease the total outstanding guaranteed
10 principal amount of loans that it may guarantee under the job training loan
11 guarantee program. Included with its request, the authority ~~or department~~ shall
12 provide a projection, for the next June 30, that compares the amounts required on
13 that date to pay outstanding claims and to fund guarantees under the job training
14 loan guarantee program, and the balance remaining in the Wisconsin job training
15 reserve fund on that date after deducting such amounts, if the increase or decrease
16 is approved, with such amounts and the balance remaining, if the increase or
17 decrease is not approved.

18 **SECTION 2853.** 234.932 (5) of the statutes is amended to read:

19 234.932 (5) ANNUAL REPORT. Annually, the authority ~~or department~~ shall report
20 on the number and total dollar amount of guaranteed loans under the job training
21 loan guarantee program, the default rate on the loans and any other information on
22 the program that the authority ~~or department~~ determines is significant.

23 **SECTION 2854.** 235.02 (2) (d) of the statutes is amended to read:

24 235.02 (2) (d) The ~~secretary of commerce, or the secretary's~~ chief executive
25 officer of the Wisconsin Economic Development Corporation, or his or her designee.

BILL**SECTION 2855**

1 **SECTION 2855.** 236.12 (2) (a) of the statutes is amended to read:

2 236.12 (2) (a) Two copies for each of the state agencies required to review the
3 plat to the department which shall examine the plat for compliance with ss. 236.15,
4 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk
5 highway or connecting highway, the department shall transmit 2 copies to the
6 department of transportation so that agency may determine whether it has any
7 objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision
8 is not served by a public sewer and provision for that service has not been made, the
9 department shall transmit 2 copies to the department of ~~commerce~~ safety and
10 professional services so that that agency may determine whether it has any objection
11 to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure
12 the agencies may designate local officials to act as their agents in examining the plats
13 for compliance with the statutes or their rules by filing a written delegation of
14 authority with the approving body.

15 **SECTION 2856.** 236.13 (1) (d) of the statutes is amended to read:

16 236.13 (1) (d) The rules of the department of ~~commerce~~ safety and professional
17 services relating to lot size and lot elevation necessary for proper sanitary conditions
18 in a subdivision not served by a public sewer, where provision for public sewer service
19 has not been made;

20 **SECTION 2857.** 236.13 (2m) of the statutes is amended to read:

21 236.13 (2m) As a further condition of approval when lands included in the plat
22 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake
23 or other body of navigable water or if land in the proposed plat involves lake or stream
24 shorelands referred to in s. 236.16, the department of natural resources, to prevent
25 pollution of navigable waters, or the department of ~~commerce~~ safety and professional

BILL

1 services, to protect the public health and safety, may require assurance of adequate
2 drainage areas for private sewage disposal systems and building setback
3 restrictions, or provisions by the owner for public sewage disposal facilities for
4 waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s.
5 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal
6 facilities may consist of one or more systems as the department of natural resources
7 or the department of ~~commerce~~ safety and professional services determines on the
8 basis of need for prevention of pollution of the waters of the state or protection of
9 public health and safety.

10 **SECTION 2858.** 236.335 of the statutes is amended to read:

11 **236.335 Prohibited subdividing; forfeit.** No lot or parcel in a recorded plat
12 may be divided, or used if so divided, for purposes of sale or building development if
13 the resulting lots or parcels do not conform to this chapter, to any applicable
14 ordinance of the approving authority or to the rules of the department of ~~commerce~~
15 safety and professional services under s. 236.13. Any person making or causing such
16 a division to be made shall forfeit not less than \$100 nor more than \$500 to the
17 approving authority, or to the state if there is a violation of this chapter or the rules
18 of the department of ~~commerce~~ safety and professional services.

19 **SECTION 2859.** Subchapter I (title) of chapter 238 [precedes 238.01] of the
20 statutes is created to read:

CHAPTER 238**SUBCHAPTER I****GENERAL PROVISIONS**

21
22
23
24 **SECTION 2860.** 238.08 of the statutes is created to read:

BILL**SECTION 2860**

1 **238.08 Records of the corporation.** All records of the corporation are open
2 to the public as provided in s. 19.35 (1) except those records relating to pending
3 grants, loans, or economic development projects that, in the opinion of the
4 corporation, must remain confidential to protect the competitive nature of the grant,
5 loan, or project.

6 **SECTION 2861.** 238.135 of the statutes is created to read:

7 **238.135 Grants to regional economic development organizations.** The
8 corporation shall award annual grants to regional economic development
9 organizations to fund marketing activities. The amount of each grant may not exceed
10 \$100,000 or the amount of matching funds the organization obtains from sources
11 other than the corporation or the state, whichever is less.

12 **SECTION 2862.** 238.145 of the statutes is created to read:

13 **238.145 Wisconsin-source assets exclusion; business certification. (1)**
14 The corporation shall implement a program to certify businesses for purposes of s.
15 71.05 (25). A business shall submit an application to the corporation in each calendar
16 year for which the business desires certification.

17 **(2)** The corporation may certify a business if, in the business's taxable year
18 ending immediately before the date of the business's application, all of the following
19 are true:

20 **(a)** The amount of payroll compensation paid by the business in this state, as
21 determined by the corporation, is equal to at least 50 percent of the amount of all
22 payroll compensation paid by the business, as determined by the corporation.

23 **(b)** The value of real and tangible personal property owned or rented and used
24 by the business in this state, as determined by the corporation, is equal to at least

BILL

1 50 percent of the value of all real and tangible personal property owned or rented and
2 used by the business, as determined by the corporation.

3 (3) The corporation shall notify the department of revenue of every certification
4 issued under this section and of the date on which a certification is revoked or
5 expires.

6 (4) The corporation, in consultation with the department of revenue, may adopt
7 rules for the administration of this section.

8 (5) The corporation shall compile a list of businesses certified under this section
9 and the taxable years for which the businesses are certified and shall make the list
10 available to the public at the corporation's Internet Web site.

11 **SECTION 2863.** 238.146 of the statutes is created to read:

12 **238.146 Long-term Wisconsin capital assets deferral; business**
13 **certification.** (1) The corporation shall implement a program to certify businesses
14 for purposes of s. 71.05 (26). A business shall submit an application to the
15 corporation in each calendar year for which the business desires certification.

16 (2) The corporation may certify a business if, in the business's taxable year
17 ending immediately before the date of the business's application, all of the following
18 are true:

19 (a) The amount of payroll compensation paid by the business in this state, as
20 determined by the corporation, is equal to at least 50 percent of the amount of all
21 payroll compensation paid by the business, as determined by the corporation.

22 (b) The value of real and tangible personal property owned or rented and used
23 by the business in this state, as determined by the corporation, is equal to at least
24 50 percent of the value of all real and tangible personal property owned or rented and
25 used by the business, as determined by the corporation.

BILL

1 disadvantaged youth, an economically disadvantaged veteran, a supplemental
2 security income recipient, a general assistance recipient, an economically
3 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
4 ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance
5 program under 7 USC 2011 to 2036, if the person has been certified in the manner
6 under 26 USC 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51
7 (d) (12).

8 **SECTION 2867.** 247.06 (1) (a) of the statutes is amended to read:

9 247.06 (1) (a) The foundation may distribute moneys appropriated under s.
10 20.220 (1) (r) to the arts board for programs that provide operating support to arts
11 organizations and for the Wisconsin regranting program under s. ~~44.62~~ 41.62.

12 **SECTION 2868.** 247.06 (2) (b) of the statutes is amended to read:

13 247.06 (2) (b) The foundation may not distribute moneys to the arts board
14 under sub. (1) (a) in any fiscal year in which the foundation determines that the
15 amount of general purpose revenue appropriated to the ~~arts board~~ department of
16 tourism under s. ~~20.215~~ 20.380 (3) is less than the amount appropriated in the
17 previous fiscal year.

18 **SECTION 2869.** 250.20 (2) (d) of the statutes is amended to read:

19 250.20 (2) (d) Work closely with all state agencies, including the ~~board of~~
20 ~~regents~~ Board of Regents of the University of Wisconsin System and the technical
21 college system board, with the Board of Trustees of the University of
22 Wisconsin-Madison, with the University of Wisconsin Hospitals and Clinics
23 Authority, with the private sector and with groups concerned with issues of the
24 health of economically disadvantaged minority group members to develop long-term
25 solutions to health problems of minority group members.

BILL**SECTION 2870**

1 **SECTION 2870.** 250.20 (2) (f) of the statutes is amended to read:

2 250.20 (2) (f) Encourage economically disadvantaged minority group members
3 who are students to enter career health care professions, by developing materials
4 that are culturally sensitive and appropriate and that promote health care
5 professions as careers, for use by the University of Wisconsin System, the University
6 of Wisconsin–Madison, the technical college system and the Medical College of
7 Wisconsin in recruiting the students.

8 **SECTION 2871.** 251.02 (3) of the statutes is amended to read:

9 251.02 (3) A county board may, in conjunction with the county board of another
10 county one or more other counties, establish a multiple county health department,
11 which shall meet the requirements of this chapter. A multiple county health
12 department shall serve all areas of the respective counties that are not served by a
13 city health department that was established prior to January 1, 1994, by a town or
14 village health department established under sub. (3m), or by a multiple municipal
15 local health department established under sub. (3r).

16 **SECTION 2872.** 252.12 (2) (a) 9. of the statutes is amended to read:

17 252.12 (2) (a) 9. 'Grant for family resource center.' The department shall award
18 a grant to develop and implement an African–American family resource center in the
19 city of Milwaukee that targets activities toward the prevention and treatment of HIV
20 infection and related infections, including hepatitis C virus infection, of minority
21 group members, as defined in s. ~~560.036~~ 490.04 (1) (f).

22 **SECTION 2873.** 252.12 (2) (c) 2. of the statutes is amended to read:

23 252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the
24 department shall award \$75,000 in each fiscal year as grants for services to prevent
25 HIV infection and related infections, including hepatitis C virus infection. Criteria

BILL

1 for award of the grants shall include the criteria specified under subd. 1. The
2 department shall award 60% of the funding to applying organizations that receive
3 funding under par. (a) 8. and 40% of the funding to applying community-based
4 organizations that are operated by minority group members, as defined in s. ~~560.036~~
5 490.04 (1) (f).

6 **SECTION 2874.** 252.15 (5g) (c) of the statutes is amended to read:

7 252.15 (5g) (c) A physician, physician assistant, or advanced practice nurse
8 prescriber, based on information provided to the physician, physician assistant, or
9 advanced practice nurse prescriber, determines and certifies in writing that the
10 person has had contact that constitutes a significant exposure. The certification
11 shall accompany the request for HIV testing and disclosure. If the person is a
12 physician, physician assistant, or advanced practice nurse prescriber, he or she may
13 not make this determination or certification. The information that is provided to a
14 physician, physician assistant, or advanced practice nurse prescriber to document
15 the occurrence of the contact that constitutes a significant exposure and the
16 physician's, physician assistant's, or advanced practice nurse prescriber's
17 certification that the person has had contact that constitutes a significant exposure,
18 shall be provided on a report form that is developed by the department of ~~commerce~~
19 safety and professional services under s. 101.02 (19) (a) or on a report form that the
20 department of ~~commerce~~ safety and professional services determines, under s.
21 101.02 (19) (b), is substantially equivalent to the report form that is developed under
22 s. 101.02 (19) (a).

23 **SECTION 2875.** 253.07 (4) of the statutes is repealed.

24 **SECTION 2876.** 253.13 (1m) of the statutes is amended to read:

BILL**SECTION 2876**

1 253.13 (1m) URINE TESTS. The department may establish a urine test program
2 to test infants for causes of congenital disorders. The state laboratory of hygiene
3 ~~board~~ may establish the methods of obtaining urine specimens and testing such
4 specimens, and may develop materials for use in the tests. No person may be
5 required to participate in programs developed under this subsection.

6 **SECTION 2877.** 253.13 (2) of the statutes is amended to read:

7 253.13 (2) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM;
8 FEES. The department shall contract with the state laboratory of hygiene to perform
9 the tests specified under this section and to furnish materials for use in the tests.
10 The department shall provide necessary diagnostic services, special dietary
11 treatment as prescribed by a physician for a patient with a congenital disorder as
12 identified by tests under sub. (1) or (1m) and follow-up counseling for the patient and
13 his or her family. ~~The state laboratory of hygiene board, on behalf of the department,~~
14 ~~shall impose a fee, by rule, for tests performed under this section sufficient to pay for~~
15 ~~services provided under the contract. The state laboratory of hygiene board shall~~
16 department may include as part of this fee amounts the department determines are
17 sufficient to fund the provision of diagnostic and counseling services, special dietary
18 treatment, and periodic evaluation of infant screening programs, the costs of
19 consulting with experts under sub. (5), the costs of administering the hearing
20 screening program under s. 253.115, and the costs of administering the congenital
21 disorder program under this section and shall credit these amounts to the
22 appropriation accounts under s. 20.435 (1) (ja) and (jb).

23 **SECTION 2878.** 253.13 (4) of the statutes is amended to read:

24 253.13 (4) CONFIDENTIALITY OF TESTS AND RELATED INFORMATION. The state
25 laboratory of hygiene shall provide the test results to the physician, who shall advise

BILL

1 the parents or legal guardian of the results. No information obtained under this
2 section from the parents or guardian or from specimens from the infant may be
3 disclosed except for use in statistical data compiled by the department without
4 reference to the identity of any individual and except as provided in s. 146.82 (2). The
5 state laboratory of hygiene ~~board~~ shall provide to the department the names and
6 addresses of parents of infants who have positive test results.

7 **SECTION 2879.** 253.15 (1) (c) of the statutes is amended to read:

8 253.15 (1) (c) "Health care provider" means any person who is licensed,
9 registered, permitted, or certified by the department of health services or the
10 department of ~~regulation and licensing~~ safety and professional services to provide
11 health care services in this state.

12 **SECTION 2880.** 254.02 (3) (a) of the statutes is amended to read:

13 254.02 (3) (a) The department of agriculture, trade and consumer protection,
14 the department of corrections, the department of ~~commerce~~ safety and professional
15 services, and the department of natural resources shall enter into memoranda of
16 understanding with the department to establish protocols for the department to
17 review proposed rules of those state agencies relating to air and water quality,
18 occupational health and safety, institutional sanitation, toxic substances, indoor air
19 quality, food protection or waste handling and disposal.

20 **SECTION 2881.** 254.176 (2) (e) of the statutes is amended to read:

21 254.176 (2) (e) A person who engages in the business of installing or servicing
22 heating, ventilating or air conditioning equipment if the person is registered with the
23 department of ~~commerce~~ safety and professional services and if the person engages
24 in activities that constitute lead hazard reduction, only to the extent that the
25 activities are within the scope of his or her registration.

BILL**SECTION 2882**

1 **SECTION 2882.** 254.19 of the statutes is amended to read:

2 **254.19 Asbestos testing fees.** Notwithstanding s. ~~36.25 (11) (f)~~ 37.57 (6), the
3 state laboratory of hygiene ~~board~~ shall impose a fee sufficient to pay for any asbestos
4 testing services which it provides.

5 **SECTION 2883.** 254.22 (4) of the statutes is amended to read:

6 254.22 (4) Assist the department of ~~commerce~~ safety and professional services
7 with the enforcement of s. 101.123.

8 **SECTION 2884.** 254.51 (2) of the statutes is amended to read:

9 254.51 (2) The department shall enter into memoranda of understanding with
10 the department of agriculture, trade and consumer protection, the department of
11 ~~commerce~~ safety and professional services, and the department of natural resources
12 regarding the investigation and control of animal-borne and vector-borne disease.

13 **SECTION 2885.** 254.61 (5) (f) of the statutes is amended to read:

14 254.61 (5) (f) Any college campus, as defined in s. 36.05 (6m), institution as
15 defined in s. 36.51 (1) (b), university, as defined in s. 37.01 (9), or technical college that
16 serves meals only to the students enrolled in the college campus, institution,
17 university, or school or to authorized elderly persons under s. 36.51, 37.51, or 38.36.

18 **SECTION 2886.** 254.73 (1) of the statutes is amended to read:

19 254.73 (1) Every hotel with sleeping accommodations with more than 12
20 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.
21 provide a system of security personnel patrol, or of mechanical and electrical devices,
22 or both, adequate, according to standards established by the department of
23 ~~commerce~~ safety and professional services, to warn all guests and employees in time
24 to permit their evacuation in case of fire.

25 **SECTION 2887.** 254.74 (1) (am) of the statutes is amended to read:

BILL

1 254.74 (1) (am) Promulgate rules, in consultation with the department of
2 ~~commerce~~ safety and professional services, under which the department of health
3 services shall conduct regular inspections of sealed combustion units, as required
4 under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming
5 houses, and bed and breakfast establishments. The rules shall specify conditions
6 under which it may issue orders as specified under s. 101.149 (8) (a). The rules may
7 not require the department of health services to inspect sealed combustion units
8 during the period in which the sealed combustion units are covered by a
9 manufacturer's warranty against defects.

10 **SECTION 2888.** 254.78 of the statutes is amended to read:

11 **254.78 Authority of department of ~~commerce~~ safety and professional**
12 **services.** Nothing in this chapter shall affect the authority of the department of
13 ~~commerce~~ safety and professional services relative to places of employment,
14 elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

15 **SECTION 2889.** 254.79 of the statutes is amended to read:

16 **254.79 Joint employment.** The department and the department of ~~commerce~~
17 safety and professional services may employ experts, inspectors or other assistants
18 jointly.

19 **SECTION 2890.** 255.05 (1) (d) of the statutes is amended to read:

20 255.05 (1) (d) "Public agency" means a county, city, village, town or school
21 district, the University of Wisconsin-Madison, or an agency of this state or of a
22 county, city, village, town or school district.

23 **SECTION 2891.** 255.054 (1) of the statutes is amended to read:

24 255.054 (1) The Medical College of Wisconsin, Inc., and the University of
25 Wisconsin ~~Comprehensive~~ Carbone Cancer Center shall use the moneys

BILL**SECTION 2891**

1 appropriated under ~~ss. s.~~ s. 20.250 (2) (h) and 20.285 (1) (gn) the moneys paid under
2 s. 71.10 (5h) (i) for prostate cancer research projects. These moneys may not be used
3 to supplant funds available for prostate cancer research from other sources.

4 **SECTION 2892.** 255.054 (2) of the statutes is amended to read:

5 255.054 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and
6 the Board of ~~Regents~~ Trustees of the University of Wisconsin ~~System~~
7 Wisconsin-Madison shall each report to the appropriate standing committees of the
8 legislature under s. 13.172 (3) and to the governor on the prostate cancer research
9 projects each has conducted under sub. (1) in the previous fiscal year.

10 **SECTION 2893.** 255.055 (1) of the statutes is amended to read:

11 255.055 (1) The Medical College of Wisconsin, Inc., and the University of
12 Wisconsin ~~Comprehensive~~ Carbone Cancer Center shall use the moneys
13 appropriated under ~~ss. s.~~ s. 20.250 (2) (g) and 20.285 (1) (gm) the moneys paid under
14 s. 71.10 (5f) (i) for breast cancer research projects. These moneys may not be used
15 to supplant funds available for breast cancer research from other sources.

16 **SECTION 2894.** 255.055 (2) of the statutes is amended to read:

17 255.055 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and
18 the Board of ~~Regents~~ Trustees of the University of Wisconsin ~~System~~
19 Wisconsin-Madison shall each report to the appropriate standing committees of the
20 legislature under s. 13.172 (3) and to the governor on the breast cancer research
21 projects each has conducted under sub. (1) in the previous fiscal year.

22 **SECTION 2895.** 256.35 (3m) (h) of the statutes is amended to read:

23 256.35 (3m) (h) *Other charges prohibited.* No local government ~~or state agency,~~
24 ~~as defined in s. 560.9810 (1) and no office, commission, department, or independent~~
25 agency in the executive branch of state government, except the commission, may

BILL

1 require a wireless provider to collect or pay a surcharge or fee related to wireless
2 emergency telephone service.

3 **SECTION 2896.** 281.33 (2) of the statutes is amended to read:

4 281.33 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in
5 consultation with the department of ~~commerce~~ safety and professional services,
6 shall promulgate by rule a state storm water management plan. This state plan is
7 applicable to activities contracted for or conducted by any agency, as defined under
8 s. 227.01 (1) but also including the office of district attorney, unless that agency
9 enters into a memorandum of understanding with the department of natural
10 resources in which that agency agrees to regulate activities related to storm water
11 management. The department shall coordinate the activities of agencies, as defined
12 under s. 227.01 (1), in storm water management and make recommendations to
13 these agencies concerning activities related to storm water management.

14 **SECTION 2897.** 281.33 (3m) (title) of the statutes is repealed.

15 **SECTION 2898.** 281.33 (3m) (a) of the statutes is renumbered 101.1206 (1).

16 **SECTION 2899.** 281.33 (3m) (b) of the statutes is renumbered 101.1206 (2) and
17 amended to read:

18 101.1206 (2) The department shall require the submission of plans for erosion
19 control at construction sites described in ~~par. (a)~~ sub. (1) to the department or to a
20 county, city, village, or town to which the department has delegated authority under
21 ~~par. (d)~~ sub. (4) and shall require approval of those plans by the department or the
22 county, city, village, or town.

23 **SECTION 2900.** 281.33 (3m) (c) of the statutes is renumbered 101.1206 (3) and
24 amended to read:

BILL**SECTION 2900**

1 101.1206 (3) The department shall require inspection of erosion control
2 activities and structures at construction sites described in ~~par. (a) sub. (1)~~ by the
3 department or a county, city, village, or town to which the department has delegated
4 authority under ~~par. (d) sub. (4)~~.

5 **SECTION 2901.** 281.33 (3m) (d) of the statutes is renumbered 101.1206 (4).

6 **SECTION 2902.** 281.33 (3m) (e) of the statutes is renumbered 101.1206 (5) and
7 amended to read:

8 101.1206 (5) Except as provided in ~~par. (f) sub. (5m)~~, the authority of a county,
9 city, village, or town with respect to erosion control at sites described in ~~par. (a) sub.~~
10 (1) is limited to that authority delegated under ~~par. (d) sub. (4)~~ and any other
11 authority provided in rules promulgated under this ~~subsection~~ section.

12 **SECTION 2903.** 281.33 (3m) (f) of the statutes is renumbered 101.1206 (5m) and
13 amended to read:

14 101.1206 (5m) Notwithstanding ~~pars. (a) subs. (1) and (e) (5)~~, a county, city,
15 village, or town that has in effect on January 1, 1994, an ordinance that establishes
16 standards for erosion control at building sites for the construction of public buildings
17 and buildings that are places of employment may continue to administer and enforce
18 that ordinance if the standards in the ordinance are more stringent than the
19 standards established under ~~par. (a) sub. (1)~~.

20 **SECTION 2904.** 281.33 (3m) (g) of the statutes is renumbered 101.1206 (6) and
21 amended to read:

22 101.1206 (6) The department, or a county, city, village, or town to which the
23 department delegates the authority to act under this ~~paragraph~~ subsection, may
24 issue a special order directing the immediate cessation of work on a construction site
25 described in ~~par. (a) sub. (1)~~ until any required plan approval is obtained or until the

BILL

1 site complies with standards established by rules promulgated under this subsection
2 section.

3 **SECTION 2905.** 281.33 (3m) (h) of the statutes is renumbered 101.1206 (7).

4 **SECTION 2906.** 281.344 (8) (a) of the statutes is amended to read:

5 281.344 (8) (a) *Goals and objectives.* The department shall specify water
6 conservation and efficiency goals and objectives for the waters of the state. The
7 department shall specify goals and objectives for the waters of the Great Lakes basin
8 that are consistent with the goals under s. 281.343 (4b) (a) and the objectives
9 identified by the regional body under Article 304 (1) of the Great Lakes — St.
10 Lawrence River Basin Sustainable Water Resources Agreement. In specifying these
11 goals and objectives, the department shall consult with the department of ~~commerce~~
12 safety and professional services and the public service commission.

13 **SECTION 2907.** 281.344 (8) (b) (intro.) of the statutes is amended to read:

14 281.344 (8) (b) *Statewide program.* (intro.) In cooperation with the department
15 of ~~commerce~~ safety and professional services and the public service commission, the
16 department shall develop and implement a statewide water conservation and
17 efficiency program that includes all of the following:

18 **SECTION 2908.** 281.344 (8) (b) 3. of the statutes is amended to read:

19 281.344 (8) (b) 3. Water conservation and efficiency measures that the
20 department of ~~commerce~~ safety and professional services requires or authorizes to
21 be implemented under chs. 101 and 145.

22 **SECTION 2909.** 281.346 (8) (a) of the statutes is amended to read:

23 281.346 (8) (a) *Goals and objectives.* The department shall specify water
24 conservation and efficiency goals and objectives for the waters of the state and for the
25 waters of the Great Lakes basin. The department shall specify goals and objectives

BILL**SECTION 2909**

1 for the waters of the Great Lakes basin that are consistent with the goals under s.
2 281.343 (4b) (a) and the objectives identified by the Great Lakes council under s.
3 281.343 (4b) (a) and (c). In specifying these goals and objectives, the department
4 shall consult with the department of ~~commerce~~ safety and professional services and
5 the public service commission and consider the water conservation and efficiency
6 goals and objectives developed in any pilot program conducted by the department in
7 cooperation with the regional body.

8 **SECTION 2910.** 281.346 (8) (b) (intro.) of the statutes is amended to read:

9 281.346 (8) (b) *Statewide program.* (intro.) In cooperation with the department
10 of ~~commerce~~ safety and professional services and the public service commission, the
11 department shall develop and implement a statewide water conservation and
12 efficiency program that includes all of the following:

13 **SECTION 2911.** 281.346 (8) (b) 3. of the statutes is amended to read:

14 281.346 (8) (b) 3. Water conservation and efficiency measures that the
15 department of ~~commerce~~ safety and professional services requires or authorizes to
16 be implemented under chs. 101 and 145.

17 **SECTION 2912.** 281.57 (7) (c) 1. of the statutes is amended to read:

18 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
19 limited in each fiscal year to receiving total grant awards not to exceed 33% of the
20 sum of the amounts in the schedule for that fiscal year for the appropriation under
21 s. ~~20.143 (3)~~ 20.165 (2) (de) and the amount authorized under sub. (10) for that fiscal
22 year plus the unencumbered balance at the end of the preceding fiscal year for the
23 amount authorized under sub. (10). This subdivision is not applicable to grant
24 awards provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

25 **SECTION 2913.** 281.58 (12) (a) 1. of the statutes is amended to read:

BILL**SECTION 2913**

1 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
2 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
3 2. is ~~55%~~ 60 percent of market interest rate for projects for which the subsidy is
4 allocated from the amount under s. 281.59 (3e) (b) for a biennium before the ~~2009-11~~
5 2011-13 biennium and ~~60%~~ 80 percent of market interest rate for projects for which
6 the subsidy is allocated from the amount under s. 281.59 (3e) (b) for the ~~2009-11~~
7 2011-13 biennium or later.

8 **SECTION 2914.** 281.58 (12) (a) 2. of the statutes is amended to read:

9 281.58 (12) (a) 2. Except as modified under par. (f) and except as restricted by
10 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 5. is ~~65%~~
11 65 percent of market interest rate for projects for which the subsidy is allocated from
12 the amount under s. 281.59 (3e) (b) for a biennium before the 2011-13 biennium and
13 80 percent of market interest rate for projects for which the subsidy is allocated from
14 the amount under s. 281.59 (3e) (b) for the 2011-13 biennium or later.

15 **SECTION 2915.** 281.58 (12) (a) 3. of the statutes is amended to read:

16 281.58 (12) (a) 3. Except as modified under par. (f) and except as restricted by
17 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 4. is ~~70%~~
18 70 percent of market interest rate for projects for which the subsidy is allocated from
19 the amount under s. 281.59 (3e) (b) for a biennium before the 2011-13 biennium and
20 80 percent of market interest rate for projects for which the subsidy is allocated from
21 the amount under s. 281.59 (3e) (b) for the 2011-13 biennium or later.

22 **SECTION 2916.** 281.58 (12) (f) of the statutes is amended to read:

23 281.58 (12) (f) The department and the department of administration jointly
24 may request the joint committee on finance to take action under s. 13.101 (11) to
25 modify the percentage of market interest ~~rates~~ rate established in par. (a) 1. ~~to 3.~~

BILL**SECTION 2917**

1 **SECTION 2917.** 281.59 (3e) (b) 1. of the statutes is amended to read:

2 281.59 (3e) (b) 1. Equal to ~~\$134,900,000~~ \$54,400,000 during the ~~2009-11~~
3 2011-13 biennium.

4 **SECTION 2918.** 281.59 (3e) (b) 3. of the statutes is amended to read:

5 281.59 (3e) (b) 3. Equal to \$1,000 for any biennium after the ~~2009-11~~ 2011-13
6 biennium.

7 **SECTION 2919.** 281.59 (3e) (d) of the statutes is amended to read:

8 281.59 (3e) (d) The department may expend, for financial assistance in a
9 biennium other than financial hardship assistance under s. 281.58 (13) (e), an
10 amount up to ~~85%~~ 95 percent of the amount approved by the legislature under par.
11 (b). The department may expend such amount only from the percentage of the
12 amount approved under par. (b) that is not available under par. (e) for financial
13 hardship assistance.

14 **SECTION 2920.** 281.59 (3e) (e) of the statutes is amended to read:

15 281.59 (3e) (e) The department may expend, for financial hardship assistance,
16 other than federal financial hardship assistance grants under s. 281.58 (13) (be), in
17 a biennium under s. 281.58 (13) (e), an amount up to ~~15%~~ 5 percent of the amount
18 approved by the legislature under par. (b) for that biennium. The department may
19 expend such amount only from the percentage of the amount approved by the
20 legislature under par. (b) that is not available under par. (d) for financial assistance.

21 **SECTION 2921.** 281.59 (3s) (b) 1. of the statutes is amended to read:

22 281.59 (3s) (b) 1. Equal to ~~\$17,600,000~~ \$30,700,000 during the ~~2009-11~~
23 2011-13 biennium.

24 **SECTION 2922.** 281.59 (3s) (b) 2. of the statutes is amended to read:

BILL

1 281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the ~~2009-11~~ 2011-13
2 biennium.

3 **SECTION 2923.** 281.59 (4) (f) of the statutes is amended to read:

4 281.59 (4) (f) Revenue obligations may be contracted by the building
5 commission when it reasonably appears to the building commission that all
6 obligations incurred under this subsection, and all payments under an agreement or
7 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
8 obligations issued under this subsection, can be fully paid on a timely basis from
9 moneys received or anticipated to be received. Revenue obligations issued under this
10 subsection for the clean water fund program shall not exceed ~~\$2,363,300,000~~
11 \$2,716,300,000 in principal amount, excluding obligations issued to refund
12 outstanding revenue obligation notes.

13 **SECTION 2924.** 281.60 (6) of the statutes is amended to read:

14 281.60 (6) PRIORITY LIST. The department shall establish a priority list that
15 ranks each land recycling loan program project. The department shall promulgate
16 rules for determining project rankings based on the potential of projects to reduce
17 environmental pollution and threats to human health and, for sites and facilities
18 that are not landfills, the extent to which projects will prevent the development of
19 undeveloped land by making land available for redevelopment after a cleanup is
20 conducted. Before the department establishes the priority list, the department shall
21 consider the recommendations of the department of administration and the
22 ~~department of commerce~~ Wisconsin Economic Development Corporation.

23 **SECTION 2925.** 281.61 (8) (a) 2. of the statutes is amended to read:

BILL**SECTION 2925**

1 281.61 (8) (a) 2. In any biennium, no local governmental unit may receive more
2 than 25% of the amount established under s. ~~281.59 (3s) (b)~~ funds that the
3 department of administration projects will be available for that biennium.

4 **SECTION 2926.** 281.66 (6) of the statutes is amended to read:

5 281.66 (6) GRANTS FOR CAMPUSES. Notwithstanding subs. (3) and (4), the
6 department may distribute a grant to the ~~board of regents~~ Board of Trustees of the
7 University of Wisconsin-Madison or Board of Regents of the University of Wisconsin
8 System for practices, techniques or measures to control storm water discharges on
9 the University of Wisconsin-Madison campus or a University of Wisconsin System
10 campus that is located in a municipality that is required to obtain a permit under s.
11 283.33 and that is located in a priority watershed, as defined in s. 281.65 (2) (c), a
12 priority lake area, as defined in s. 281.65 (2) (bs), or an area that is identified as an
13 area of concern by the International Joint Commission, as defined in s. 281.35 (1) (h),
14 under the Great Lakes Water Quality Agreement.

15 **SECTION 2927.** 281.68 (2) (a) of the statutes is amended to read:

16 281.68 (2) (a) The department may provide a grant of 75% of the cost of a lake
17 management planning project up to a total of ~~\$10,000~~ \$25,000 per grant.

18 **SECTION 2928.** 281.75 (4) (b) 3. of the statutes, as affected by 2011 Wisconsin
19 Act 7, is amended to read:

20 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 37, 52,
21 231, 233, 234, 237, or 238.

22 **SECTION 2929.** 281.75 (18) of the statutes is amended to read:

23 281.75 (18) SUSPENSION OR REVOCATION OF LICENSES. The department may
24 suspend or revoke a license issued under ch. 280 if the department finds that the
25 licensee falsified information submitted under this section. The department of

BILL

1 ~~commerce~~ safety and professional services may suspend or revoke the license of a
2 plumber licensed under ch. 145 if the department of ~~commerce~~ safety and
3 professional services finds that the plumber falsified information submitted under
4 this section.

5 **SECTION 2930.** 283.11 (3) (am) of the statutes is renumbered 283.11 (3) (am) 1.
6 and amended to read:

7 283.11 (3) (am) 1. Notwithstanding sub. (1) or (2), and except as provided in
8 subd. 2., the department shall promulgate by rule effluent limitations representing
9 the best available demonstrated control technology, processes, operating methods or
10 other alternatives concerning the discharge of phosphorous if the U.S.
11 environmental protection agency has not promulgated an effluent limitation,
12 effluent standard or prohibition concerning this type of discharge.

13 **SECTION 2931.** 283.11 (3) (am) 2. of the statutes is created to read:

14 283.11 (3) (am) 2. a. In this subdivision, "region" means the geographic region
15 composed of the states of Illinois, Indiana, Michigan, Minnesota, or Ohio.

16 b. The department may not promulgate or enforce any rule establishing an
17 effluent limitation for the discharge of phosphorous if that effluent limitation is more
18 stringent than the effluent limitation for the discharge of phosphorous that is
19 established by any state in the region.

20 **SECTION 2932.** 283.15 (2) (a) of the statutes is renumbered 283.15 (2) (am) and
21 amended to read:

22 283.15 (2) (am) 1. ~~When~~ Within 60 days after the department issues, reissues
23 or modifies a permit to include a water quality based effluent limitation under s.
24 283.13 (5), the permittee may apply to the department for a variance from the water
25 quality standard used to derive the limitation.

BILL**SECTION 2932**

1 2. After an application for a variance is submitted to the department under
2 subd. 1., and until the last day for seeking review of the secretary's final decision on
3 the application or a later date fixed by order of the reviewing court, the water quality
4 based effluent limitation under s. 283.13 (5) and the corresponding compliance
5 schedule are not effective. All other provisions of the permit continue in effect except
6 those for which a petition for review has been submitted under s. 283.63. For those
7 provisions for which an application for variance has been submitted under this
8 section, the corresponding or similar provisions of the prior permit continue in effect
9 until the last day for seeking review of the department's final decision or a later date
10 fixed by order of the reviewing court.

11 **SECTION 2933.** 283.15 (2) (a) of the statutes is created to read:

12 283.15 (2) (a) If a permit contains a variance or if a permittee anticipates that
13 a reissued permit will include a water quality based effluent limitation under s.
14 283.13 (5), when the permittee applies for reissuance of the permit the permittee may
15 apply to the department for renewal of the variance or for a variance from the water
16 quality standard that would be used to derive the water quality based effluent
17 limitation.

18 **SECTION 2934.** 283.15 (2) (b) 1. of the statutes is renumbered 283.15 (2) (b) and
19 amended to read:

20 283.15 (2) (b) The department shall specify by rule the information to be
21 included in ~~the~~ an application. ~~The permittee shall submit an application for a~~
22 ~~variance within 60 days after the department issues, reissues or modifies the permit~~
23 under this subsection.

24 **SECTION 2935.** 283.15 (2) (b) 2. of the statutes is repealed.

25 **SECTION 2936.** 283.15 (2) (b) 3. of the statutes is repealed.

BILL

1 **SECTION 2937.** 283.15 (2) (c) of the statutes is amended to read:

2 283.15 (2) (c) The department may request additional information from the
3 permittee within 30 days after receiving either the an application under par. (b) 1.
4 ~~or the information under par. (b) 2. (am) 1.~~ The permittee shall provide the additional
5 information within 30 days after receipt of the department's request. An application
6 is not complete until the additional information is provided to the department.

7 **SECTION 2938.** 283.15 (2) (e) of the statutes is repealed.

8 **SECTION 2939.** 283.15 (3) of the statutes is renumbered 283.15 (3) (b) and
9 amended to read:

10 283.15 (3) (b) The secretary shall issue a tentative decision on the an
11 application for a variance under sub. (2) (am) 1. within 120 days after receipt of a
12 completed application. The department shall circulate the tentative decision to the
13 permittee and to the parties in s. 283.53 (2) (c). If the tentative decision is to grant
14 a variance based upon one or more of the conditions specified in sub. (4) (a) 1. a. to
15 e., the department shall include in the notice under this subsection paragraph
16 statement on the effect of the variance, if granted, on the designated use of the water
17 body during the term of the underlying permit. The department shall provide a
18 30-day period for written comments on the tentative decision.

19 **SECTION 2940.** 283.15 (3) (a) of the statutes is created to read:

20 283.15 (3) (a) The secretary shall issue a tentative decision on an application
21 for a variance under sub. (2) (a) in the notice under s. 283.39 for the reissuance of the
22 permit.

23 **SECTION 2941.** 283.15 (4) (a) 1. (intro.) of the statutes is amended to read:

24 283.15 (4) (a) 1. (intro.) ~~Within 90 days after expiration of the comment period~~
25 ~~under sub. (3), the~~ The secretary shall approve all or part of a requested variance,

BILL**SECTION 2941**

1 or modify and approve a requested variance if the permittee demonstrates, by the
2 greater weight of the credible evidence, that attaining the water quality standard is
3 not feasible because:

4 **SECTION 2942.** 283.15 (4) (a) 2. of the statutes is amended to read:

5 283.15 (4) (a) 2. ~~Within 90 days after the expiration of the comment period~~
6 ~~under sub. (3), the~~ The secretary shall deny a requested variance if the permittee
7 fails to make the demonstration required under subd. 1.

8 **SECTION 2943.** 283.15 (4) (a) 3. of the statutes is repealed.

9 **SECTION 2944.** 283.15 (4) (b) of the statutes is repealed.

10 **SECTION 2945.** 283.15 (4) (c) of the statutes is repealed.

11 **SECTION 2946.** 283.15 (5) (b) of the statutes is amended to read:

12 283.15 (5) (b) A variance applies for the term established by the secretary, but
13 not to exceed ~~3~~ 5 years. The term of the initial variance and any renewals thereof
14 may not exceed the time that the secretary determines is necessary to achieve the
15 water quality based effluent limitation. Initial and interim effluent limitations
16 established under par. (c) 1. apply, as appropriate, for the term of the underlying
17 permit as ~~issued~~, reissued or modified to implement the decision under sub. (4) ~~(b)~~
18 (a) 1. or as extended by operation of s. 227.51 (2). Notwithstanding sub. (4) (d), s.
19 227.51 (2) shall apply for the purposes of continuing the provisions of a permit
20 pending the ~~issuance or~~ reissuance of a permit. ~~Upon the issuance or reissuance of~~
21 ~~the new permit, sub. (2) (a) 2. and s. 283.63 (1) (am) apply.~~

22 **SECTION 2947.** 283.15 (5) (c) (intro.) of the statutes is amended to read:

23 283.15 (5) (c) (intro.) The department shall require all of the following in a
24 permit reissued or modified pursuant to sub. (4) (e) to implement a variance shall
25 require:

BILL

1 **SECTION 2948.** 283.15 (5) (c) 1. of the statutes is amended to read:

2 283.15 (5) (c) 1. Compliance with an initial effluent limitation ~~which that~~ at the
3 time the variance is approved represents the level currently achievable by the
4 permittee and that is no less stringent than the effluent limitation achieved under
5 the permit before reissuance. At the time a variance is approved a compliance
6 schedule and an interim effluent limitation that is achievable by the permittee
7 during the term of the variance may be specified. The initial and the interim effluent
8 limitations may not be less stringent than a categorical effluent limitation that
9 applies to the permittee under s. 283.13 (2) or (4) or 283.19 or a toxic effluent
10 standard that applies to the permittee under s. 283.21.

11 **SECTION 2949.** 283.15 (5) (c) 2. (intro.) of the statutes is amended to read:

12 283.15 (5) (c) 2. (intro.) Investigation of treatment technologies, process
13 changes, pollution prevention, wastewater reuse or other techniques that may result
14 in compliance by the permittee with the water quality standard adopted under s.
15 281.15, and submission of reports on the investigations at such times as required by
16 the department. The secretary shall modify or waive the requirements specified in
17 this subdivision if the secretary determines, based upon comments received on the
18 tentative decision under sub. (3), that the requirements of this subdivision are:

19 **SECTION 2950.** 283.15 (6) of the statutes is amended to read:

20 283.15 (6) RENEWAL. ~~A variance may be renewed using the procedures in and~~
21 ~~subject to subs. (2) to (5).~~ A variance may not be renewed if the permittee did not
22 submit the reports required under sub. (5) (c) 2. or substantially comply with all other
23 conditions of the variance.

24 **SECTION 2951.** 283.39 (3) (dm) of the statutes is created to read:

BILL**SECTION 2951**

1 283.39 (3) (dm) If the applicant applied, under s. 283.15 (2) (a), for a variance,
2 as defined in s. 283.15 (1), a tentative decision to approve or deny the variance,
3 including, if the tentative decision is to grant the variance based upon one or more
4 of the conditions specified in s. 283.15 (4) (a) 1. a. to e., a statement on the effect of
5 the variance, if granted, on the designated use of the water body during the term of
6 the permit;

7 **SECTION 2952.** 285.39 (4) of the statutes is amended to read:

8 285.39 (4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the
9 replenishment implementation period, if the department reports under sub. (2) (b)
10 1. or determines at any other time that the growth accommodation is less than 3,500
11 tons, the department shall, with the advice of the department of ~~commerce~~ safety and
12 professional services, submit a report to the chief clerk of each house of the
13 legislature for distribution to the appropriate standing committees of the legislature
14 under s. 13.172 (3) on how to most effectively and equitably replenish the growth
15 accommodation. The report shall review existing studies and data to evaluate the
16 accuracy of this state's state implementation plan with respect to the effect of
17 emissions from inside and outside the volatile organic compound accommodation
18 area on the ambient air quality within the area.

19 **SECTION 2953.** 285.59 (1) (b) of the statutes, as affected by 2011 Wisconsin Act
20 7, is amended to read:

21 285.59 (1) (b) "State agency" means any office, department, agency, institution
22 of higher education, association, society or other body in state government created
23 or authorized to be created by the constitution or any law which is entitled to expend
24 moneys appropriated by law, including the legislature and the courts, the Wisconsin
25 Housing and Economic Development Authority, the Bradley Center Sports and

BILL

1 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
2 Authority, the University of Wisconsin-Madison, the Fox River Navigational System
3 Authority, the Wisconsin Aerospace Authority, the Wisconsin Quality Home Care
4 Authority, the Wisconsin Economic Development Corporation, and the Wisconsin
5 Health and Educational Facilities Authority.

6 **SECTION 2954.** 285.63 (10) (c) 4. of the statutes is repealed.

7 **SECTION 2955.** 285.79 (3) (intro.) of the statutes is amended to read:

8 285.79 (3) ASSISTANCE PROGRAM. (intro.) The department shall, ~~in cooperation~~
9 ~~with the small business ombudsman clearinghouse under s. 560.03 (9)~~, develop and
10 administer a small business stationary source technical and environmental
11 compliance assistance program. The program shall include all of the following:

12 **SECTION 2956.** 287.01 (5) of the statutes is repealed.

13 **SECTION 2957.** 287.01 (8) of the statutes is repealed.

14 **SECTION 2958.** 287.01 (9) of the statutes is repealed.

15 **SECTION 2959.** 287.03 (1) (c) of the statutes is amended to read:

16 287.03 (1) (c) Coordinate research, technical assistance and education
17 programs under this chapter with related activities of the University of
18 Wisconsin-Madison or University of Wisconsin System.

19 **SECTION 2960.** 287.03 (1) (f) of the statutes is repealed.

20 **SECTION 2961.** 287.07 (3) (intro.) of the statutes is renumbered 287.07 (3) and
21 amended to read:

22 287.07 (3) ~~GENERAL DISPOSAL RESTRICTIONS~~ WASTE TIRES. Beginning on January
23 1, 1995, no person may dispose of a waste tire, as defined in s. 289.55 (1) (c), in a solid
24 waste disposal facility or burn a waste tire without energy recovery in a solid waste
25 treatment facility in this state ~~any of the following~~.

BILL**SECTION 2962**

1 **SECTION 2962.** 287.07 (3) (a) to (k) of the statutes are repealed.

2 **SECTION 2963.** 287.07 (4) (intro.) of the statutes is amended to read:

3 287.07 (4) ~~GENERAL INCINERATION DISPOSAL RESTRICTIONS. Beginning on January~~
4 ~~1, 1995, no person~~ No individual may ~~convert place in a container the contents of~~
5 ~~which will be disposed of in a solid waste disposal facility, converted into fuel, or burn~~
6 ~~with energy recovery~~ burned at a solid waste treatment facility in this state any of
7 the following:

8 **SECTION 2964.** 287.07 (7) (a) of the statutes is repealed.

9 **SECTION 2965.** 287.07 (7) (b) 2. of the statutes is amended to read:

10 287.07 (7) (b) 2. A prohibition in sub. ~~(3) (b), (c), (e), (f), (g), (h) or (j) or~~ (4) (b),
11 (c), (f), (g), (h) or (i) does not apply to a person who converts into fuel or burns at an
12 operating solid waste treatment facility a type of material identified in one of those
13 paragraphs that was converted into fuel or burned at the operating solid waste
14 treatment facility during April, 1990, and either is generated in the operating solid
15 waste treatment facility's current service area or is generated by the owner of the
16 operating solid waste treatment facility.

17 **SECTION 2966.** 287.07 (7) (c) 1. cg. of the statutes is amended to read:

18 287.07 (7) (c) 1. cg. "Medical waste" means containers, packages and materials
19 identified under sub. ~~(3) or~~ (4) that contain infectious waste or that are from a
20 treatment area and are mixed with infectious waste.

21 **SECTION 2967.** 287.07 (7) (c) 2. (intro.) of the statutes is amended to read:

22 287.07 (7) (c) 2. (intro.) The prohibitions in ~~subs. (3) and~~ sub. (4) do not apply
23 with respect to any of the following:

24 **SECTION 2968.** 287.07 (7) (c) 2. b. of the statutes is amended to read:

BILL

1 287.07 (7) (c) 2. b. The disposal of, in a solid waste disposal facility, a container,
2 package or material identified under sub. ~~(3)~~ or (4) that contained infectious waste
3 or that is from a treatment area and is mixed with infectious waste generated in the
4 treatment area, if the container, package or material has been treated, pursuant to
5 standards established under ch. 289, to render the infectious waste noninfectious.

6 **SECTION 2969.** 287.07 (7) (d) of the statutes is repealed.

7 **SECTION 2970.** 287.07 (7) (f) of the statutes is amended to read:

8 287.07 (7) (f) The prohibitions in subs. (2) and ~~(3)~~ to (4) do not apply to the
9 beneficial reuse of a material within a solid waste disposal facility if the beneficial
10 reuse of the material is approved in the solid waste disposal facility's plan of
11 operation under s. 289.30.

12 **SECTION 2971.** 287.07 (7) (g) of the statutes is repealed and recreated to read:

13 287.07 (7) (g) A prohibition in sub. (4) does not apply to a material that has been
14 contaminated and cannot feasibly be cleaned for recycling.

15 **SECTION 2972.** 287.07 (7) (h) 1. (intro.) of the statutes is amended to read:

16 287.07 (7) (h) 1. (intro.) The department may ~~grant~~ issue a waiver or
17 conditional waiver to a restriction under sub. ~~(3) (e) or (h) or~~ (4) (c) or (i) for plastics
18 other than polyethylene terephthalate or high-density polyethylene if the
19 department determines all of the following:

20 **SECTION 2973.** 287.09 of the statutes is repealed.

21 **SECTION 2974.** 287.093 of the statutes is repealed.

22 **SECTION 2975.** 287.095 of the statutes is amended to read:

23 **287.095 Responsible unit Local official liability.** (1) DEFINITION. In this
24 section, "~~responsible unit~~ local official" means any officer, official, agent, or employee

BILL**SECTION 2975**

1 of a ~~responsible unit~~ municipality or county engaged in the planning, management,
2 operation, or approval of a recycling program or recycling site or facility.

3 (2) EXEMPTION FROM LIABILITY. No ~~responsible unit~~ local official is liable for civil
4 damages as a result of good faith actions taken by the ~~responsible unit~~ official within
5 the scope of duties relating to the ~~responsible unit's~~ municipal or county recycling
6 program or recycling site or facility.

7 **SECTION 2976.** 287.10 of the statutes is repealed.

8 **SECTION 2977.** 287.11 of the statutes is repealed.

9 **SECTION 2978.** 287.19 (1) (b) (intro.) of the statutes is amended to read:

10 287.19 (1) (b) *Recycling programs.* (intro.) With respect to local recycling
11 programs ~~created under s. 287.09 (2) (a):~~

12 **SECTION 2979.** 287.21 (intro.) of the statutes is amended to read:

13 **287.21 Statewide education program.** (intro.) The department shall
14 collect, prepare and disseminate information and conduct educational and training
15 programs designed to assist in the implementation of solid waste management
16 programs under ss. 287.01 to 287.31, enhance municipal and county solid waste
17 management programs ~~under s. 287.09 (2) (a)~~ and inform the public of the
18 relationship among an individual's consumption of goods and services, the
19 generation of different types and quantities of solid waste and the implementation
20 of the solid waste management priorities in s. 287.05 (12). The department shall
21 prepare the information and programs on a statewide basis for the following groups:

22 **SECTION 2980.** 287.23 of the statutes is repealed.

23 **SECTION 2981.** 287.235 of the statutes is repealed.

24 **SECTION 2982.** 287.25 of the statutes is repealed.

25 **SECTION 2983.** 287.26 of the statutes is repealed.

BILL

1 **SECTION 2984.** 287.31 (6) of the statutes is amended to read:

2 287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub.
3 (5) shall be deposited in the ~~recycling and renewable energy~~ environmental fund
4 under s. 25.49.

5 **SECTION 2985.** 289.645 (6) of the statutes is amended to read:

6 289.645 (6) USE OF RECYCLING FEES. ~~The~~ Of the fees collected under sub. (2), ~~\$4~~
7 per ton shall be deposited in the ~~recycling and renewable energy~~ economic
8 development fund and \$3 per ton shall be deposited in the environmental fund.

9 **SECTION 2986.** 292.11 (2) (e) of the statutes is amended to read:

10 292.11 (2) (e) The department shall report notifications that it receives under
11 this subsection related to discharges from petroleum storage tanks, as defined in s.
12 101.144 (1) (bm), to the department of ~~commerce~~ safety and professional services.

13 **SECTION 2987.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

14 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the
15 area consists of 2 or more properties affected by a contiguous region of groundwater
16 contamination or contains 2 or more properties that are brownfields, as defined in
17 s. ~~560.13~~ 238.13 (1) (a).

18 **SECTION 2988.** 292.12 (1) (a) of the statutes is amended to read:

19 292.12 (1) (a) "Agency with administrative authority" means the department
20 of agriculture, trade and consumer protection with respect to a site over which it has
21 jurisdiction under s. 94.73 (2), the department of ~~commerce~~ safety and professional
22 services with respect to a site over which it has jurisdiction under s. 101.144 (2) (a),
23 or the department of natural resources with respect to a site over which it has
24 jurisdiction under s. 292.11 (7).

25 **SECTION 2989.** 292.255 of the statutes is amended to read:

BILL**SECTION 2989**

1 **292.255 Report on brownfield efforts.** The department of natural
2 resources, the department of administration, and the ~~department of commerce~~
3 Wisconsin Economic Development Corporation shall submit a report evaluating the
4 effectiveness of this state's efforts to remedy the contamination of, and to redevelop,
5 brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

6 **SECTION 2990.** 292.33 (6) of the statutes is amended to read:

7 292.33 (6) EXCEPTION. A local governmental unit may not recover costs under
8 this section for remedial activities conducted on a property or portion of a property
9 with respect to a discharge after the department of natural resources, the
10 department of ~~commerce~~ safety and professional services, or the department of
11 agriculture, trade and consumer protection has indicated that no further remedial
12 activities are necessary on the property or portion of the property with respect to the
13 discharge.

14 **SECTION 2991.** 292.79 (1) (a) of the statutes is amended to read:

15 292.79 (1) (a) "Brownfields" has the meaning given in s. ~~560.13~~ 238.13 (1) (a).

16 **SECTION 2992.** 293.11 of the statutes is amended to read:

17 **293.11 Mine effect responsibility.** The department shall serve as the central
18 unit of state government to ensure that the air, lands, waters, plants, fish and
19 wildlife affected by prospecting or mining in this state will receive the greatest
20 practicable degree of protection and reclamation. The administration of
21 occupational health and safety laws and rules that apply to mining shall remain
22 exclusively the responsibility of the department of ~~commerce~~ safety and professional
23 services. The powers and duties of the geological and natural history survey under
24 s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural
25 history survey. Nothing in this section prevents the department of ~~commerce~~ safety

BILL

1 and professional services and the geological and natural history survey from
2 cooperating with the department in the exercise of their respective powers and
3 duties.

4 **SECTION 2993.** 299.13 (1m) (intro.) of the statutes is amended to read:

5 299.13 **(1m)** PROMOTION OF POLLUTION PREVENTION. (intro.) In carrying out the
6 duties under this section and ~~ss. s. 36.25 (30) and 560.19~~, the department, ~~the~~
7 ~~department of commerce~~ and the center shall promote all of the following techniques
8 for pollution prevention:

9 **SECTION 2994.** 299.83 (8) (f) of the statutes is amended to read:

10 299.83 **(8)** (f) The department and the department of ~~commerce~~ safety and
11 professional services shall jointly provide information about participation contracts
12 and environmental management systems to potential participants in the program
13 and to other interested persons. The department shall consult with the department
14 of ~~commerce~~ safety and professional services about the administration of the
15 program.

16 **SECTION 2995.** 301.03 (3) of the statutes is amended to read:

17 301.03 **(3)** Administer parole, extended supervision, and probation matters,
18 except that the decision to grant or deny parole ~~or to grant extended supervision~~
19 ~~under s. 304.06 (1)~~ to inmates shall be made by the earned release review parole
20 commission and the decision to revoke probation, extended supervision, or parole in
21 cases in which there is no waiver of the right to a hearing shall be made by the
22 division of hearings and appeals in the department of administration. The secretary
23 may grant special action parole releases under s. 304.02. ~~The department may~~
24 ~~discharge inmates from extended supervision under s. 973.01 (4m) and may modify~~
25 ~~a bifurcated sentence under s. 302.113 (9h), and the earned release review~~

BILL**SECTION 2995**

1 ~~commission may modify a sentence under s. 302.1135.~~ The department shall
2 promulgate rules establishing a drug testing program for probationers, parolees and
3 persons placed on extended supervision. The rules shall provide for assessment of
4 fees upon probationers, parolees and persons placed on extended supervision to
5 partially offset the costs of the program.

6 **SECTION 2996.** 301.048 (2) (am) 3. of the statutes is amended to read:

7 301.048 (2) (am) 3. The ~~earned release review~~ parole commission grants him
8 or her parole under s. 304.06 and requires his or her participation in the program as
9 a condition of parole under s. 304.06 (1x).

10 **SECTION 2997.** 301.21 (1m) (c) of the statutes is amended to read:

11 301.21 (1m) (c) Any hearing to consider parole ~~or whether to grant extended~~
12 ~~supervision, if the inmate is sentenced under s. 973.01~~ to which an inmate confined
13 under this contract may be entitled by the laws of Wisconsin will be conducted by the
14 Wisconsin ~~earned release review~~ parole commission under rules of the department.

15 **SECTION 2998.** 301.21 (2m) (c) of the statutes is amended to read:

16 301.21 (2m) (c) Any hearing to consider parole ~~or whether to grant extended~~
17 ~~supervision, if the prisoner is sentenced under s. 973.01~~ to which a prisoner confined
18 under a contract under this subsection may be entitled by the laws of Wisconsin shall
19 be conducted by the Wisconsin ~~earned release review~~ parole commission under rules
20 of the department.

21 **SECTION 2999.** 301.26 (3) (c) of the statutes is amended to read:

22 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
23 ~~(ke), and (o)~~ and (ko), the department shall allocate funds to each county for services
24 under this section.

25 **SECTION 3000.** 301.26 (4) (b) of the statutes is amended to read: