



2013 ASSEMBLY BILL 40

February 20, 2013 – Introduced by JOINT COMMITTEE ON FINANCE, by request of Governor Scott Walker. Referred to Joint Committee on Finance. Referred to Joint Survey Committee on Tax Exemptions. Referred to Joint Survey Committee on Retirement Systems.

1 **AN ACT relating to:** state finances and appropriations, constituting the
2 executive budget act of the 2013 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the “executive budget bill” under section 16.47 (1) of the statutes. It contains the governor’s recommendations for appropriations for the 2013–2015 fiscal biennium.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, thereby setting the appropriation levels for the 2013–2015 fiscal biennium. The descriptions that follow relate to the most significant changes in the law that are proposed in the bill. In most cases, changes in the amounts of existing spending authority and changes in the amounts of bonding authority under existing bonding programs are not discussed.

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

GUIDE TO THE BILL

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

ASSEMBLY BILL 40

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

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

- 91XX Nonstatutory provisions.**
- 92XX Fiscal changes.**
- 93XX Initial applicability.**
- 94XX Effective dates.**

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

- XX01 Administration.**
- XX02 Agriculture, Trade and Consumer Protection.**
- XX03 Arts Board.**
- XX04 Building Commission.**
- XX05 Child Abuse and Neglect Prevention Board.**
- XX06 Children and Families.**
- XX07 Circuit Courts.**
- XX08 Corrections.**
- XX09 Court of Appeals.**
- XX10 District Attorneys.**
- XX11 Educational Communications Board.**
- XX12 Employee Trust Funds.**
- XX13 Employment Relations Commission.**
- XX14 Financial Institutions.**
- XX15 Government Accountability Board.**
- XX16 Governor.**
- XX17 Health and Educational Facilities Authority.**
- XX18 Health Services.**
- XX19 Higher Educational Aids Board.**
- XX20 Historical Society.**
- XX21 Housing and Economic Development Authority.**
- XX22 Insurance.**
- XX23 Investment Board.**
- XX24 Joint Committee on Finance.**
- XX25 Judicial Commission.**
- XX26 Justice.**
- XX27 Legislature.**
- XX28 Lieutenant Governor.**
- XX29 Local Government.**
- XX30 Medical College of Wisconsin.**

ASSEMBLY BILL 40

- XX31 Military Affairs.**
- XX32 Natural Resources.**
- XX33 Public Defender Board.**
- XX34 Public Instruction.**
- XX35 Public Lands, Board of Commissioners of.**
- XX36 Public Service Commission.**
- XX37 Revenue.**
- XX38 Safety and Professional Services.**
- XX39 Secretary of State.**
- XX40 State Employment Relations, Office of.**
- XX41 State Fair Park Board.**
- XX42 Supreme Court.**
- XX43 Technical College System.**
- XX44 Tourism.**
- XX45 Transportation.**
- XX46 Treasurer.**
- XX47 University of Wisconsin Hospitals and Clinics Authority.**
- XX48 University of Wisconsin System.**
- XX49 Veterans Affairs.**
- XX50 Wisconsin Economic Development Corporation.**
- XX51 Workforce Development.**
- XX52 Other.**

For example, for general nonstatutory provisions relating to the State Historical Society, see SECTION 9120. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number "52" (**Other**) within each type of provision.

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

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

- DATCP . . . Department of Agriculture, Trade and Consumer Protection
- DCF Department of Children and Families
- DETF Department of Employee Trust Funds
- DFI Department of Financial Institutions
- DHS Department of Health Services
- DMA Department of Military Affairs
- DNR Department of Natural Resources
- DOA Department of Administration

ASSEMBLY BILL 40

DOC Department of Corrections
 DOJ Department of Justice
 DOR Department of Revenue
 DOT Department of Transportation
 DPI Department of Public Instruction
 DSPS Department of Safety and Professional Services
 DVA Department of Veterans Affairs
 DWD Department of Workforce Development
 JCF Joint Committee on Finance
 OCI Office of the Commissioner of Insurance
 PSC Public Service Commission
 UW University of Wisconsin
 WEDC Wisconsin Economic Development Corporation
 WHEDA Wisconsin Housing and Economic Development Authority
 WHEFA Wisconsin Health and Educational Facilities Authority

AGRICULTURE

Under current law, DATCP administers the Soil and Water Resource Management Program, which funds grants for projects to control soil erosion and reduce water pollution. This bill increases the general obligation bonding authority for the Soil and Water Resource Management Program by \$7,000,000.

This bill authorizes DATCP to provide grants to persons operating dairy processing plants to promote the growth of the dairy industry.

Current law requires DATCP to award a grant in each fiscal year from the agrichemical management fund for technical education and research under the Wisconsin grazing lands conservation initiative. This bill eliminates that requirement.

COMMERCE AND ECONOMIC DEVELOPMENT**FINANCIAL INSTITUTIONS**

Under current law, a consumer credit transaction that is entered into for personal, family, or household purposes, as well as certain consumer leases, are generally subject to the Wisconsin Consumer Act (consumer act). The consumer act grants consumers certain rights and remedies and contains notice and disclosure requirements and prohibitions relating to consumer credit transactions.

This bill creates requirements that specifically apply to rental-purchase agreements, imposes requirements on rental-purchase companies, and exempts rental-purchase companies and rental-purchase agreements from the scope of the consumer act and from provisions of the Uniform Commercial Code relating to security interests. A “rental-purchase agreement” is an agreement between a rental-purchase company and a lessee for the use of rental property if: 1) the rental property is to be used primarily for personal, family, or household purposes; 2) the agreement has an initial term of four months or less and is renewable with each payment after the initial term; 3) the agreement does not obligate the lessee to renew the agreement beyond the initial term; and 4) the agreement permits the lessee to acquire ownership of the rental property.

ASSEMBLY BILL 40

The bill requires a rental-purchase company to file notice with DFI within 30 days after commencing business in this state and to pay an annual fee to DFI, except for a rental-purchase company that generates less than 75 percent of its revenues in this state from transactions involving rental-purchase agreements. The bill also limits the maximum amount that a rental-purchase company may charge in a rental-purchase transaction and that a lessee must pay to acquire ownership of rental property if the lessee elects an early-purchase option. The bill specifies conditions under which a lessee may reinstate a rental-purchase agreement that has ended without losing any rights or options previously acquired. Upon reinstatement, the rental-purchase company must provide the lessee with the same rental property or with comparable substitute property. A rental-purchase company must provide written notice to a lessee of the lessee's rights and obligations relating to reinstatement of the rental-purchase agreement within 15 days of repossession or voluntary return or surrender of the rental property, if the lessee is entitled to reinstatement.

The bill specifies that a rental-purchase company is not required to disclose a finance charge calculated as an annual percentage rate. However, every rental-purchase agreement must contain certain provisions, including a description of the rental property; the cash price of the rental property; the total amount of the rental payments and charges necessary to acquire ownership of the property; the rental payment and an itemized description of all charges or fees; and a summary of the lessee's early-purchase option and an explanation of the lessee's reinstatement rights of the rental-purchase agreement. The bill also prohibits the inclusion of certain provisions in a rental-purchase agreement, including those granting the rental-purchase company permission to enter the lessee's residence to repossess the rental property; requiring the lessee to purchase insurance from the rental-purchase company; and requiring the lessee to pay attorney fees. Upon request, a rental-purchase company must provide the lessee with a copy of the lessee's payment history. The bill also creates requirements and limitations for advertising rental-purchase transactions. The bill includes provisions relating to liability of a rental-purchase company for violations of these provisions.

ECONOMIC DEVELOPMENT

Under current law, WEDC administers various programs that provide tax benefits to businesses. The jobs tax credit program and the enterprise zone tax credit program provide tax benefits to businesses that create or retain certain full-time jobs in this state. The economic development tax credit program provides tax benefits to businesses that conduct eligible activities, including creating full-time jobs, investing in new equipment, machinery, or property, and locating or retaining corporate headquarters, in this state.

Under current law, the total amount of tax credits that WEDC may allocate under the economic development tax credit program may not exceed the sum of the tax credits remaining under the tax credit programs that were consolidated to create the economic development tax credit program and \$25,000,000. This bill increases the total amount of benefits that WEDC may allocate under the economic development tax credit program by \$75,000,000.

ASSEMBLY BILL 40

Under current law, WEDC may award tax benefits under the jobs tax credit program in an amount that is equal to 10 percent of the wages a business pays to certain full-time employees who annually earn at least \$20,000 or \$30,000, depending on where the business is located. Under this bill, WEDC may award tax benefits under the jobs tax credit program in an amount that is up to 10 percent of the wages a business pays to certain full-time employees who annually earn at least: (a) 150 percent of federal minimum wage for 2,080 hours or (b) \$30,000, depending on where the business is located.

Under current law, a business certified by WEDC may receive tax benefits under the enterprise zone tax credit program for certain full-time employees in an amount that is up to 7 percent of the amount by which the annual wages for each of those employees exceeds either \$20,000 or \$30,000, depending on where the business is located. Under this bill, the amount of tax benefits that a business may receive under the enterprise zone tax credit program is up to 7 percent of the amount by which the annual wages for each full-time employee exceeds either: (a) 150 percent of federal minimum wage for 2,080 hours or (b) \$30,000, depending on where the business is located.

Under current law, for purposes of the jobs tax credit program, the economic development tax credit program, the enterprise zone tax credit program, and the development opportunity zone tax credit program, subject to certain exceptions, a "full-time job" is defined as a job in which an individual must work at least 2,080 hours per year as a condition of his or her employment. Under this bill, WEDC may make an exception to the 2,080 hours per year requirement under all these tax credit programs if a job annually pays at least 2,080 times 150 percent of the federal minimum wage and the job offers full-time benefits.

Under current law, WHEFA may issue a bond to finance certain projects undertaken by a health, educational, or research institution or to refinance outstanding debt of a health, educational, or research institution. This bill authorizes WHEFA to issue a bond to finance any project undertaken by a nonprofit institution for a nonprofit facility, and to refinance outstanding debt of a nonprofit institution.

Under current law, DOA may administer housing programs funded by the federal community development block grant. Under this bill, DOA may administer any program funded by the federal community development block grant, including the community development grant and revolving loan fund programs.

CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids, known as youth aids, DOC must allocate various state and federal moneys to counties to pay for state-provided juvenile correctional services and local juvenile justice services. DOC charges counties for the costs of services provided by DOC according to per person cost assessments (the "daily rate").

This bill increases daily rates as follows:

1. For fiscal year 2013-14, the daily rate is \$297 for care in a Type 1 juvenile correctional facility, \$297 for care for juveniles transferred from a juvenile

ASSEMBLY BILL 40

correctional institution, \$125 for corrective sanctions services, and \$41 for aftercare services.

2. For fiscal year 2014-15, the daily rate is \$304 for care in a Type 1 juvenile correctional facility, \$304 for care for juveniles transferred from a juvenile correctional institution, \$128 for corrective sanctions services, and \$41 for aftercare services.

Current law requires DOC to have a revolving fund consisting of money DOC has that belongs to persons on probation, parole, or extended supervision who have absconded or whose whereabouts are unknown. DOC must use the fund to defray certain expenses for persons on probation, parole, and extended supervision who are without means. This bill eliminates the requirement that DOC have such a revolving fund.

CRIMES

Under current law, certain individuals are required to submit biological specimens to the crime laboratories in DOJ for deoxyribonucleic acid (DNA) analysis, including a juvenile who has been adjudicated delinquent for certain offenses; an individual who is or was in prison for a felony or found guilty of a felony; an individual who was found guilty of fourth-degree sexual assault, lewd and lascivious behavior, or exposing genitals to a child for sexual gratification; an individual who has been found not guilty by reason of mental disease or defect for certain sex offenses; a person who has been found to be a sexually violent person; and an individual who is required by a court to provide a biological specimen. Under this bill, the following individuals must submit biological specimens for DNA analysis: a juvenile who has been adjudicated delinquent, or taken into custody, for an offense that would be a felony if committed by an adult, fourth-degree sexual assault, endangering safety by the use of a dangerous weapon, lewd and lascivious behavior, prostitution, patronizing prostitutes, pandering, failure to submit a biological specimen, or exposing genitals to a child for sexual gratification; an adult who is convicted of a misdemeanor; and an adult who is arrested for a felony or for fourth-degree sexual assault, endangering safety by the use of a dangerous weapon, lewd and lascivious behavior, prostitution, patronizing prostitutes, pandering, failure to submit a biological specimen, or exposing genitals to a child for sexual gratification. If, at the time the individual is charged with one of these offenses, the court determines that a biological specimen was not obtained when he or she was arrested or taken into custody, the court must order a law enforcement agency to obtain the specimen.

Under current law, specimens obtained must be submitted to the crime laboratories in DOJ for DNA analysis and inclusion of the DNA profile in the data bank. An individual whose DNA data are in the data bank due to a conviction or adjudication may request in writing that the data be removed on the grounds that the conviction or adjudication has been reversed, set aside, or vacated. If the crime laboratories receive a certified copy of the court order reversing, setting aside, or vacating the conviction or adjudication, the laboratories must purge all records and identifiable information in the data bank pertaining to the individual and destroy all samples from the individual. Under this bill, if an individual submitted a specimen at arrest, when taken into custody, or by court order, DOJ must similarly

ASSEMBLY BILL 40

purge all records and information upon a written request if all charges requiring submission have been dismissed; if the trial court reached a final disposition and the individual was not found guilty of any charges requiring submission; if at least one year has passed since the arrest and the individual has not been charged; or if the individual was found guilty of a crime requiring submission but all such convictions have since been reversed, set aside, or vacated.

Under current law, if a court imposes a sentence or places an individual on probation for a sex offense, the court must impose a DNA analysis surcharge of \$250 and if a court imposes a sentence or places an individual on probation for a felony conviction that is not a sex offense, the court may impose a DNA analysis surcharge of \$250. Under this bill, if a court imposes a sentence or places an individual on probation, the court must impose a \$250 DNA surcharge for any felony conviction and a \$200 DNA surcharge for any misdemeanor conviction.

EDUCATION**PRIMARY AND SECONDARY EDUCATION**

Under current law, a school board may enter into a contract with a person to establish a charter school, which operates with fewer constraints than traditional public schools. Current law also permits UW-Milwaukee, UW-Parkside, the Milwaukee Area Technical College, and the city of Milwaukee to operate charter schools (independent charter schools) directly or to contract for the operation of such charter schools. In general, only pupils who reside in the school district in which an independent charter school is located may attend the charter school.

This bill creates the Charter School Oversight Board (CSOB), attached to DPI, and authorizes it to approve nonprofit, nonsectarian organizations, or consortia of such organizations, to contract with persons to operate independent charter schools. The CSOB consists of the state superintendent of public instruction and ten other members. Of the latter members, two are appointed by the state superintendent, two are appointed by the governor, and six by the leaders in the senate and assembly. The bill prohibits the CSOB from promulgating administrative rules and provides that any policy or standard adopted by the CSOB is exempt from the rule-making process.

For any school established on or after the bill's effective date, the bill eliminates the authority of the entities specified above, and of any approved nonprofit organization, to establish an independent charter school directly. Under the bill, a charter school may be established only by contract and must be operated by a charter school governing board, although an existing independent charter school authorizer may continue to operate a charter school established before the effective date of the bill. The bill removes the restrictions that limit who may attend an independent charter school.

A nonprofit, nonsectarian organization or consortium of such organizations that wishes to contract with a charter school governing board to operate a charter school must submit an application to the CSOB in accordance with certain specified requirements. The CSOB must approve or deny an application within 90 days.

The bill provides that the contract between an authorizing entity and the independent charter school's governing board must allow the authorizing entity to

ASSEMBLY BILL 40

charge the governing board a fee. The contract must also allow the charter school governing board to open additional charter schools if the charter school governed by the contract receives a rating from DPI of “exceeds expectations” or “significantly exceeds expectations.” The bill makes this provision applicable to existing contracts with independent charter schools as well.

The bill allows a charter school contract to provide for more than one charter school, and allows a charter school governing board to enter into more than one contract. The bill allows a school board to prohibit a pupil who resides in the school district from attending an independent charter school unless the school district’s enrollment is at least 4,000 and at least two schools in the school district were rated “fails to meet expectations” or “meets few expectations” in DPI’s most recent school report.

Current law prohibits a school board from converting all of the public schools in the school district to charter schools unless the school board provides alternative public school attendance arrangements for pupils who do not wish to attend or are not admitted to a charter school. In addition, a school board may not grant a petition to establish a charter school that would result in the conversion of all the public schools in the school district to charter schools unless at least 50 percent of the teachers employed by the school district sign the petition. This bill eliminates the restrictions on converting all of a school district’s public schools to charter schools and explicitly permits a school board to do so.

Current law provides that no pupil may be required to attend a charter school without his or her approval, if the pupil is an adult, or the approval of his or her parents, if the pupil is a minor. This bill provides that this prohibition does not apply if all of a school district’s public schools are converted to charter schools.

The bill requires that a charter school accept pupils at random if the capacity of the school is insufficient to accept all applicants. A charter school must, however, give preference to pupils who were enrolled in the school in the previous school year and to siblings of currently enrolled pupils. In addition, the bill allows a charter school to give preference, with certain limitations, to children of the charter school’s founders, governing board members, and full-time employees.

Current law provides that, unless otherwise explicitly provided, the school code (chapters 115 to 121 of the Wisconsin statutes) does not apply to charter schools. This bill prohibits a contract between a school board and the operator of a charter school that is an instrumentality of a school district from imposing on the operator any requirement in the school code that does not explicitly apply to charter schools.

The bill also requires that a contract between a school board and the operator of a charter school that is an instrumentality of a school district do all of the following:

1. Specify the amount, which must be commensurate with the average per pupil cost for the school district, to be paid to the charter school operator for each pupil attending the charter school.
2. Grant the charter school operator sole discretion over the charter school’s budget, curriculum, professional development activities, hiring of personnel, and personnel policies for the charter school, unless a decision in any of these areas affects the health or safety of pupils.

ASSEMBLY BILL 40

Under current law, beginning in the 2013-14 school year, the state pays an operator of a charter school that is operated by or under contract with an independent charter school authorizer a per pupil amount in each school year that is based on the per pupil amount the state paid in the previous school year and the revenue limit adjustment for public schools.

Under this bill, in the 2013-14 school year, the state pays an operator of an independent charter school a per pupil amount of \$7,852 and, beginning in the 2014-15 school year, the state pays an operator of an independent charter school a per pupil amount in each school year of \$7,931.

Under current law, a pupil living in the city of Milwaukee or an eligible school district (currently, only the Racine Unified School District) may, under a parental choice program, attend a private school at state expense if, among other conditions, the pupil is a member of a family that has a total family income that does not exceed 300 percent of the poverty level.

This bill expands the parental choice program for eligible school districts by making eligible a school district having at least 4,000 pupils and in which two or more schools in the district have been placed in a performance category of "fails to meet expectations" or "meets few expectations" (qualifying categories) on an accountability report published by DPI. If, after a school district has been identified as an eligible school district, at least 20 pupils who reside in the school district apply to attend private schools under the parental choice program, the eligible school district becomes a qualifying eligible school district and qualifying pupils who reside in that school district may attend a private school under the parental choice program.

In the 2013-14 school year, no more than 500 pupils residing in qualifying eligible school districts may participate in the expanded parental choice program. In the 2014-15 school year, participation cannot exceed 1,000 pupils.

Currently, under the parental choice programs, the state pays a participating private school, for a pupil enrolled in the school under the program, the lesser of the school's educational cost per pupil or the amount paid per pupil in the previous school year increased by the percentage change in the amount appropriated as general school aid. In the 2011-12 and 2012-13 school years, however, the state pays the school's educational cost per pupil or \$6,442, whichever is less.

This bill changes the payments that the state makes to a private school participating in a parental choice program as follows:

1. In the 2013-14 school year, for a pupil enrolled in the school under the program, the state pays the lesser of the school's educational cost per pupil or \$6,442.
2. In the 2014-15 school year and thereafter, for a pupil enrolled in the school under the program, the state pays the lesser of the school's educational cost per pupil or \$7,050, if the pupil is in a grade from kindergarten to eight, or \$7,856, if the pupil is in a grade from nine to twelve.

Currently, a private school participating in a parental choice program must accept applications submitted under the choice program on a random basis. However, under current law, a participating private school may give a preference to a sibling of a pupil who is accepted on a random basis. Under this bill, a participating

ASSEMBLY BILL 40

private school may, when accepting applications submitted under a choice program, give preference to any of the following:

1. Pupils, or siblings of pupils, who attended the private school during the school year prior to the school year for which the application is being made.
2. Siblings of pupils who have been accepted to the private school for the school year for which the application is being made.
3. Pupils who attended any private school in a choice program during the school year prior to the school year for which the application is being made.

Current law directs DPI to establish a student information system to collect information about pupils enrolled in public schools, including their academic performance and demographic information. Within five years of the system's establishment, every school district must use the system. This bill includes charter schools in the student information system. The bill also provides that within five years of the system's establishment, every private school participating in a parental choice program must use the system or use another system that is interoperable with the state system.

This bill establishes a Special Needs Scholarship Program. Under the program, a child with a disability may receive a scholarship to attend a public school located outside the pupil's school district of residence, a charter school, or a private school, if all of the following conditions are met:

1. The school has notified DPI of its intent to participate in the program and the child has been accepted by the school.
2. If the school is a private school, it is approved as a private school by DPI or is accredited.
3. An individualized education program (IEP) has been completed for the child.
4. The child attended a public school, attended a charter school, attended a private school under a parental choice program, or did not attend school in this state, in the previous school year.

Upon receipt of an application for a scholarship, DPI must review the child's IEP and determine the amount of the child's scholarship. The amount is the lesser of the cost to the child's school district of residence, the charter school, or private school that the child wishes to attend, of providing regular instruction, instructional and pupil support services, special education and related services, and supplementary aids and services to the child plus the per pupil operating and debt service costs; or the statewide cost per public school pupil in the previous school year plus the per pupil amount appropriated for special education in the previous school year. The number of scholarship recipients in any school year may not exceed five percent of the total number of children with disabilities residing in this state in the previous school year.

DPI pays the scholarship directly to the school district, charter school, or private school. The scholarship continues while the child attends a school eligible to participate in the program until he or she graduates from high school or until the end of the school term in which he or she turns 21, whichever comes first.

Under the bill, a pupil attending a private school, or a public school outside the pupil's school district of residence, under the program is counted for state aid

ASSEMBLY BILL 40

purposes by the pupil's school district of residence. However, the state aid paid to that school district is reduced by the total amount of scholarships paid by DPI for pupils who reside in that school district.

Each private school participating in the program must annually submit to DPI a school financial report prepared by a certified public accountant. If the private school expects to receive at least \$50,000 in scholarships during a school year, it must either file a surety bond with DPI or provide DPI with information demonstrating that it has the ability to pay an amount equal to the total amount of scholarships that it expects to receive.

The bill provides that if a child attends a private school under the program, his or her school district of residence must provide transportation to and from the school in certain circumstances. If the child attends a public school under the program, the child's parent is responsible for transporting the child to and from school unless transportation is required in the child's IEP. If the latter applies, the school district that the child attends is responsible for transporting the child. The bill allows a low-income pupil to apply to DPI for reimbursement of transportation costs.

The bill authorizes DPI to bar a school from participating in the program if the school intentionally and substantially misrepresents information required under the bill, routinely fails to comply with financial standards, uses a pupil's scholarship for any purpose other than educational purposes, or fails to refund any scholarship overpayments to the state. The bill directs the Legislative Audit Bureau to contract for a study of the program.

Under the current part-time Open Enrollment Program, a high school pupil may apply to take one or two courses at a public school located outside the pupil's school district of residence under certain circumstances. The pupil's resident school board must pay to the nonresident school board an amount equal to the cost of providing the course to the pupil. The pupil's resident school board may reject the pupil's application under one of two circumstances: 1) the course conflicts with the pupil's IEP; or 2) the cost of paying for the pupil to attend the course would impose an undue financial burden on the resident school district.

This bill allows pupils in all grades to participate in the program. The bill also allows a pupil to attend a UW institution, a technical college, a nonprofit institution of higher education, a tribal college, a charter school, or a nonprofit organization that is approved by DPI. The bill prohibits the educational institution that the pupil attends from charging to or receiving from a pupil or the pupil's resident school board any payment that is in addition to the one determined by DPI.

The bill also eliminates the ability of a resident school board to reject an application on the basis of undue financial burden. However, a resident school board may reject an application if the school board determines that the course the pupil wishes to take at an educational institution does not conform to or support the pupil's academic and career plan or does not satisfy a high school graduation requirement.

This bill requires DPI to ensure that, beginning in the 2017-18 school year, every school board is providing academic and career planning services to pupils enrolled in grades 6 to 12. DPI is also required to purchase, install, and maintain information technology that will be used by school districts statewide to provide

ASSEMBLY BILL 40

academic and career planning to pupils in grades 6 to 12 and to provide training and technical assistance to school districts and school district staff related to implementing academic and career plans.

Under current law, a pupil enrolled in a home-based private educational program who has met the standards for admission to high school may take up to two courses each semester in any school in the pupil's resident school district if there is space in the classroom. This bill expands this opportunity to permit any pupil enrolled in a home-based private educational program to attend up to two courses in any public school in any school district in the state that has space. The bill permits a school district that allows such a pupil to attend a course to count the pupil for equalization aid purposes as 0.25 pupil for each course the pupil attends.

Current law requires the state superintendent of public instruction to adopt examinations to be administered to pupils in grades four, eight, and ten. Current law also requires the school board of each school district, the operator of each charter school, and the governing body of each private school participating in a parental choice program to administer the examinations to pupils enrolled in those grades in each school in the district, in the charter school, and in the participating private school, respectively.

This bill requires the state superintendent of public instruction to adopt examinations to be administered, beginning in the 2014-15 school year, to pupils in grades nine and eleven in the same manner as examinations are administered in grades four, eight, and ten.

Under current law, each school board and each independent charter school must annually assess all pupils in four-year-old and five-year-old kindergarten for reading readiness using an assessment selected by DPI. If a reading readiness assessment indicates that a pupil is at risk of reading difficulty, the school board or charter school must provide the pupil with certain reading services.

Under this bill, beginning in the 2014-15 school year, each school board and each independent charter school must annually assess all pupils in four-year-old kindergarten to grade two for reading readiness and provide reading services to any pupil who is determined to be at risk of reading difficulty.

This bill directs DPI, annually by June 30, to publish a school and school district accountability report that includes the following components:

1. Multiple measures to determine performance, including pupil achievement and growth in reading and mathematics; measures of college and career readiness; and gaps in pupil achievement and rates of graduation, categorized by race, English language proficiency, disability, and income.

2. An index system to identify a school's level of performance and place each school into one of five performance categories.

Within one year after an independent charter school, or a private school participating in a parental choice program, begins using the student information system established by DPI, DPI must include the school in its annual school accountability report.

This bill creates a grant program through which a qualifying school may receive an award related to the school's performance on the accountability reports issued by

ASSEMBLY BILL 40

DPI. The bill identifies three categories of qualifying schools: 1) schools placed in a performance category of “significantly exceeds expectations” or “exceeds expectations” on the most recent accountability report; 2) schools that increase the score received on the most recent accountability report by at least three points over the previous accountability report; and 3) schools placed in a performance category of “fails to meet expectations” on the most recent accountability report and that submit a comprehensive school improvement plan to DPI.

Under current law, DPI must develop an educator effectiveness evaluation system (EEES). School districts and independent charter school operators must employ the EEES to evaluate teachers and principals on a variety of measures. This bill permits DPI to charge a fee to school districts and independent charter schools to use the EEES developed by DPI. The bill also permits DPI to award grants to school districts to implement an EEES or equivalent evaluation process.

This bill directs DPI to grant a charter school teaching license to any person who has a bachelor’s degree and demonstrates that he or she is proficient in the subject or subjects that he or she intends to teach. The license authorizes the person to teach that subject or those subjects in a charter school. The bill does not explicitly limit the person to teaching only certain grades. The license is valid for three years and may be renewed.

This bill eliminates a requirement that any person teaching an online course in a public school, including a charter school, complete at least 30 hours of related professional development. The bill also prohibits DPI from requiring a teacher licensed to teach in a virtual charter school to complete professional development not required to be completed by teachers who do not teach in a virtual charter school.

Currently, DPI may issue an emergency permit to an applicant who has a bachelor’s degree, which authorizes the holder to be employed by a school board as a professional school employee for one specific assignment. The permit is valid for up to one year. This bill directs DPI to ensure that teaching experience gained while a person held an emergency permit counts toward fulfillment of the teaching experience requirement for a license based on experience or for an administrator’s license.

This bill prohibits DPI from requiring that a licensed teacher or instructional staff member be physically present in the classroom when the delivery of content or collaborative instruction in the classroom is being provided digitally or through an online course.

Under current law, a school district that is created as the result of consolidation is eligible to receive two types of additional state aid during the five school years following the consolidation. The first type is an increased amount of equalization aid that is the result of a 15 percent increase that is applied to the consolidated school district’s shared cost and guaranteed valuation. The second type is special adjustment aid in an amount necessary to ensure that the consolidated school district’s general aid is at least equal to the total amount of general aid that the consolidated districts received in the school year before the consolidation (underlying district aid). This bill extends the period during which a consolidated

ASSEMBLY BILL 40

school district may receive these two types of additional aid to seven years following consolidation and makes the following changes during the extension period:

1. For the sixth school year following the consolidation, a 10 percent increase is applied to the consolidated school district's shared cost and guaranteed valuation factors and the consolidated school district is guaranteed to receive at least 66 percent of the underlying district aid.

2. In the seventh year following the consolidation, a 5 percent increase is applied to the consolidated school district's shared cost and guaranteed valuation factors and the consolidated school district is guaranteed to receive at least 33 percent of the underlying district aid.

Current law directs DPI, the Board of Regents of the UW System, the Technical College System Board, and the Wisconsin Association of Independent Colleges and Universities to enter into a written agreement requiring them to establish and maintain a longitudinal data system of student data that links such data from preschool programs to postsecondary programs. This bill requires that DCF and DWD be parties to the agreement and that work force data be a part of the data system.

This bill requires DPI to provide funding to Teach for America, Inc., to recruit and prepare individuals to teach in low-income or urban school districts.

This bill increases the reimbursement rate to school districts for transporting a pupil who lives more than 12 miles from the school the pupil attends from \$220 per school year to \$275 per school year.

Current law directs DPI to award a grant to any teacher who is certified by the National Board for Professional Teaching Standards or who is licensed by DPI as a master educator. A person awarded a grant is eligible for additional grants over the succeeding nine years. Beginning with grants awarded in 2014-15, this bill requires that a person who is receiving a grant and is licensed as a master educator have and maintain a rating of "effective" or "highly effective" in the applicable educator effectiveness system.

This bill directs DPI to develop and maintain an online resource, called WISElearn, to provide educational resources for parents, teachers, and pupils; offer online learning opportunities; provide regional technical support centers; provide professional development for teachers; and enable video conferencing.

HIGHER EDUCATION

Under current law, technical colleges receive funding from various sources, including property taxes levied by technical college district boards. Current law also makes various appropriations for technical colleges, including a specified amount of state aid each fiscal year that the Technical College System (TCS) Board is required to allocate to each technical college district. Current law requires the TCS Board to allocate the state aid to districts based on a formula that specifies the costs eligible for the state aid. The formula also allocates a greater percentage of the state aid to districts that have lower property valuations, which are not able to generate as much property tax revenue as districts with higher property valuations.

This bill gradually replaces, in accordance with a specified schedule, the formula under current law with a new formula established by the TCS Board for

ASSEMBLY BILL 40

allocating the state aid based on a technical college district's performance regarding all of the following criteria (performance criteria): 1) student job placement rates; 2) the number of degrees and certificates awarded in high-demand fields; 3) the number of programs or courses with industry-validated curriculum; 4) the transition of adult students from basic education to skills training; 5) participation in certain dual enrollment programs; and 6) workforce training provided to businesses and individuals. No later than December 31, 2013, the TCS Board must submit a plan for making allocations according to the new formula to the secretary of administration (secretary). Upon approval or modification by the secretary, the TCS Board must administer the plan. The bill also requires the TCS Board to submit a report to the secretary in each fiscal year that describes how the state aid is allocated to each technical college district under the new formula.

This bill directs the Board of Regents of the UW System to award grants to UW institutions to provide funding for:

1. Economic development programs.
2. Programs that have as their objective the development of an educated and skilled workforce.
3. Programs to improve the affordability of postsecondary education for resident undergraduates.

The bill directs the Board of Regents to report annually to DOA on the programs awarded a grant. The report must include the goals, budget, and results for each program and a systemwide summary of all programs funded.

The bill consolidates a number of separate appropriations to the TCS Board for grants to technical college districts for various purposes except for aid for driver training. The bill provides that all such grants are discretionary, not mandatory, and authorizes the TCS Board to award grants to district boards for activities related to improving district performance.

Current law imposes a limit of 1.5 mills on the property taxes levied by a technical college district board for the operation of the district. This bill eliminates that limit.

This bill imposes a limit on the increase in a technical college district board's operating levy. Under the bill, no district board may increase its tax levy by a percentage that exceeds a percentage equal to the greater of zero percent or the percentage change in the district's equalized value due to the aggregate new construction, less improvements removed, in municipalities located in the district during the previous year.

If a district board's allowable levy is greater than its actual levy in any year, the district board may by a three-fourths vote increase its limit in the succeeding year by the difference, up to a maximum of 0.5 percent of its actual levy. If a district board wishes to exceed its limit, it must adopt a resolution to that effect and hold a district-wide referendum. If a district board exceeds its limit without the approval of the electors, the state technical college system board must reduce the district's aid payments by the amount of the excess.

Current law requires that the Board of Regents of the UW System and the chancellor of UW-Madison submit compensation plans for UW employees to the

ASSEMBLY BILL 40

director of the Office of State Employment Relations (OSER), who then makes recommendations for UW employee compensation to the Joint Committee on Employment Relations (JCOER) for approval. This bill eliminates the requirements that the Board of Regents and the chancellor of UW-Madison submit the plans to the director of OSER and receive JCOER approval. In addition, the bill eliminates all funding for the Board of Regents from the compensation reserve, a pool of moneys used to fund salary adjustments for UW System employees. Under the bill, salary adjustments are funded from moneys directly appropriated to the Board of Regents.

Current law requires the Board of Regents to establish policies for transferring credits between institutions within the system. The policies must designate the courses that are transferable without loss of credit toward graduation or toward completion of a specific course of study. In addition, current law allows the Board of Regents to establish policies for transferring credits with educational institutions outside the system. Current law also allows the TCS Board, in agreement with the Board of Regents, to designate courses that are transferable for collegiate credit between the technical colleges and the UW System.

This bill requires the Board of Regents and the TCS Board to enter into an agreement regarding transfer of credit for courses generally required for an undergraduate degree that are prerequisite or otherwise in addition to the courses required for an undergraduate degree in a specific course of study (core general education courses). The agreement must ensure that, beginning in the 2014-15 academic year, not fewer than 30 credits of such courses are transferable within and between each UW school and technical college. The agreement must also ensure that the courses are transferrable without loss of credit toward graduation or toward completion of a specific course of study.

The bill also requires the Board of Regents and the TCS Board to ensure that in-state tribally controlled colleges (tribal colleges) and that nonprofit institutions of higher education that are members of the Wisconsin Association of Independent Colleges and Universities have an opportunity to participate in the agreement. If a tribal college or private school participates, the agreement must ensure that credits for core general educational courses are transferable within and between each participating tribal college and private school, as well as UW schools and technical colleges.

Under current law, a veteran who was a resident of this state when he or she entered the armed forces and who meets certain additional criteria is eligible for a full remission of tuition and segregated fees at a UW institution, or of tuition and materials fees at a technical college, for 128 credits or eight semesters, whichever is longer. This bill makes the following changes to this fee remission program for eligible veterans:

1. The veteran must have been a resident of this state when he or she entered the armed forces or for at least five consecutive years.
2. In determining a veteran's residence at the time he or she entered the armed forces, the state from which the veteran entered is irrelevant.
3. A veteran must maintain a cumulative grade point average of at least 2.0 to remain eligible for the fee remission.

ASSEMBLY BILL 40

Under current law, the spouse and children of a veteran who was a resident of this state when he or she entered the armed forces and to whom one of the following applies is eligible for the same tuition remission:

1. The veteran, while a state resident, died while on active duty, as the result of a service-connected disability, or in the line of duty while in training.
2. The veteran has been awarded at least a 30 percent service-connected disability rating by the U.S. Department of Veterans Affairs.

Under current law, with certain exceptions, a spouse is eligible for a fee remission under this program only if he or she is a state resident and only for the first ten years after the veteran receives the disability rating or after the veteran dies. A child is eligible only if he or she is a state resident and is at least 17 and not yet 26 years old. This bill makes the same changes to this fee remission program as it makes to the first-described program and eliminates the ten-year limitation for a spouse.

With certain exceptions, current law, beginning on July 1, 2013, prohibits the Board of Regents and all UW Schools, including the UW-Extension (UW schools) from being a member, shareholder, or partner in organizations that provide telecommunications services, including Internet-related services. Current law includes an exception for organizations that are comprised entirely of universities and university-affiliated research facilities.

This bill creates a new exception for an organization that advances research or higher education, except that an association called WiscNet does not qualify for the new exception. The bill's new exception applies if the Board of Regents or a UW school served as a member, shareholder, or partner in the organization on February 1, 2013, or if the DOA secretary determines that the organization qualifies for the exception. If the bill's new exception applies, the Board of Regents or UW school may use the organization's services and may also participate in the organization's operations or provide certain services to the organization, but only if the participation, or provision of services, is in connection with the Board of Regents' or UW school's use of the organization's services.

This bill makes an appropriation to the Board of Regents for costs incurred by the UW Carbone Cancer Center (center) that relate to translational imaging research, research imaging and scanning, research imaging equipment, and the Wisconsin Oncology Network. The bill also requires the center to submit a plan to the secretary of administration for raising matching funds from federal, private, and other sources to help defray the foregoing costs. The bill prohibits any release of moneys from the appropriation until the secretary of administration approves the fund-raising plan.

This bill directs the Board of Regents annually to allocate \$1,500,000 for the Wisconsin Academy for Rural Medicine and the Training in Urban Medicine and Public Health Program at the UW School of Medicine and Public Health.

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Current law appropriates to the Higher Educational Aids Board certain general purpose revenue for the support of Wisconsin residents who are pursuing doctor of dental surgery degrees at the Marquette University Dental School and caps

ASSEMBLY BILL 40

the number of students who may be so funded at 160. This bill increases that cap to 200.

Under current law, the Educational Approval Board (EAB) inspects and approves private trade, correspondence, business, and technical schools to protect the students of those schools, prevent fraud, and encourage accepted educational standards at those schools. Currently, EAB is attached to the TCS Board for administrative purposes. This bill attaches EAB to DSPS for administrative purposes.

EMPLOYMENT

Currently, with limited exceptions, in order to become and remain eligible to receive unemployment insurance benefits for any week, a claimant is required, among other things, to register for work and to conduct a reasonable search for suitable work within that week, which must include at least two actions that constitute a reasonable search as prescribed by rule by DWD. This bill requires each claimant to register for work in the manner directed by DWD and increases the minimum number of actions that a claimant must undertake to become and remain eligible for benefits to at least four actions per week.

ENVIRONMENT**AIR QUALITY**

The federal government has delegated to DNR the authority to administer the federal Clean Air Act in this state. The Clean Air Act requires operators of certain stationary sources of air pollution, such as large factories, to have operation permits (federal operation permits). State law requires operators of additional stationary sources of air pollution to have operation permits (state operation permits).

Generally, current law requires an operator who has a federal operation permit to pay an annual fee of \$35.71 per ton of certain pollutants emitted in the previous year, subject to a cap. This bill increases the amount of the annual fee imposed on operators who have federal operation permits to \$46.71 per ton in 2014 and \$59.81 per ton in 2015. After 2015, the fee per ton is increased by 4 percent annually.

Generally, current law requires an operator who has a state operation permit to pay a fee of \$300 per year. This bill increases the fee to \$725 per year.

ENVIRONMENTAL CLEANUP

Currently, this state operates a program known as PECFA to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. Under current law, DSPS administers PECFA, with involvement by DNR. Current law also authorizes DSPS to provide funding for the removal of abandoned underground petroleum product storage tanks. This bill transfers the administration of PECFA and the authority to fund the removal of those tanks from DSPS to DNR.

WATER QUALITY

Under current law, both DSPS and DNR administer laws regarding erosion control at construction sites. DSPS has erosion control authority over building sites for public buildings, buildings that are places of employment (commercial buildings), and one-family and two-family dwellings. DNR has erosion control authority over

ASSEMBLY BILL 40

sites where the construction activities do not include the construction of a building, such as sites involving street or bridge construction.

This bill transfers from DSPS to DNR erosion control authority over construction sites with a land disturbance area of one or more acres, regardless of whether the construction activity includes the construction of a building. Under the bill, DSPS retains authority over construction sites with a land disturbance area of less than one acre and that involve the construction of a commercial building or a one-family or two-family dwelling.

Current law requires certain persons who discharge storm water to obtain a storm water discharge permit. This bill specifies that this permit requirement applies to conveyances of storm water associated with a construction site, including a building construction site.

Under the Clean Water Fund Program, this state provides financial assistance for projects for controlling water pollution, including loans at subsidized interest rates. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2013–15 biennium at \$76,700,000.

Under the Safe Drinking Water Loan Program, this state provides loans at subsidized interest rates to local governmental units for projects for the construction or modification of public water systems. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2013–15 biennium at \$29,600,000 and increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$7,100,000.

Under current law, DNR administers a program to provide financial assistance for projects to reduce nonpoint source water pollution in areas that are targeted due to surface water quality problems. This bill increases the authorized general obligation bonding authority for this program by \$7,000,000.

Under current law, DNR administers programs to provide financial assistance for the management of urban storm water runoff and for flood control and riparian restoration projects. This bill increases the general obligation bonding authority for these programs by \$5,000,000.

Current law authorizes DNR to pay a portion of the costs of a project to remove contaminated sediment from Lake Michigan or Lake Superior or their tributaries. This bill increases the general obligation bonding authority for sediment removal projects by \$5,000,000.

GAMBLING

Current law regulates the operation of crane games by requiring DOA registration of a crane game before it is set up for play, and before the owner may collect any proceeds from the game. A crane game is an amusement device involving skill that rewards the player exclusively with prizes, toys, and novelties of limited value contained within the device. This bill repeals all provisions that regulate the operation of crane games.

Under current law, a lottery prize winner may receive payment of the prize either in the form of a lump sum or in installments as an annuity. If a prize winner dies before all of the annuity payments are made, the remainder of the prize may be paid to the person's estate. This bill specifically provides that in the case of the death

ASSEMBLY BILL 40

of a prize winner, any installments that have not been paid shall be paid to the winner's estate. The bill also authorizes the personal representative of an estate to choose for the estate to receive the remaining installments as a lump sum. It also allows persons, other than prize winners, who are receiving annuity payments of unpaid prize money to choose a lump sum payment. The ability to choose a lump sum payment is not available when the prize money is from a multistate lottery.

HEALTH AND HUMAN SERVICES**PUBLIC ASSISTANCE**

Under current law, DHS administers the federal Supplemental Nutrition Assistance Program (SNAP), formerly known as the food stamp program and currently known in Wisconsin as FoodShare, under which eligible households receive benefits to purchase food at retail food stores. Under current law, with certain exceptions, DHS may require a recipient of SNAP benefits who is able and who is 18 to 60 years of age to participate in the FoodShare employment and training program (FSET) to be eligible for SNAP benefits, including an individual who is the caretaker of a child under the age of 12 weeks.

This bill authorizes DHS to implement a federal policy under which DHS may limit the amount of SNAP benefits that an able-bodied adult may receive to three months during a three-year period if the adult does not meet certain work requirements. An able-bodied adult, as defined by the bill, is an individual who is 18 to 49 years old, is fit for employment, is not a parent of a household member who is younger than 18, is not pregnant, and is not otherwise exempt from specific work requirements under federal law. DHS may implement this policy in addition to the current employment and training program. This bill also expands the FSET participation requirement exception for an individual who is the caretaker of a child under the age of 12 weeks to a caretaker of a child under the age of six years to comply with federal law.

Under current law, the transitional jobs demonstration project, under which DCF pays wage subsidies to employers who employ low-income individuals in transitional jobs, will end on July 1, 2013. This bill creates a Transform Milwaukee Jobs program (TMJ program) that is very similar to the transitional jobs demonstration project. Under the TMJ program, an employer, or a person with which DCF contracts to administer the program (contractor), that employs a program participant must employ the participant at least 20 hours per week at a location in this state and pay at least minimum wage. DCF pays the employer or contractor a wage subsidy that is equal to the wage the employer or contractor pays the participant, up to 40 hours per week at minimum wage, and may reimburse the employer or contractor for certain taxes and other expenses that are attributable to employment of the participant.

Current law prohibits any person from disclosing information about individuals applying for or receiving benefits under a number of public assistance programs for any purpose not related to administration of the programs. DCF is authorized, however, to disclose such information to DOR for the sole purpose of administering state taxes. The bill provides that DCF and DHS may disclose such information by transmitting or allowing access to electronic data, that administering

ASSEMBLY BILL 40

state taxes includes verifying refundable income tax credits, and that the information may also be disclosed for the purpose of collecting debts owed to DOR.

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law, which is administered by DCF, provides work experience and benefits for low-income custodial parents who are at least 18 years old. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various educational or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under the W-2 program. This child care subsidy program is known as Wisconsin Shares. The bill makes the following changes to Wisconsin Shares:

1. Under current law, DCF reimburses child care providers or distributes funds to county departments or tribal governing bodies for child care services provided under Wisconsin Shares and to private nonprofit agencies that provide child care for children of migrant workers. This bill provides that, in addition to the ways in which DCF may distribute child care subsidy funds under current law, DCF may issue benefits directly to individuals who are eligible for the subsidies.

2. Under current law, counties set maximum rates, which are approved by DCF, for child care services under Wisconsin Shares. However, DCF may modify an individual child care provider's maximum rate on the basis of the child care provider's quality rating under the quality rating plan known as YoungStar. Current law allows DCF to increase the maximum rate for a provider who receives a four-star rating under YoungStar by up to 5 percent. Under this bill, DCF determines the maximum rates for child care services under Wisconsin Shares. This bill also authorizes DCF to increase the maximum rate for a child care provider who receives a four-star rating under YoungStar by up to 10 percent beginning January 1, 2014.

3. Under current law, individuals receiving child care subsidies under Wisconsin Shares must pay, as a copayment for the child care, a percentage of the cost of the child care specified by DCF in a printed copayment schedule. The bill changes the copayments that eligible individuals must pay for child care to the difference between the cost of the child care provided by the provider selected by the individual and the subsidy amount.

4. Under the bill, if a noncustodial parent of a child is required to pay child support and the custodial parent of the child is a participant in W-2 or is eligible to receive a child care subsidy for the child under Wisconsin Shares, the noncustodial parent is eligible to receive the following services and benefits under W-2:

- a. Job search assistance and case management services.
- b. A monetary stipend for up to four months.
- c. Work experience in one trial employment match program job.

5. The bill allows any noncustodial parent who is ineligible for a job access loan solely because the individual is not a custodial parent to receive a job access loan under W-2 to enable the individual to obtain or continue employment.

6. The bill provides that an individual who is eligible for a child care subsidy under Wisconsin Shares may use the subsidy for child care that is provided by an out-of-state provider. The rate at which the out-of-state provider is paid is based

ASSEMBLY BILL 40

on the maximum rate paid to a provider in the county in which the eligible individual resides or the out-of-state provider's actual rate, whichever is lower.

W-2 provides work experience to a participant through placement in one of a number of different employment positions, depending on the participant's skills, training, and experience. For one of the employment positions, called trial jobs, a W-2 agency pays a wage subsidy to a private employer that employs a W-2 participant. The bill terminates the trial job employment position and replaces it with a trial employment match program (TEMP) that has the same features as the trial job employment position, except for a few changes.

Under current law, a W-2 agency pays an employer a wage subsidy of not more than \$300 per month for full-time employment of a participant in a trial job. Under the bill, in TEMP the W-2 agency and employer negotiate the wage subsidy, which is be paid for every hour that the participant actually works, up to 40 hours per week, at not less than the applicable minimum wage. In addition, the W-2 agency may reimburse the employer for all or a portion of certain taxes and other costs associated with employment of the participant. The bill changes the maximum time in a TEMP job from up to three months to up to six months, with a possible three-month extension. Currently, an employer that employs a participant in a trial job must agree to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy under the trial job ends. For TEMP the bill adds that, if the employer does not retain the participant, the employer must serve as an employment reference for the participant or must provide the W-2 agency with a written performance evaluation with recommendations for improvement.

In addition to replacing trial jobs with TEMP, the bill repeals the real work, real pay employment position in W-2, eliminates the subsidized private sector employment program, and eliminates the workforce attachment and advancement program.

MEDICAL ASSISTANCE

Currently, DHS administers the Medical Assistance (MA) program, which is a joint federal and state program that provides health services to individuals who have limited resources. Some services are provided through programs that operate under a waiver of federal Medicaid laws, including services provided through BadgerCare Plus (BC+) and BadgerCare Plus Core (BC+ Core). Under current law, BC+ has a standard plan with a larger set of benefits and a Benchmark plan with fewer benefits.

Under current law, family income is the total gross earned and unearned income received by all members of a family. Beginning on January 1, 2014, under the bill, for purposes of determining eligibility for BC+ and BC+ Core, family income is defined under a federal regulation that uses an income calculation based on modified adjusted gross income. The bill also makes other changes to calculation of income and family size for BC+ and BC+ Core on January 1, 2014, or sooner.

Under current law, certain individuals are eligible for benefits under the BC+ standard plan. Beginning in January 1, 2014, under the bill, a pregnant woman must have an income that does not exceed 133 percent of the federal poverty line

ASSEMBLY BILL 40

(FPL) to be eligible for BC+ standard plan benefits. Also, beginning on January 1, 2014, the bill reduces the income eligibility level for the BC+ standard plan for parents and caretaker relatives from not more than 200 percent of the FPL to not more than 100 percent of the FPL before a 5 percent income disregard is applied. The bill defines, beginning on January 1, 2014, for purposes of eligibility of a parent or caretaker relative, a “dependent child.” The bill also changes criteria for presumptive eligibility, retroactive eligibility, and transitional MA.

The bill retains the current law ineligibility provisions for certain individuals with health insurance coverage or access to coverage during certain times and adds, with certain limitations, individuals to the types of individuals for whom access to coverage results in ineligibility and specifies the types of insurance that result in ineligibility. Under the bill, certain individuals are ineligible for BC+ if they have private major medical insurance with a certain premium. The bill also adds certain individuals to those who are ineligible for BC+ for three months for not maintaining certain types of health coverage.

Beginning on January 1, 2014, the bill eliminates eligibility for the BC+ Benchmark plan for all of the following individuals: pregnant women whose family income exceeds 200 percent but does not exceed 300 percent of the FPL and children under one year of age of those women; certain other pregnant women; and parents or caretaker relatives whose family income includes self-employment income and does not exceed 200 percent of the FPL under a certain calculation. Under the bill, beginning on January 1, 2014, an unborn child whose family income exceeds 200 percent of the FPL but does not exceed 300 percent of the FPL is eligible for Benchmark but only for prenatal care benefits. On January 1, 2014, the bill eliminates the ability for children whose family incomes exceed 300 percent of the FPL to receive Benchmark plan benefits by paying the full member per month cost of coverage.

If the federal Department of Health and Human Services (federal DHHS) allows, under the bill, DHS may provide an alternate Benchmark plan to adult individuals who are not pregnant, whose family incomes exceed 100 percent of the FPL, and who are otherwise eligible for BC+. The alternate Benchmark plan, if provided, provides coverage for benefits similar to those in a commercial, major medical insurance policy and may charge higher copayments than are charged for the standard plan, with certain limitations.

The bill allows DHS to administer medical home initiatives as service delivery mechanisms to provide and coordinate care for individuals who are eligible for services under a fee-for-service model of MA, including BC+ and BC+ Core.

Current law requires certain individuals to pay premiums for BC+. The bill requires an adult parent or adult caretaker who is not pregnant, disabled, or American Indian and whose family income exceeds 133 percent of the FPL and, if the federal DHHS approves, a child who is not disabled and whose family income is at a level determined by DHS but at least 150 percent of the FPL, to pay a premium for BC+.

Under current law, if an individual does not pay a required premium or requests termination of coverage under BC+, the coverage under BC+ is terminated and a

ASSEMBLY BILL 40

six-month ineligibility period begins. The bill changes the ineligibility period for an adult to 12 months except for any month in which the former recipient's family income does not exceed 133 percent of the FPL. For a child, the bill retains the six month ineligibility period except for any month in which the child's family income does not exceed 150 percent of the FPL; however, if the federal DHHS approves, the ineligibility period becomes 12 months.

Under current law, DHS also administers BC+ Core, which provides basic primary and preventive care to adults who are under age 65, who have family incomes that do not exceed 200 percent of the FPL, and who are not otherwise eligible for MA, including BC+. The bill requires certain childless adults with a family income exceeding 133 percent of the FPL to pay a premium for BC+ Core benefits. Beginning January 1, 2014, the bill allows only those individuals whose family incomes do not exceed 100 percent of the FPL, before a 5 percent income disregard is applied, to be eligible for BC+ Core.

The bill allows DHS to enroll a child who is receiving services through the early intervention program in a special plan, if the federal DHHS approves.

Under current law, DHS is required to develop a purchasing pool, which is not an MA program and is known as Badger Rx Gold, for pharmacy benefits and set eligibility requirements to obtain prescription drug coverage through the purchasing pool. The bill eliminates Badger Rx Gold.

Under current law, an individual who would be eligible for MA based on eligibility for supplemental security income (SSI), but who is not eligible for SSI because he or she is employed and has too much earned and unearned income to be eligible, may pay premiums for coverage under MA if his or her family's net income is less than 250 percent of the FPL and his or her assets do not exceed \$15,000, excluding certain assets. This program is known as the MA purchase plan (MAPP).

The bill makes a number of changes to the eligibility and premium requirements under MAPP. Under current law, when determining an individual's net income, certain disregards are deducted from the individual's and his or her spouse's total earned income, then the individual's and his or her spouse's total unearned income is added. Under the bill, the same disregards are deducted from the individual's and his or her spouse's earned and unearned income combined, then a new deduction of up to \$500 per month of the individual's out-of-pocket medical and remedial expenses and long-term care costs is applied. The bill requires that, to be engaged in gainful employment, which is required for eligibility, an individual must be paying, or having withheld, certain taxes, and requires that DHS verify, through documentation provided by the individual, both the individual's income from work activity and payment or withholding of taxes.

Currently, premiums for MA coverage under MAPP are calculated by adding together all of the individual's unearned income, after certain specified amounts are deducted, and then adding 3 percent of the individual's earned income. DHS waives any premiums below \$25 per month. In addition, DHS does not assess a premium if the individual's total earned and unearned income is below 150 percent of the FPL *for a family the size of the individual's family*. Under the bill, an individual whose total earned and unearned income is at least 150 percent of the FPL *for an individual*

ASSEMBLY BILL 40

is required to pay a premium. The premium is equal to 3 percent of the individual's total earned and unearned income, after deducting the same amounts that are deducted under current law from an individual's unearned income, and then rounded down to the nearest \$25. A minimum monthly premium of \$50 is set, however, for anyone whose calculated premium is below that amount.

Certain MA programs consider an individual's income and assets when determining eligibility and any cost-sharing requirements. Under the bill, when determining eligibility or cost-sharing requirements under various MA programs, including Family Care and MAPP, DHS must exclude, to the extent approved by the federal government, independence accounts and retirement benefits that accumulated or were earned through employment income or employer contributions while the individual was employed and receiving MA coverage under MAPP. An independence account is a DHS-approved account that consists of savings from income earned while an individual is covered under MAPP.

Under current law, an individual who divests income or assets, or disposes of income or assets for less than fair market value, may be ineligible for MA for a certain period of time. Current law specifies a method for determining the starting date for an ineligibility period for MA resulting from a divestment. This bill specifies that the current law method applies to applicants for MA. For recipients of long-term care services through MA, the bill sets as the starting date for an ineligibility period the first day of the month following the month in which the individual receives advance notice of that ineligibility period.

Under current law, the purchase by an individual or his or her spouse of a promissory note, loan, or mortgage is a transfer of assets for less than fair market value that triggers an ineligibility period unless certain circumstances apply, including that the loan's terms prohibit cancellation of the balance upon the death of the lender. This bill specifies that a promissory note in which the debtor is a presumptive heir of the lender or in which neither the lender nor debtor has any incentive to enforce repayment is considered canceled upon the death of the lender for purposes of divestment and eligibility for MA.

Current law provides for protection of certain income and resources for a spouse who is not receiving long-term care services through MA, known as the community spouse, of an institutionalized individual. This bill specifies that even though the community spouse's resources are considered unavailable, the transfer of those resources or other assets by the community spouse within the first five years of the institutionalized spouse's eligibility for MA may result in a period of ineligibility for MA. The bill also allows DHS to deny MA eligibility to an institutionalized spouse if the institutionalized spouse and community spouse do not provide the total value of their assets and information on income and resources to the extent required under federal law or do not sign the MA application.

Current law allows a community spouse to have a minimum monthly maintenance needs allowance (MMMNA) and the community spouse is allowed a resource allowance to generate the income to provide the MMMNA. If either spouse establishes at a fair hearing that the resource allowance determined outside the fair hearing does not generate enough income to meet the MMMNA, DHS is required to

ASSEMBLY BILL 40

establish an amount that results in a sufficient MMMNA. The bill specifies on what DHS must base the amount to be used to raise the income to the level of the MMMNA and that any resource may be transferred to provide that amount.

Under current law, eligibility for the MA program for the medically indigent is contingent on the applicant's property not exceeding certain parameters including that the total face value of all life insurance policies that have a cash surrender value is \$1,500 or less. The bill changes this parameter such that those applicants are eligible only if the combined cash surrender value of all life insurance policies with cash surrender values, including riders and other attachments, is \$1,500 or less.

One of the benefits provided under MA is psychosocial services provided by the staff of a community-based psychosocial service program. This benefit, however, is available to a recipient under MA only if the county in which the recipient resides elects to make this benefit available under MA, in which case DHS reimburses a provider of the services for the portion of the allowable MA charge that is provided by the federal government and the county reimburses the provider for the remainder of the allowable MA charge. The bill provides that, if a county delivers this MA benefit on a regional basis, DHS will reimburse a provider both for the allowable MA charge that is provided by the federal government and for the remainder of the allowable charge.

Federal law requires that an MA recipient receive benefits in the state in which he or she resides. With some exceptions, the bill requires DHS to electronically verify the residence of an applicant for MA for purposes of determining eligibility and of a recipient of MA for purposes of determining continued eligibility when a recipient's eligibility is reviewed. If DHS is unable to electronically verify residence, an applicant or recipient must then provide DHS with adequate proof of residency.

Under current law, if an MA recipient has health care coverage from another source (third party), such as a health insurance policy or an employer's self-insured health plan, DHS is entitled to be reimbursed by the third party for any MA payments that DHS has made. This bill requires a third party to accept claims from DHS electronically for reimbursement of payments made under MA.

CHILDREN

Under current law, if a county that investigates a report of child abuse or neglect determines that a specific person has abused or neglected the child, the person may appeal the determination in accordance with procedures established by DCF by rule. This bill requires a county that makes an initial determination that a specific person has abused or neglected a child to provide the person with an opportunity for a review of that initial determination in accordance with rules promulgated by DCF before the county may make a final determination. The bill also grants the person the right to a contested case hearing on that determination and judicial review of the final administrative decision following the contested case hearing.

Subject to certain exceptions, current law requires DCF to maintain the confidentiality of records kept or information received about an individual who is or was in the care or legal custody of DCF. The bill permits DCF to provide to DOR information concerning a recipient of payments for out-of-home care for a child

ASSEMBLY BILL 40

solely for the purposes of administering state taxes and collecting debts owed to DOR.

This bill creates an Office of Children's Mental Health (office) in DHS and requires the office to study and recommend ways, and coordinate initiatives, to improve the integration across state agencies of mental health services provided to children and monitor the performance of programs that provide those services. Under the bill, the director of the office is appointed by the governor to serve at the pleasure of the governor.

Under current law, a person who is licensed to operate a child care center, certified as a child care provider for purposes of reimbursement under Wisconsin Shares, or contracted by a school board to operate a child care program (collectively, "child care provider") is eligible for reimbursement under Wisconsin Shares. Current law, however, requires a person to undergo a background investigation before becoming licensed, certified, or contracted or before becoming a caregiver or nonclient resident of a child care provider. This bill requires a child care provider that is receiving, or that wishes to receive, payment under Wisconsin Shares or an adult nonclient resident or caregiver of such a child care provider to be fingerprinted as part of his or her background investigation and permits the person to be charged a fee for the fingerprinting.

Under current law, an order of the court assigned to exercise jurisdiction under the Children's Code (juvenile court) that places or continues the placement of a child in an out-of-home placement terminates when the child reaches 19 years of age, if the child is a full-time student at a secondary school or its vocational or technical equivalent and is reasonably expected to complete the program before reaching 19 years of age, unless the juvenile court specified a shorter period or terminates the order sooner.

This bill provides that such an order terminates when the child reaches 21 years of age if the child is a full-time student at a secondary school or its vocational or technical equivalent and if an Individualized Education Program is in effect for the child, unless the juvenile court specified a shorter period or terminates the order sooner.

Under current law, the amount of a subsidized guardianship payment payable to the guardian of a child in need of protection or services is equal to the foster care payment received by the guardian for the month preceding the month in which the guardianship order was granted, unless a lesser amount is agreed to by the guardian. Similarly, the initial amount of adoption assistance payable to the adoptive parents of a child with special needs is equivalent to the foster care or subsidized guardian payments received by the adoptive parents at the time the adoption assistance agreement was signed, and the initial amount of adoption assistance for a child who was not in that care immediately prior to placement for adoption is the uniform foster care rate applicable to the child at that time, unless a lesser amount is agreed to by the adoptive parents.

This bill requires the amount of a monthly subsidized guardianship payment or the initial amount of adoption assistance to be based on the circumstances of the guardian or adoptive family and the needs of the child, but provides that those

ASSEMBLY BILL 40

amounts may not exceed the payments received by the guardian or adoptive parents or the uniform foster care rate, whichever is applicable, for the month preceding the month in which the guardianship order was granted or at the time the adoption assistance agreement was signed.

Under current law, when the juvenile court or a tribal court enters an order terminating parental rights to a child (TPR), the juvenile court or tribal court may transfer guardianship of the child to DCF, which is then responsible for securing the adoption of the child. This bill requires DCF, under those circumstances, to seek a permanent adoptive placement for the child or to seek to enter into a subsidized guardianship agreement with a proposed guardian of the child.

Current law requires DCF to distribute grants for children's community programs to counties for the purpose of supplementing payments for the care of certain individuals residing in foster homes so that those individuals may live in a family home or other noninstitutional situation after attaining age 18.

This bill provides that a county is eligible to receive funding for that purpose only if the county received such funding in fiscal year 2012-13. In addition, the bill requires DCF to distribute grants for children's community programs to counties for the purpose of assisting individuals who attain the age of 18 while residing in out-of-home care to make the transition from out-of-home care to independent living.

Under current law, DCF provides funding from various appropriations to the Indian tribes of this state for various tribal family services, including tribal adolescent services, domestic abuse services, child care services, and child welfare services. This bill consolidates funding for those various tribal family services into a single appropriation, permits DCF to distribute tribal family services grants from that appropriation to the elected governing bodies of those Indian tribes, and permits such an elected governing body to expend the grant moneys as determined by that body.

Under current law, the Child Abuse and Neglect Prevention Board (CANPB) may award grants to organizations to fund programs that provide direct parent education, family support, and referrals to other social services and outreach programs (family resource center grants). Current law prohibits an organization from receiving family resource center grants totaling more than \$150,000 in any year and prohibits the CANPB from allocating more than \$150,000 in a fiscal year for family resource center grants to organizations located in Milwaukee County. This bill eliminates those caps.

Under current law, CANPB is attached to DCF for administrative purposes. This bill transfers CANPB to DOA.

Current law specifies basic maintenance rates that are paid by the state or a county to a foster parent for the care and maintenance of a child. This bill increases those rates by 2.5 percent beginning on January 1, 2014, and by an additional 2.5 percent beginning on January 1, 2015.

HEALTH

The bill requires DHS to distribute two types of grants for graduate medical training programs (residency programs). First, DHS must distribute grants to assist

ASSEMBLY BILL 40

hospitals or groups of hospitals in procuring infrastructure and increasing case volume in order to develop accredited residency programs. The bill requires recipients of these grants to provide matching funds and limits the terms of the grants to three years. Second, DHS must distribute grants to assist hospitals that have existing residency programs in certain specialty areas with maintaining those programs. The bill limits these grants to \$50,000 per state fiscal year per hospital, except that DHS must also award additional federal matching funds if DHS receives those funds.

Under current law, DHS and DETF may contract with a data organization (organization) to request health care claims information from health insurers and insurance plan administrators. The organization must analyze and publicly report this information with respect to the cost, quality, and effectiveness of health care; provide DHS with health care claims information and reports upon request; and maintain a centralized data repository. If DHS and DETF determine that the organization is not fulfilling certain requirements, DHS must carry out these functions itself. The bill requires the organization to take actions including all of the following: 1) provide an Internet site to offer health care provider cost and quality data and reports to consumers; 2) conduct statewide consumer information campaigns to improve health literacy; and 3) provide software to allow providers to validate data prior to its publication on the Internet site.

Under current law, DHS licenses community-based residential facilities (CBRFs). DHS must inspect a CBRF before issuing a permanent license to operate a CBRF and must also, for certain applicants, conduct a second inspection before issuing the permanent license. Under the bill, for those applicants, DHS must conduct the first inspection and then evaluate the CBRF before issuing a permanent license to operate. DHS may, but is not required to, conduct the second inspection for those applicants as part of that evaluation.

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, the county board of a county or a federally recognized American Indian tribe or band (tribe) may establish an initiative to provide coordinated treatment, education, care, services, and other resources to children who are involved in two or more defined systems of care and to their families (initiative). A county or tribe that establishes an initiative must appoint a coordinating committee and designate an administering agency. Initiatives satisfying certain requirements may apply for state funding. The bill allows for the creation of multi-entity initiatives, which include more than one county or tribe. An agreement to establish a multi-entity initiative must specify a lead administrative county or tribe, which must then appoint the membership of the coordinating committee. The bill allows multi-entity initiatives to apply for state funding and permits DHS to establish certain additional requirements for multi-entity initiatives, even if those criteria conflict with the requirements for single-county and single-tribal initiatives.

Under current law, DHS makes grants to certain community programs. The bill allows DHS to also distribute moneys in each fiscal year, beginning in 2014-15,

ASSEMBLY BILL 40

to regional peer-run respite centers for individuals with mental health and substance abuse concerns.

OTHER HEALTH AND HUMAN SERVICES

Under current law, DHS must recover the amount of certain benefits (recoverable public assistance benefits) provided to individuals under certain programs (public assistance programs) by making claims against the estates of the individuals or their spouses. Recoverable public assistance benefits include benefits provided to individuals with hemophilia, cystic fibrosis, or kidney disease under the disease aids program; benefits under certain long-term care programs, including Family Care; and MA benefits provided to individuals residing in nursing homes. Also under current law, DHS may collect the amounts of those recoverable public assistance benefits provided to an individual or his or her spouse from the nonprobate property of the individual by sending an affidavit to a person who possesses the property. The bill makes some changes to those recoverable public assistance benefits recovery programs.

The bill defines the property, both estate property and nonprobate property, that is subject to recovery by DHS as all real and personal property to which the individual who received the recoverable public assistance benefits under a public assistance program (recipient) held any legal title, or in which the recipient had any legal interest, immediately before death, including assets transferred to an heir or a survivor, such as jointly owned property or property transferred by a living trust. In addition, the property subject to recovery includes any real or personal property in which the recipient's spouse had an ownership interest at the recipient's death and in which the recipient had a marital property interest at any time within five years before the recipient applied for the public assistance program or during the time that the recipient was eligible for the public assistance program. The bill provides that there is a rebuttable presumption that all nonprobate property, and all property in the estate, of the recipient's deceased surviving spouse was marital property held with the recipient and that 100 percent of that property is subject to recovery by DHS. As under current law, however, DHS may not recover nonprobate property or property in an estate if the deceased person has a surviving spouse or a child who is under age 21 or disabled, in which case DHS receives a lien in the amount that it may recover on any of the deceased person's real property.

The bill expands on the procedure under current law for recovery of nonprobate property by specifying all of the following: what information must be provided in an affidavit by DHS to a person who possesses property of a decedent; what costs will be allowed if the property was real property and the person has sold the property; that the person receiving an affidavit has the right to a fair hearing on the value of the recipient's interest in the property and how the recipient's interest is determined; and that DHS may bring an action or issue an order to compel transmittal of the property if the person does not transmit the property to DHS after receiving an affidavit.

The bill establishes procedures for DHS to follow with respect to real property owned by a recipient, both before and after death. DHS must create three documents for recording in the office of the register of deeds: 1) a REQUEST FOR NOTICE OF

ASSEMBLY BILL 40

TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM (REQUEST); 2) a TERMINATION OF REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM (TERMINATION); and 3) a CERTIFICATE OF CLEARANCE (CLEARANCE). Whenever a recipient, upon becoming eligible for a public assistance program or during the time that the recipient is eligible for a public assistance program, has a current ownership interest in real property, or has a spouse with a current ownership interest in real property in which the recipient had a marital property interest at any time within the five years before applying for the public assistance program or during the time that the recipient is eligible for the public assistance program, DHS may record a REQUEST with respect to the property. Thereafter, unless DHS has recorded a TERMINATION or a CLEARANCE with respect to the property, any title insurance company or agent conducting a title search must note that a REQUEST is recorded against the property before issuing a certificate of title insurance for the property. In addition, any person intending to transfer title to, encumber, or terminate an interest in, the property must notify DHS. If the recipient is alive when the notice is given, the person may transfer title to, encumber, or terminate an interest in, the property. If the recipient is deceased and DHS determines that it has no claim for recoverable public assistance benefits, DHS must issue a CLEARANCE to the person for recording. However, if the recipient is deceased and DHS determines that it does have a claim for recoverable public assistance benefits, DHS must send the person a statement of claim and may recover against the property in an appropriate manner, including by placing a lien on the property.

The bill sets out requirements that apply to DHS when enforcing liens on real property for recovering recoverable public assistance benefits and provides that a section of the statutes that, generally, imposes a 30-year statute of limitations on the commencement of actions affecting the possession or title to real property applies to liens that DHS has on real property for recovering recoverable public assistance benefits.

The bill specifies that certain transfers of real property are voidable by DHS in court actions, in which case title to the real property reverts to the grantor or his or her estate. A transfer is voidable if: the transfer was made by a grantor who was receiving or who received MA; the transfer was made while the grantor was eligible for MA; DHS was unaware of the transfer; and the transfer was made to hinder, delay, or defraud DHS from recovering MA paid on behalf of the grantor. The bill provides that there is a rebuttable presumption that any transfer of the property for less than fair market value or one in which the deed or other conveyance was not recorded during the lifetime of the grantor was made to hinder, delay, or defraud DHS from recovering MA if the transfer was made by a grantor who was eligible for MA when the transfer was made.

The bill requires trustees of living trusts to notify DHS, within 30 days after the death of the trust settlor and before any assets are distributed, if the trust settlor, or his or her predeceased spouse, received any recoverable public assistance benefits. If DHS sends the trustee a claim for the recovery of recoverable public assistance benefits, the trustee must, within 90 days, pay DHS the amount that it may recover

ASSEMBLY BILL 40

or provide DHS with information about any property that was distributed and to whom it was distributed. The bill requires a trustee of a special needs or pooled trust, the beneficiaries of which receive MA, to provide notice to DHS within 30 days after the death of a trust beneficiary, and to repay DHS, within 90 days after receiving a claim from DHS, for the amount of MA paid on behalf of the beneficiary. If the trustee fails to comply with the notice or repayments requirements, the trustee is personally liable to DHS for any MA amounts paid on behalf of the beneficiary that DHS is unable to recover. The bill also provides that, after the death of a beneficiary under a pooled trust, the trustee may retain up to 30 percent of the balance in the deceased beneficiary's account, unless the trustee fails to comply with the notice and repayment requirements, in which case the trustee may not retain any of the balance in the deceased beneficiary's account.

Under current law, DWD assists individuals with disabilities in gaining employment through its vocational rehabilitation program. An individual with a disability who gains employment with assistance from the vocational rehabilitation program no longer receives certain benefits from social security. The federal government reimburses some of the benefits it no longer has to pay to individuals to DWD for the vocational rehabilitation program. Also under current law, DHS provides grants to independent living centers that meet certain criteria to provide nonresidential services to severely disabled individuals. Current law requires that DWD transfer social security reimbursement funds to DHS in order to provide these grants.

This bill eliminates the transfer from DWD to DHS for grants to independent living centers. Instead, DWD must allocate the moneys received from the federal Social Security Administration for reimbursement of grants to independent living centers. The bill then requires DWD to make grants to independent living centers that meet the same requirements as those imposed to receive grants from DHS.

Under current law, among other specified, limited disclosures, the state or a local registrar may disclose certain information from a vital record to a federal, state, or local agency for use in the conduct of the agency's duties and may disclose a social security number on a vital record to DCF or a county child support agency for child and spousal support purposes and establishment of paternity. This bill allows the state or local registrar to disclose information on vital records, including a social security number, to DOR, upon DOR's request, for certain purposes related to administering state taxes and collection of debts referred to DOR.

JUSTICE

Under current law, the Office of Justice Assistance (OJA) within DOA operates several programs and administers several grants related to law enforcement, communications between law enforcement and other public safety agencies (interoperable communications), criminal justice, juvenile justice and child advocacy services, crime prevention, rehabilitation and alternatives to incarceration, reintegration into society of American Indians who have been incarcerated, crime data collection and analysis, and homeland security.

This bill eliminates OJA and transfers its functions to DOJ, except that the programs and appropriations related to reintegrating American Indians who have

ASSEMBLY BILL 40

been incarcerated are transferred to DOC, and the programs and appropriations related to homeland security, except those related to interoperable communications, are transferred to DMA.

Under current law, a victim of abuse, harassment, or threats may obtain a temporary restraining order against the person who has committed the acts of abuse or harassment, or has made a threat. The restraining order bars the person from contacting the victim and requires the person to stay away from the victim's residence and other places temporarily occupied by the victim until a court conducts a hearing to determine whether the restraining order should be incorporated into a longer-lasting injunction. If the court determines that the person has engaged in, or may engage in, abusive or harassing acts against the victim, the court may issue an injunction against the person.

Under 2011 Wisconsin Act 266 (the Act), if a person violates certain restraining orders or an injunction, the court may require the person to submit, for the duration of the restraining order or injunction, to global positioning system (GPS) tracking by DOC. The Act requires the court to find, before ordering GPS tracking, that the person who violated the restraining order or injunction is more likely than not to cause serious bodily harm to the victim.

This bill requires DOJ to establish standards for a local unit of government or law enforcement agency that wishes to administer its own GPS tracking program for persons who are subject to a restraining order or injunction and creates a grant program for that purpose. Under the bill, in a jurisdiction that operates a GPS tracking program, if a court issues a restraining order or injunction, a court may order the person to submit, for the duration of the restraining order or injunction, to GPS tracking. The bill requires the court to make the same findings as are required for a person who has violated a restraining order or injunction.

Under current law, if a court imposes a sentence or places a person on probation following a criminal conviction, the court must impose a crime victim and witness assistance surcharge of \$67 for each misdemeanor conviction and \$92 for each felony conviction. Specified portions of the collected surcharge are allocated to fund services for crime victims and witnesses and to fund grants for sexual assault victim services. This bill allocates the entire surcharge to fund services for crime victims and witnesses and creates a general purpose revenue appropriation to fund the grants for sexual assault victim services.

Under current law, a court may extend a term of probation or issue a judgment for unpaid funds if a person who is nearing the end of his or her probation term owes restitution or reimbursement fees. This bill also allows a court to extend a probation term or issue a judgment for unpaid funds if the person nearing the end of his or her probation term owes any part of a crime victim and witness assistance surcharge.

Currently, DOJ maintains three crime laboratories whose employees perform duties including DNA testing, firearms identification, and other forensic testing. Current law requires that the laboratories be located in the cities of Madison, Milwaukee, and Wausau. This bill removes this requirement.

Also under current law, when advertising an open position in the classified civil service, the state may not require as a condition of application that the applicant be

ASSEMBLY BILL 40

a college graduate unless the position advertised requires a license, permit, certificate, or other credential that a person may not acquire without a college degree. Under the bill, when advertising an open position as a forensic scientist in a state or regional crime laboratory, the state may require as a condition of application that the applicant be a college graduate.

Under current law, DOJ issues grants to certain counties and to eligible federally recognized American Indian tribes within this state to fund county or tribal law enforcement operations. Current law directs DOJ to issue a \$300,000 grant to Forest County each fiscal year and \$80,000 annually to the Lac Court Oreilles Band of Lake Superior Chippewa Indians. This bill eliminates these specific requirements.

This bill also requires DOJ to reduce certain allocations related to grants aimed at diverting youth from criminal activity in fiscal years 2013-14 and 2014-15 and eliminates biennial grants to programs within the city of Milwaukee that relate to community policing and crime prevention in targeted neighborhoods that suffer from high levels of violent and drug-related crime.

LOCAL GOVERNMENT

With some exceptions, this bill prohibits cities, villages, towns, counties, and school districts (local governmental units) from requiring, as a condition of employment, that any nonelective employee or prospective employee reside within any jurisdictional limits. Exceptions to the general prohibition include certain school board officials. The prohibition also does not affect any other state law requiring residency for a municipal position or any state or municipal requirement for state residency. If a local governmental unit has a residency requirement in effect on the effective date of the bill, the residency requirement does not apply and may not be enforced.

The bill prohibits a local governmental employer from bargaining collectively with respect to a decision to impose a residency requirement.

Under current law, subject to a number of exceptions, no county may impose an operating levy at an operating levy rate that exceeds 0.001 or the operating levy rate in 1992, whichever is greater, although a county may exceed the limit under certain circumstances. "Operating levy" is defined as the county purpose levy, less the debt levy, and "operating levy rate" is defined as the total levy rate minus the debt levy rate.

Under current law, the county operating levy rate limit is suspended such that it does not apply to a county's levy that is imposed in December 2011 or December 2012. Under this bill, the county operating levy rate limit is sunset and does not apply to any county levy that is imposed in December 2011 or any year thereafter.

Generally under current law, local levy limits prohibit cities, villages, towns, or counties (political subdivisions) from increasing their property tax levies by the greater of either zero percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed.

Current law contains a number of exceptions to the levy limit. This bill makes permanent the exception allowing an increase of a current year levy limit when the prior year's actual levy was less than the allowable limit. The increase must be

ASSEMBLY BILL 40

authorized by a supermajority vote of the political subdivision's governing body and, for a town, a majority vote of the town meeting.

Current law authorizes two or more political subdivisions to enter into an agreement to create a commission to issue types of municipal bonds referred to as conduit bonds. Under current law, only one commission may be created in the state. That commission currently exists and was created using the current law procedures for intergovernmental or interstate cooperation agreements. Primarily, the commission may issue bonds or refunding bonds to finance or refinance certain projects. Currently, before the commission may issue any bonds on certain economic development or housing projects, the commission must receive written approval from WHEDA. This bill eliminates the requirement to receive this permission. The bill also makes technical and definitional changes, and clarifies that a project may be located outside of the United States under certain circumstances.

Under current law, a municipality may receive an expenditure restraint payment if its municipal budget has not increased from the previous year by more than the sum of an inflation factor and a valuation factor.

Under this bill, if a municipality makes payments to another governmental unit for providing a service, the amount of the payments are included in the municipality's budget for purposes of determining its eligibility for an expenditure restraint payment.

Under current law, the state pays municipalities for municipal services provided to state facilities. The state negotiates the payment amount with each municipality. DOA must submit proposed negotiation guidelines to JCF, and JCF must approve the guidelines, before negotiating payments. In addition, DOA must report the results of its negotiations and the total amount of the proposed payments to JCF under its passive review process. Under this bill, DOA is not required to submit proposed negotiation guidelines to JCF for its approval prior to negotiating payments for municipal services and DOA may make the payments without the committee's approval.

MILITARY AFFAIRS

Under current law, an individual who is registered with a local unit of government as an emergency management volunteer is considered an employee of that local unit of government for worker's compensation purposes for an injury suffered while providing emergency management services during a disaster, imminent threat of disaster, or related training exercise. Under this bill, an emergency management volunteer is considered an employee of the state, not the local unit of government, for worker's compensation purposes.

NATURAL RESOURCES**FISH, GAME, AND WILDLIFE**

The bill requires DNR to establish a deer management assistance program for collecting information from the public about deer health and the deer population in this state and receiving suggestions from the public about managing the deer population. DNR must analyze information received and use it to improve deer health and manage the deer population in this state.

ASSEMBLY BILL 40

Under current law, a person who holds a deer hunting license may be issued a bonus deer hunting permit that authorizes the person to take an additional deer of the sex or type specified by DNR by rule. Generally, a person may not obtain more than one bonus deer hunting permit in a single season. Under the bill, DNR may also issue a bonus deer hunting permit to allow a person to take an additional deer in a county or deer management area in which a deer has tested positive for chronic wasting disease (CWD area). The bill provides that DNR may issue to a person more than one bonus deer hunting permit in a single season if the additional permit authorizes the person to take a deer in a CWD area.

This bill authorizes DNR to promulgate rules to implement the recommendations contained in the 2012 final report of the assessment of this state's deer management plans and policies.

This bill reduces the fees that apply to wolf harvesting approvals and repeals the current law authority to hunt wolves during nighttime.

Current law authorizes DATCP to prohibit or regulate the importing of animals into this state if necessary to prevent the introduction or spread of disease. This bill authorizes DNR to import and introduce wild elk into specified counties if certain conditions are met, including that the applicable DATCP requirements are met to the extent possible.

The bill prohibits DNR from establishing an open season for hunting elk that begins earlier than the Saturday nearest October 15.

Under current law, DNR issues small game hunting licenses and annual fishing licenses at no charge to any resident who is in active service with the armed forces and who is in the state on furlough or leave. Under the bill, DNR must issue a resident small game hunting license, a resident deer hunting license, a resident archer hunting license, or a resident annual fishing license without charging a fee to a resident who served during the Iraq or Afghanistan wars as a member of the U.S. armed forces, or as a member of a reserve component of the armed forces or national guard. Only one license may be issued to each person who applies and the license must be issued within one year of the person being released or discharged from the armed forces or national guard.

OTHER NATURAL RESOURCES

Current law authorizes the state to incur public debt under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program (stewardship program), which is administered by DNR. The state may incur this debt to acquire land for the state for conservation purposes and for property development activities and to award grants or state aid to certain local governmental units and nonprofit conservation organizations to acquire lands for these purposes.

Current law establishes the amounts that DNR may obligate in each fiscal year through fiscal year 2019-20 for expenditure under each of the five stewardship subprograms. The bill decreases the amount that DNR may obligate under the land acquisition subprogram for fiscal years 2013-14 and 2014-15 and makes a corresponding increase to the amount that DNR may obligate for those fiscal years under the subprogram for property development and local assistance.

ASSEMBLY BILL 40

This bill increases DNR's bonding authority, for the purpose of funding a dam safety program, debt service on which is paid from the general fund, by \$4,000,000.

Current law requires that vehicles entering state parks or other recreational sites managed by DNR display an annual or daily vehicle admission receipt (admission sticker). This bill requires DNR to waive the fee for an annual admission sticker for a vehicle with Wisconsin plates if the owner of the vehicle is a Wisconsin resident serving on active duty in the U.S. armed forces (resident service member). This bill also requires DNR to waive the annual fee for admission to state trails for a resident service member. Each resident service member qualifies for the fee waiver for state parks and state trails only once.

Under current law, vehicles are exempt from the admission sticker requirement from November 1st to March 31st, and trail users are exempt from the admission fee requirement for state trails from October 27th to March 31st. This bill exempts a vehicle with a resident service member as an occupant from the admission sticker requirement on Veterans Day and during the three-day Memorial Day weekend and exempts a resident service member from a trail admission fee on these days.

RETIREMENT AND GROUP INSURANCE

Under current law, a Wisconsin Retirement System (WRS) participant who has applied to receive an annuity must wait at least 30 days between terminating WRS-covered employment and returning to WRS-covered employment as a participating employee, or the participant is not eligible to receive a WRS retirement annuity. This bill provides that the participant must remain separated from WRS-covered employment for at least 75 days to be eligible for an annuity.

Currently, when a WRS participant terminates employment and receives an annuity he or she may return to WRS-covered employment and either terminate the annuity and again become a WRS participating employee or, instead, continue to receive the annuity, as well as wages from WRS-covered employment. If a participant does not terminate the annuity, the participant may not be a WRS participating employee and, in the case of state employment, is not eligible for group insurance benefits, and may not use any of his or her employment service as a rehired annuitant for any WRS purposes. If the participant terminates the annuity, the participant returns to participating employee status, is eligible for all group insurance benefits provided to other participating employees, and is able to accumulate additional years of creditable service under the WRS for the additional period of covered employment.

The bill provides that if a WRS participant who is receiving an annuity, or a disability annuitant who has attained his or her normal retirement date, is appointed to a position in WRS-covered employment in which he or she is expected to work at least two-thirds of what is considered full-time employment by DETF, the participant's annuity must be terminated and no annuity payment is payable until after the participant again terminates covered employment.

2011 Wisconsin Act 32 increased the number of hours that an employee must work in order to become a WRS participating employee from one-third to two-thirds of what is considered full-time employment, as determined by DETF by rule. Under 2011 Wisconsin Act 32, this change in law did not apply to those employees who were

ASSEMBLY BILL 40

first *hired* by a WRS employer before July 1, 2011, regardless of whether they were participating employees before that date. The bill provides that in order to be exempt from this change in law, an employee must have been a *participating employee* before July 1, 2011.

Federal law authorizes the establishment of health savings accounts, under which individuals and their employers may make tax-exempt contributions that can be used for the payment of medical expenses. Federal law sets annual contribution limits. As a condition of establishing a health savings account, an individual must be covered under a high-deductible health insurance plan. The specific requirements of the high-deductible plans are set in federal law, but generally require the payment of deductibles and certain out-of-pocket expenses before an individual's medical services are covered under the plan.

State employees receive health insurance through plans offered by the Group Insurance Board (GIB). This bill requires GIB, beginning on January 1, 2015, to offer a high-deductible health insurance plan and a health savings account. The bill also requires the state to make contributions into an employee's health savings account in an amount determined annually by the director of OSER.

Currently, the director of OSER establishes the amount that employees must pay for health insurance premiums, subject to a general provision that the state may not pay more than 88 percent of the average premium costs of the lowest cost health insurance plans. Under current law, health insurance plans are assigned to three different tiers, depending on cost.

This bill provides that the state may not pay more than 88 percent of the average premium costs of the health insurance plans in each tier. In addition, the bill provides that if any tier contains no health insurance plans, but is used to establish the premiums for employees who work and reside outside of the state, the amount these employees must pay is based on the premium contribution amount for that tier in the prior year, adjusted by the average percentage change of the premium contribution amount of the other tiers from the prior year.

The bill provides that craft employees must pay all of their health insurance premiums, unless otherwise determined by the director. A craft employee is a state employee who is a skilled journeyman craftsman, including the skilled journeyman craftsman's apprentices and helpers, but does not include employees not in direct line of progression in the craft. A craft employee may be either nonrepresented or in a collective bargaining unit.

Current law provides that GIB may not enter into an agreement to modify or expand any group insurance coverage in a manner that conflicts with laws or rules promulgated by DETF or that materially affects the level of premiums or the level of benefits under any group insurance coverage. This bill permits GIB to modify or expand benefits if the modification or expansion is required by law or would maintain or reduce premium costs for the state or its employees in the current or any future year.

The bill provides that, beginning in 2014, GIB must impose a premium surcharge for health care coverage for state employees and retired state employees who use tobacco products and may terminate the health care coverage of any eligible

ASSEMBLY BILL 40

employee who falsely claims that he or she does not use tobacco products. During 2014 and 2015, the surcharge is \$50 a month. The bill further provides that the premium surcharges paid by annuitants who use tobacco products are be used to reduce future health care coverage premiums for annuitants and to reimburse DETF for costs incurred by DETF in providing health care coverage to annuitants.

WRS is established as a governmental plan and as a qualified plan for federal income tax purposes under the Internal Revenue Code (IRC). Under current law, no WRS benefit plan may be administered in a manner that violates a provision of the IRC that authorizes or regulates the benefit plan or that would cause an otherwise tax exempt benefit to become taxable under the IRC. This bill updates and conforms numerous provisions governing WRS benefits and the administration of the WRS to the IRC.

The bill requires the secretary of employee trust funds to submit an annual report to the secretary of administration and JCF on DETF's progress in modernizing its business processes and integrating its information technology systems.

The bill further provides that, during the 2013-15 fiscal biennium, the secretary of employee trust funds may request the governor to supplement any sum certain appropriation from the public employee trust fund for the purpose of modernizing business processes or integrating information technology systems of DETF. Upon receiving such a request, the governor may approve or modify the request and must notify JCF of the proposed action under JCF's passive review process.

The bill provides that, during the 2013-15 fiscal biennium, the secretary of employee trust funds may request the governor to create or abolish a full-time equivalent position or portion thereof that is funded from revenues deposited in the public employee trust fund if the employee holding the position would perform duties relating to modernizing business processes or integrating information technology systems. Upon receiving such a request, the governor may approve or modify the request. If the governor proposes to approve or modify the request, the governor must notify JCF of the proposed action under passive review.

This bill permits DETF to disclose information concerning the payment of annuities under WRS to DOR for the purposes of administering the payment of state taxes; collecting debts owed to DOR; locating WRS participants, or the assets of WRS participants, who have failed to file tax returns, underreported their taxable income, or who are delinquent debtors; identifying fraudulent tax returns and credit claims; or providing information for tax-related prosecutions.

SAFETY AND PROFESSIONAL SERVICES**BUILDINGS AND SAFETY**

Under current law, DSPS has various duties and powers relating to regulation of petroleum products and hazardous substances, including:

1. Prescribing grade specifications for gasoline and similar fuels and administering laws regulating the inspection and sale of those fuels and other petroleum products.

ASSEMBLY BILL 40

2. Regulating the installation, maintenance, and removal of tanks that contain flammable or combustible liquids or federally regulated hazardous substances (dangerous materials).

3. Administering a program to inventory aboveground and underground petroleum storage tanks.

This bill transfers these powers and duties, except for those that relate to the reviewing of plans for dangerous materials, from DSPS to DATCP.

PROFESSIONAL REGULATION

Under current law, DSPS regulates professional employer organizations and professional employer groups that contract with clients for, among other services, the nontemporary placement of employees with those clients. DSPS regulates the fund-raising activities of charitable organizations, professional fund-raisers, and fund-raising counsel. This bill transfers the regulation of professional employer organizations, professional employer groups, charitable organizations, professional fund-raisers, and fund-raising counsel from DSPS to DFI. Under the bill, DFI registers all of those persons and administers the laws governing their practices. The bill also gives DFI a number of general powers and duties concerning the regulation of those persons that are similar to many of the powers and duties DSPS exercises under current law.

STATE GOVERNMENT**STATE EMPLOYMENT**

This bill establishes a pay progression plan for assistant state public defenders and assistant attorneys general, consisting of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest and the highest hourly salary for the salary range for assistant state public defenders and assistant attorneys general. The pay progression plan is based entirely on merit.

Under the bill, beginning with the first pay period that occurs on or after July 1, 2013, all assistant state public defenders and assistant attorneys general who have served for a continuous period of 12 months or more and who are not paid the maximum hourly rate must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013. All other assistant state public defenders and assistant attorneys general who are not paid the maximum hourly rate must receive the same increase when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months.

In addition, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each succeeding July 1, all assistant state public defenders and assistant attorneys general who have served for a continuous period of 12 months or more and who are not paid the maximum hourly rate may, at the discretion of the state public defender or the attorney general, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30. All other assistant state public defenders and assistant attorneys general or the attorney general who are not paid the maximum hourly rate may, at the discretion of the state public defender or the attorney general, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30, when they have served for a continuous period of 12

ASSEMBLY BILL 40

months. The bill provides, however, that no salary increase may exceed 10 percent during a fiscal year.

This bill attaches the Wisconsin Employment Relations Commission (WERC) to DWD. Currently, WERC is an independent state agency. The bill also eliminates a requirement that WERC commissioners not have other employment and provides that newly appointed commissioners are appointed to two-thirds of a full-time equivalent position.

Currently, each cabinet secretary may appoint an executive assistant to perform duties prescribed by the secretary. This bill eliminates this power and instead authorizes each secretary to appoint an assistant deputy secretary to perform duties prescribed by the secretary. This bill allows the attorney general to appoint, in the unclassified service of the state civil service system, a solicitor general and up to three deputy solicitors general and to assign assistant attorneys general to assist the solicitor general.

STATE FINANCE

Current statutes provide that no bill directly or indirectly affecting general purpose revenues may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be less than a certain amount of the total general purpose revenue appropriations for that fiscal year. Currently, for fiscal years 2015-16 and 2016-17, and for each fiscal year thereafter, the amount is 2 percent of total general purpose revenue appropriations for that fiscal year. This bill provides that for fiscal years 2015-16 and 2016-17, the amount is \$65,000,000; and for 2017-18 and each fiscal year thereafter, the amount is 2 percent of total general purpose revenue appropriations for that fiscal year.

Currently, in any fiscal year, the secretary of administration may temporarily reallocate moneys to the general fund from other state funds in an amount not to exceed, at any one time, 5 percent of the total general purpose revenue appropriations for that fiscal year. This bill increases that maximum amount to 9 percent.

This bill transfers:

1. \$16,000,000 from the petroleum inspection fund to the transportation fund in each year of the fiscal biennium.
2. \$23,000,000 from the general fund to the transportation fund in the fiscal biennium.
3. \$750,000 from the agricultural management fund to the environmental fund in fiscal year 2013-14.
4. \$5,300,000 from the general fund to the veterans trust fund in fiscal year 2013-14.

STATE PROCUREMENT

Current law generally authorizes state agencies to purchase materials, supplies, or equipment. With some exceptions, purchases for which the estimated cost exceeds \$50,000 require bids to be invited or proposals to be solicited. Also, under current law, if a state agency enters into or renews a contract for services that involves an estimated expenditure of more than \$25,000, the agency must conduct either a uniform cost-benefit analysis for a new contract or a continued

ASSEMBLY BILL 40

appropriateness review for a contract renewal. This bill raises the threshold to \$50,000 for either and exempts the following services: services that must, by law, be performed by contract; services incidental to the purchase of a commodity; services that must be provided per a contract, license, or warranty; services that cannot be performed by state employees; services that are expected to be completed within 12 months; and Web-based software application services that are delivered and managed remotely.

Current law requires DOA to certify a business as a disabled veteran-owned business, a woman-owned business, or a minority business, but has different requirements for each certification. DOA may certify a business as a minority business if another state agency, a municipality, the federal government, an American Indian tribe, or, if it uses substantially the same procedures as DOA would use, a private business certifies the business as such. This bill makes the certification practice consistent by permitting DOA to certify a business as a disabled veteran-owned business or a woman-owned business if one of the entities listed above certifies it as such.

Under current law, DOA must maintain a list of entities that are ineligible for state contracts because they have violated a state procurement contract or a statute governing state procurement. This bill requires DOA to include on the list an entity that has been debarred from contracting with the federal government or any other state agency.

Under current law, in a report that DOA submits to the governor and the legislature, DOA must document how the division of legal services has reduced the state's use of contracted employees. This bill eliminates the requirement that the report include this information.

Under current law, with some exceptions, DOA must let by contract to the lowest qualified responsible bidder all construction work when the estimated construction cost of the project exceeds \$50,000 or, if the estimated cost is less, when contracting is in the best interest of the state. This bill requires DOA, for any project that has an estimated construction cost that exceeds \$185,000, to let the project to the lowest qualified responsible bidder through single prime contracting, which is a process in which DOA selects all mechanical, electrical, and plumbing contractors, but contracts only with a general prime contractor, who then must contract with the selected mechanical, electrical, and plumbing contractors. This bill also requires DOA to certify persons as qualified and responsible and provides criteria for such certification.

OTHER STATE GOVERNMENT

Currently, with certain exceptions, DOA may sell or lease state-owned real property if DOA determines that the sale is in the best interest of the state and the Building Commission approves the sale. Also currently, various state agencies have authority to sell real property under their jurisdiction subject to various conditions and limitations. DOA's authority does not operate to permit the closure or sale of any facility or institution the operation of which is required by law and does not extend to property under the jurisdiction of the Board of Regents of the UW System. The net proceeds of any sale by DOA are used to retire any outstanding public debt that

ASSEMBLY BILL 40

was incurred to acquire, construct, or improve the property or as required by any applicable federal law or under the terms of any applicable gift or grant. DOA must use any remaining net proceeds to retire other outstanding public debt.

Currently, with certain exceptions, the Building Commission may also sell state-owned real property where this authority is not given to another state agency by law, and may transfer land under its jurisdiction among agencies. Any sales of surplus land having a value of at least \$20,000 are subject to the approval of JCF. However, the Building Commission does not have the authority to sell a parcel of state-owned real property once DOA notifies the commission that an offer of sale or sale with respect to the parcel is pending. The net proceeds of any sales by the Building Commission must be used to retire any public debt that was used to acquire or construct improvements on the property being sold. Any remaining net proceeds must be deposited in the budget stabilization fund.

This bill permits DOA or the Building Commission to sell or lease any state-owned real property unless prohibited by the state or federal constitution or federal law. Sales by DOA are subject to the approval of the Building Commission. The bill does not apply to sales conducted to enforce an obligation to this state. The bill retains most of the existing exemptions from DOA's sales authority but eliminates the current exemption allowing the Board of Regents of the UW System to sell or lease state-owned real property independently of DOA. Under the bill, if DOA or the Building Commission notifies the Board of Regents that an offer of sale, sale, or lease is pending with the respect to a parcel of property, the Board of Regents does not have authority to sell or lease that property. The bill eliminates the current exception that exempts sales that would necessitate the closure of a facility or institution which is provided for by law. However, the bill does not repeal any statutes that require the operation of any facilities or institutions. Therefore, if DOA or the Building Commission sells all the real property that is currently used to operate a facility or institution, the facility or institution would need to continue in operation. Under the bill, except with respect to exempt property, if any agency has authority to sell or lease real property under any other law, the authority of that agency does not apply after DOA or the Building Commission notifies the agency in writing that an offer of sale or sale, or a lease agreement, is pending with respect to the property. Under the bill, DOA and the Building Commission must first use the net proceeds of any sale or lease to retire any public debt that was used to finance the acquisition, construction, or improvement of the property that is sold. Thereafter, DOA and the Building Commission must use the net proceeds of any sale or lease to pay the costs of federal tax law compliance applicable to the debt. The bill directs DOA and the Building Commission to use the remaining net proceeds of any sale or lease, subject to current requirements, to retire any revenue obligation debt in the fund that was used to acquire, construct, or improve property that was sold and thereafter to pay the costs of federal tax law compliance applicable to the debt, and thereafter, retire other similar revenue obligations. Thereafter, DOA and the Building Commission are directed to use any remaining net proceeds to retire other outstanding public debt. The bill provides that if any property that is proposed to be sold by DOA or the Building Commission is co-owned by a nonstate entity, DOA

ASSEMBLY BILL 40

or the commission must afford to the co-owner the right of first refusal to purchase the share of the property owned by the state on reasonable financial terms established by DOA or the commission.

The bill also provides that if DOA sells or leases a state-owned heating, cooling, or power plant, DOA may contract for the operation of any function that is performed by the state on the property. The bill provides that if DOA or the Building Commission sells or leases, or if DOA contracts with a purchaser or lessee, for the operation of a state-owned heating, cooling, or power plant that is under the jurisdiction of a state agency, the agency must convey all real and personal property associated with the plant to the purchaser or lessee on terms specified by DOA or the Building Commission.

In addition, the bill modifies the authority of the Building Commission to sell or lease state-owned buildings, structures, and land to parallel the authority of DOA so that the authority includes property under the jurisdiction of the Board of Regents of the UW System and is not generally limited by sales authority given to state agencies, and so that distribution of sales proceeds is accomplished in the same manner as proceeds of DOA's sales are distributed. The bill deletes the current limitation that certain sales of surplus land are subject to approval of JCF. The bill directs each state agency to submit to DOA biennially an inventory of all real property under its jurisdiction, together with the estimated fair market value of each property. Under the bill, DOA must obtain appraisals of all properties in the inventory that are identified by DOA for potential sale and submit to the Building Commission an inventory containing a location, description, and fair market value of each property identified for potential sale.

This bill creates a capital investment program in DOA and appropriates \$25,000,000 in general purpose revenue for the program in fiscal year 2013-14. The purpose of the program is to make coinvestments in business startups and investment capital projects.

This bill creates a broadband expansion program under which DOA, in consultation with PSC, makes broadband expansion grants from the universal service fund for the purpose of constructing broadband infrastructure in underserved areas.

Under current law, DOA administers a program for making grants from the utility public benefits fund to provide assistance to low-income households for 1) weatherization and conservation assistance; and 2) payment of energy bills and early identification or prevention of energy crises (bill and crisis assistance). In each fiscal year, DOA must ensure that the amount spent under the program on grants for weatherization and conservation assistance is equal to 47 percent of a sum that is calculated for the fiscal year and that 53 percent of the sum is spent on grants for bill and crisis assistance. This bill requires instead that 50 percent of the sum must be allocated for grants for weatherization and conservation assistance, resulting in 50 percent for grants for bill and crisis assistance. The bill also makes changes to how the sum is calculated, including eliminating certain federal funding amounts from the calculation.

ASSEMBLY BILL 40

Under current law, counties collect a \$25 fee for recording or filing most instruments that are recorded or filed with a register of deeds. Counties must remit \$10 of each fee to DOA, which DOA uses to make land records modernization grants. If a county meets certain requirements, the county may retain \$8 of each \$10 fee that would otherwise be payable to DOA. In addition, counties may temporarily collect a \$30 fee for recording or filing most instruments that are recorded or filed with a register of deeds if the county uses \$5 of each fee for redacting social security numbers from certain electronic format records. Under this bill the \$30 fee is made permanent and counties must remit \$15 of each fee to DOA.

Currently, DOA may provide legal services to any executive branch state agency that has a secretary who serves at the pleasure of the governor. This bill provides that DOA may also provide legal services to an executive branch state agency that does not have a secretary who serves at the pleasure of the governor, but only at the request of the state agency.

This bill permits DOA to transfer information technology infrastructure services staff and equipment from another executive branch agency, other than the Board of Regents of the UW System, to DOA. The bill also permits DOA to assess executive branch agencies for information technology infrastructure services provided by DOA.

This bill authorizes the secretary of administration to maintain intergovernmental affairs offices to conduct public outreach and promote coordination among state agencies and authorities.

TAXATION**INCOME TAXATION**

Under current law, there are five income tax brackets, which are indexed for inflation. The rate of taxation under current law for the lowest bracket for single individuals, certain fiduciaries, heads of households, and married persons is 4.60 percent of taxable income; the rate for the second bracket is 6.15 percent; the rate for the third bracket is 6.50 percent; the rate for the fourth bracket is 6.75 percent; and the rate for the highest bracket is 7.75 percent.

With regard to taxable year 2012, for single individuals, certain fiduciaries, and heads of households, for example, the lowest bracket applies to taxable income of over \$0 up to \$10,570; the second bracket applies to taxable income over \$10,570 up to \$20,360; the third bracket applies to taxable income over \$20,360 up to \$158,500; the fourth bracket applies to taxable income over \$158,500 up to \$232,660; and the fifth, or top, bracket applies to taxable income over \$232,660.

For taxable years beginning after December 31, 2012, this bill lowers the rate of taxation in each of the first three brackets; the rates in the top two brackets remain unchanged. Under the bill, the tax rate in the lowest bracket is reduced to 4.50 percent; the rate in the next higher bracket is reduced to 5.94 percent; and the rate in the next higher bracket is reduced to 6.36 percent. The brackets will continue to be indexed for inflation.

Under current law, the veterans and surviving spouses property tax credit may be claimed by certain U.S. armed forces veterans and by the unremarried surviving spouses of certain veterans or members of the national guard or reserves

ASSEMBLY BILL 40

(collectively, “veterans”). To be eligible to claim the credit, the veteran must meet several criteria, including criteria related to the veteran’s residency in this state and his or her disability rating. Similarly, to be eligible to claim the credit as a spouse of a veteran, the veteran to whom the unremarried surviving spouse was married must have met these same residency and disability criteria.

In general, the credit may currently be claimed in an amount equal to the property taxes paid by the claimant on the veteran’s principal dwelling in the year to which the claim relates. If the amount of the credit for which a claimant is eligible exceeds the claimant’s income tax liability, the excess amount of the credit is paid to the claimant by check (refundable tax credit).

For taxable years beginning after December 31, 2013, this bill expands the definition of eligible unremarried surviving spouse to include an individual who is eligible for, and receives, dependency and indemnity compensation from the federal government due to his or her spouse’s status as a veteran whose death was service-connected.

This bill creates penalties for a person who negligently or fraudulently files an incorrect claim for a tax refund or credit. The penalty for negligence is 25 percent of the difference between the amount claimed and the amount that should have been claimed, and the penalty for fraud is 100 percent of the difference between the amount claimed and the amount that should have been claimed. In addition, any person, other than a corporation or limited liability company, who files an income tax return in which the person tries to obtain a refund or credit with fraudulent intent is guilty of a Class H felony.

This bill prohibits an individual who files a fraudulent claim for an earned income tax credit or homestead tax credit (credit) from filing a claim for either credit for ten years. The bill also prohibits an individual who files a reckless claim for one of these credits from filing a claim for either credit for two years. Under the bill, a claim is fraudulent if it is false or excessive and filed with fraudulent intent, as determined by DOR, and a claim is reckless if it is improper, due to reckless or intentional disregard of the provisions of the income tax statutes or of rules and regulations of DOR, as determined by DOR.

Under current law, capital gains on certain Wisconsin-sourced capital assets are exempted from taxation. For taxable years beginning after December 31, 2015, an individual; an individual partner or member of a partnership, limited liability company, or limited liability partnership; or an individual shareholder of a tax-option corporation (claimant) may subtract from federal adjusted gross income the lesser of the claimant’s federal net capital gain as reported on the claimant’s federal tax return if, in that year, the claimant had a qualifying gain, or the claimant’s qualifying gain.

The capital gains exemption defines “qualifying gain” as the gain realized by the sale of any asset that is purchased after December 31, 2010, held for at least five consecutive years, is a Wisconsin capital asset at the time of purchase and for at least two of the next four years, and treated as a long-term gain under federal law. A “Wisconsin capital asset” is real or tangible personal property that is located in this state and used in a Wisconsin business, or stock or other ownership interest in a

ASSEMBLY BILL 40

Wisconsin business. Currently, a business may apply to WEDC for annual certification for the exemption. WEDC may certify a business if it determines that, in the taxable year ending immediately before the date of the business's application, at least 50 percent of the business's payroll is paid in Wisconsin and at least 50 percent of the value of the business's real and tangible personal property is used by the business in this state.

This bill transfers from WEDC to DOR the responsibility for registering a business, subject to the business meeting the same conditions related to payroll and the value of the business's real and tangible personal property as is the case under current law certification. Also under the bill, excluded gain is not limited to net capital gain, and the bill clarifies that the exclusion is for gain on investments in a business and not for individual assets of the business.

Under current law, there are two income tax deferrals for capital gains that are reinvested in qualified Wisconsin businesses. Under one of the deferrals (long-term deferral), a claimant may elect to defer the payment of income taxes on up to \$10,000,000 of the gain realized from the sale of any capital asset held more than one year (original asset) that is treated as a long-term gain under the Internal Revenue Code (IRC), if the claimant completes a number of requirements. Under the bill, the long-term deferral may no longer be claimed for taxable years beginning after December 31, 2013.

Under the other deferral (Wisconsin assets deferral), a claimant may elect to defer the payment of income taxes on any amount of the gain realized from the sale of any capital asset held more than one year (original new asset) that is treated as a long-term gain under the IRC, if the claimant completes a number of requirements.

Under this bill, for taxable years beginning after December 31, 2013, the current requirement that the gain realized from the sale of the applicable long-term asset be deposited into a segregated account in a financial institution does not apply. This bill transfers from WEDC to DOR the responsibility for registering a business under the Wisconsin assets deferral.

Under current law, an individual may claim as an income tax credit an amount equal to 25 percent of the individual's angel investment in a qualified new business venture in this state. The total amount of angel investment credits that all taxpayers may claim in all taxable years combined is \$47,500,000. This bill eliminates the limit of the total amount of angel investment credits that taxpayers may claim.

This bill adopts, for state income and franchise tax purposes, changes made to the IRC related to transferring retirement plan amounts to designated ROTH accounts without distribution, limiting the amount of salary reduction for a health care flexible spending arrangement, eliminating a deduction for expenses allocable to a Medicare, Part D subsidy, increasing the threshold for itemized medical expense deductions from 7.5 percent to 10 percent of adjusted gross income, increasing the penalty for nonqualified distributions from a health savings account, and limiting the deduction for remuneration paid by health insurance providers.

The bill also adopts the changes made to the IRC related to free choice vouchers, corporate repurchasing of convertible debt instruments, pension funding rules for determining segment rates, transfers from excess pension assets to retiree medical

ASSEMBLY BILL 40

accounts or for purchasing retiree group term life insurance, phased retirements, the installment method for accrual basis taxpayers, and the tax treatment of Blue Cross and Blue Shield organizations.

Under current law, an eligible claimant may claim a refundable farmland preservation tax credit (farmland credit) based on the number of the claimant's qualified acres and the type of zoning district in which the acres are located. Also under current law, the maximum amount of farmland credits that may be claimed in any fiscal year may not exceed \$27,007,200. If the amount of eligible claims exceed this amount, the excess claims are paid in the next succeeding fiscal year and DOR must prorate the per acre amounts that may be claimed.

Under this bill, the maximum amount of farmland credits that may be claimed in the 2013-14 fiscal year, and in any succeeding fiscal year, may not exceed \$25,304,300 and the treatment of excess claims and proration are the same as under current law.

Under current state law, certain individuals may claim an income tax deduction for amounts paid for medical care insurance for the individual, his or her spouse, and his or her dependents. Under the federal Patient Protection and Affordable Care Act (PPACA), beginning in 2014 certain individuals will be eligible to receive premium assistance in the form of federal tax credits to make it more affordable for such individuals to purchase medical care insurance.

This bill clarifies that the current state income tax deduction for medical care insurance may not be claimed for any amount that is paid for with a premium assistance credit under the PPACA.

Under current law, a health care provider may claim an income and franchise tax credit equal to 50 percent of the amount that the health care provider paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form. Under this bill, no health care provider may claim the credit for taxable years beginning after December 31, 2013.

Under this bill, generally, a person who is subject to an assessment or audit determination by DOR is not liable for any amount that DOR asserts that the person owes if the liability asserted is the result of a tax issue that existed in a prior assessment or audit, a DOR employee involved in the prior assessment or audit knew of the tax issue, and DOR did not assert the liability for the tax issue at the time of the prior assessment or audit.

Under current law, the interest income from bonds issued by WHEFA is exempt from income taxation if the bond proceeds are used by a health facility to acquire information technology hardware or software. Under the bill, the interest income from bonds issued by WHEFA is also exempt from income taxation if the bonds are issued for the benefit of a person who is eligible to receive bond proceeds from another entity for the same purpose and the interest income received from the other bonds is exempt from taxation.

Under current law, if a person who is liable for income taxes fails to pay the taxes within ten days from the date that the taxes become delinquent, DOR may obtain the person's real or personal property and sell that property to pay the delinquent taxes. After DOR obtains the property, DOR must notify the property

ASSEMBLY BILL 40

owner, in writing, that it has obtained the property and that the property will be sold if the delinquent taxes are not paid. DOR must also post a public notice of the sale. This bill allows DOR to provide notice of obtaining a person's property in the manner prescribed by DOR. Under the bill, DOR does not have to provide notice to the property owner of the sale of the person's property, but must still post a public notice of the sale.

PROPERTY TAXATION

Under current law, solar energy systems and wind energy systems are exempt from personal property taxes. Under this bill, biogas energy systems are also exempt from personal property taxes.

Under this bill, the state no longer appropriates moneys from the lottery fund to pay a portion of the school levy property tax credit.

OTHER TAXATION

Under current law, in order to offer cigarettes for sale in this state, a cigarette manufacturer must have a valid permit issued by DOR and pay the cigarette tax on all cigarettes offered for sale in this state. Cigarette manufacturers must also comply with fire safety standards for cigarettes and with the master settlement agreement entered into with U.S. tobacco product manufacturers. This bill specifies that a cigarette manufacturer includes a person who owns an automated roll-your-own machine that is used to make cigarettes, but does not include an individual who owns a roll-your-own machine and uses the machine solely to make cigarettes for his or her personal use or for the use of other individuals who live in his or her home.

This bill creates a sales and use tax exemption for items and services sold as part of a contract to perform real property construction activities and for which the contractor quotes the charge for labor, services of subcontractors, and materials as one price.

Under current law, the sale of tangible personal property, animals, and certain other items to a person who is primarily engaged in biotechnology or manufacturing in this state is exempt from the sales and use tax if the property, animals, or items are used for qualified research. This bill allows a member of a combined group of corporations to claim the exemption if another group member is conducting qualified research for the member who is engaged in biotechnology or manufacturing in this state.

Under current law, a retailer submits the sales and use taxes that the retailer collected during each calendar quarter to DOR no later than the last day of the month following the end of the previous calendar quarter. If, however, a retailer collects more than \$600 in any calendar quarter, DOR may require the retailer to submit the taxes no later than the last day of the month following the month in which the taxes are collected. Under this bill, if a retailer collects more than \$1,200 in any calendar quarter, DOR may require the retailer to submit the taxes no later than the last day of the month following the month in which the taxes are collected.

Under current law, DOR may enter into agreements with other states to provide for offsetting Wisconsin tax refunds against tax obligations of other states and offsetting tax refunds of other states against Wisconsin tax obligations. Under this bill, DOR may also enter into agreements with other states to provide for offsetting

ASSEMBLY BILL 40

Wisconsin tax refunds against nontax obligations of other states and offsetting tax refunds of other states against Wisconsin nontax obligations.

Under current law, instead of paying local general property taxes, public utilities and telephone companies pay taxes imposed by the state based on property value. These taxes are referred to as ad valorem taxes. Under this bill, DOR may use the same methods used for collecting delinquent income taxes, including imposing a levy on a taxpayer's property, to collect delinquent ad valorem taxes owed by public utilities and telephone companies.

Under current law, DOR may write off from its records all sales, use, withholding, motor vehicle fuel, gift, beverage, and cigarette tax liabilities that it determines are not collectible. This bill allows DOR to write off all tax and fee liabilities it determines are not collectible.

Under current law, the printing of tangible personal property is not a service subject to the sales and use tax if it results in catalogs or other printed materials designed to promote the sale of merchandise. Under this bill, printing of tangible property that results in advertising and promotional direct mail is also not subject to the sales and use tax.

TRANSPORTATION**HIGHWAYS**

This bill makes changes with respect to which highway operations and activities are considered highway improvements and which are considered highway maintenance, which affects the source of funding for these operations and activities. However, under the bill, some highway operations and activities, such as maintenance for roadside improvements and private contractor maintenance, can be funded from more than one appropriation. Under this bill, highway maintenance activities no longer include, and highway improvements no longer exclude, the installation, replacement, or rehabilitation of traffic control signals and intelligent transportation (IT) systems, but maintenance of traffic control signals and IT systems are still considered maintenance activities. The bill limits DOT's expenditure, from certain highway improvement appropriations, of moneys for the installation, replacement, or rehabilitation of traffic control signals and IT systems to a total of \$20,000,000 in any fiscal year.

This bill allows DOT to enter into sponsorship agreements under which DOT displays a sponsor's advertising or promotional material at locations owned or controlled by DOT in exchange for the sponsor's payment of fees or provision of services to DOT. The bill also allows DOT to enter into partnership agreements under which DOT authorizes a partner to engage in commercial activity at locations owned or controlled by DOT in exchange for the partner's payment of fees or provision of services to DOT. Fees received by DOT under these agreements may be used by DOT for, among other purposes, maintenance and repair of state trunk highways and roadside improvements. Contracts for sponsorship agreements and partnership agreements must be awarded on the basis of competitive proposals.

The bill does all of the following:

1. Allows general obligation bonds, in an amount not exceeding \$200,000,000, to be used to fund high-cost state highway bridge projects, which are projects

ASSEMBLY BILL 40

involving the construction or rehabilitation of a bridge on the state trunk highway system that have a total estimated cost of more than \$150,000,000.

2. Authorizes an additional \$107,000,000 in general obligation bond proceeds to fund the Zoo interchange project and the I 94 north-south corridor project.

3. Authorizes an additional \$200,000,000 in general obligation bond proceeds to fund southeast Wisconsin freeway megaprojects. Debt service on these bonds is paid from the general fund.

4. Increases the revenue bond limit, from \$3,351,547,300 to \$3,768,059,300, for major highway projects and transportation administrative facilities.

This bill eliminates DOT's bicycle and pedestrian facilities program, transportation enhancement activities program, safe routes to school program, and traffic marking enhancement program and creates instead a transportation alternatives program. Under this program, DOT may award grants to political subdivisions for transportation alternatives activities such as: construction, planning, and design of trail facilities and infrastructure-related projects for pedestrians, bicyclists, and other nondrivers; trail conversion of abandoned railroad corridors; construction of overlooks and viewing areas; and preservation of historic transportation facilities.

Under current law, if a highway or bridge that is not on the state trunk highway system (highway) is damaged by flood, the county or municipality having jurisdiction over the highway may petition DOT for payment of flood damage aid to cover part of the repair or replacement cost. This bill expands DOT's flood damage aid program to a disaster damage aid program. Under the bill, a "disaster" is defined as any of the following: 1) a severe storm, flood, fire, tornado, mudslide, or other natural event external to a highway; 2) the sudden failure of a major element or segment of the highway system due to a cause that is external to a highway; or 3) an event or recurring damage caused by any governmental unit or person acting under the direction or approval of, or permit issued by, any governmental unit and in response to an event described in item 1) or 2). The bill also prohibits DOT from paying disaster damage aid in excess of \$1,000,000, in connection with disaster damage resulting from a single disaster, unless the governor approves the payment of aid.

Under current law, beginning July 1, 2014, DOT must maintain an inventory of completed designs for highway projects under the major highway projects program and the reconditioning, reconstruction, and resurfacing projects program. Under this bill, the estimated costs of the inventory of projects for each program must be not less than 20 percent of the annual amount of funding provided to each program.

This bill repeals a provision of current law that prohibits a southeast Wisconsin freeway rehabilitation project from adding vehicle lanes on I 94 adjacent to Wood National Cemetery.

DRIVERS AND MOTOR VEHICLES

Current law includes certain regulation of motor carriers engaged in interstate commerce. This bill imposes the same regulation on motor carriers engaged in intrastate commerce.

This bill increases the per pound of excess weight forfeiture rates that are imposed for unlawfully operating vehicles exceeding weight limits without a permit.

ASSEMBLY BILL 40

This bill also increases the penalty for a second conviction for violating weight limits while transporting raw forest products.

TRANSPORTATION AIDS

Under current law, DOT provides state aid payments from the transportation fund to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. This bill changes the funding source for those aids from the transportation fund to the general fund beginning on July 1, 2014.

RAIL AND AIR TRANSPORTATION

This bill increases the authorized general obligation bonding limit to \$216,500,000 to acquire railroad property and provide grants and loans for railroad property acquisition and improvement.

OTHER TRANSPORTATION

This bill requires DOT to administer a surveying reference station system that consists of monuments that are used to generate latitude, longitude, and elevation data; reference stations that continuously transmit global positioning system data to a system server; and the system server, which receives and processes the data received from the reference stations. The bill also permits DOT to charge a fee to persons who access the system in an amount to be established by rule. All access fees received by DOT are appropriated for system maintenance and operation costs.

Under current law, a person who is convicted of certain violations relating to operating a vehicle while intoxicated must pay a driver improvement surcharge of \$365 in addition to any applicable forfeiture or fine, assessments, and costs. A portion of the money collected from this surcharge is provided to DOT for chemical testing training and services provided by the state traffic patrol. Under this bill, driver improvement surcharge money is no longer provided to DOT for the chemical testing training and services provided by the state traffic patrol. The training and services are instead funded from the transportation fund.

This bill increases the authorized general obligation bonding limit to \$87,500,000 to provide grants for harbor improvements.

VETERANS

Current law imposes certain state residency requirements that apply to veterans and widows, widowers, and parents of living and deceased veterans who are seeking admission to veterans homes operated by the state. Also, under current law, DVA administers a priority system for admissions into a veteran home. Under the system, veterans have first priority, spouses have second priority, surviving spouses have third priority, and parents of veterans have fourth priority.

This bill eliminates all residency requirements, but gives priority to residents over nonresidents. The bill establishes a priority system within each of the four priority levels described above. Under the system, state residents who have resided in the state for more than six continuous months before the date of application have first priority, other state residents have second priority, and nonresidents have third priority.

ASSEMBLY BILL 40

Current law imposes certain state residency requirements on veterans and members of the U.S. armed forces for burial in a state veterans cemetery. This bill expands eligibility for burial in a state veterans cemetery to include anyone who is a resident of a state veterans home. The bill also requires DVA to maintain a waiting list for each cemetery and to give priority to state residents over nonresidents.

Current law imposes certain state residency requirements for a veteran to receive assistance based on the veteran's homelessness, incarceration, or other circumstances established by DVA. Such a veteran may be eligible for assistance from DVA only if the veteran is a resident of and living in Wisconsin at the time the veteran applies for assistance. The bill eliminates those residency requirements.

The bill directs DVA to pay \$500,000 in fiscal year 2013-14 to VETransfer, Inc. (VETransfer), an organization that provides training and other assistance to veterans engaged in entrepreneurship. The bill requires VETransfer to use those moneys to make grants to Wisconsin veterans or their businesses to cover costs associated with the start-up of veteran-owned businesses in Wisconsin and to provide entrepreneurial training and related services to Wisconsin veterans. VETransfer must repay to the state any moneys not used by June 30, 2017, but DVA may extend that deadline.

The bill authorizes DVA to grant up to \$50,000 annually to the Wisconsin department of the American Legion for the operation of Camp American Legion located in the town of Lake Tomahawk.

The bill modifies the amount of annual payments that DVA must make to certain federally recognized state veterans organizations in Wisconsin based on the amount a state veterans organization pays each year to its employees who provide certain services to veterans in Wisconsin.

Under current law, DVA is required to pay \$100,000 annually to the Wisconsin department of the Disabled American Veterans for the provision of transportation services to veterans. The bill increases that amount to \$120,000.

Under current law, DVA may make annual grants of up to \$8,500 to American Indian tribes or bands for the improvement of a tribe's or band's services to veterans. The bill increases that authorization to up to \$15,000 for each grant DVA makes to an American Indian tribe or band.

The bill establishes a tuition reimbursement program for veterans enrolled in the College of Menominee Nation or Lac Courte Oreilles Ojibwa Community College (tribal colleges). Under the bill, subject to certain limitations, DVA is generally required to reimburse a veteran for up to 120 credits of tribal college tuition if the veteran applies to DVA for reimbursement, is enrolled as a member of a federally recognized American Indian tribe or band in Wisconsin, and satisfies the bill's other eligibility requirements.

Under current law, the Board of Veterans Affairs (board) may approve or veto plans or modifications for established state veterans memorials and make recommendations for future memorials. This bill restricts the board's authority only to proposals for plans or modifications of memorials for which DVA has estimated that the costs will exceed \$25,000.

ASSEMBLY BILL 40

Under current law, each nursing home is required to pay the state an assessment of not more than \$170 per bed, per month. The assessment revenue is deposited in the MA trust fund and is generally expended for MA services for which the federal government contributes a share of the costs. Current law exempts Wisconsin veterans homes from having to pay the assessment for the 2011-13 fiscal biennium. This bill makes the exemption permanent.

Under current law, DVA employs commandants for the administration of veterans homes. Among other duties, a commandant may receive, disburse, and account for the personal funds of a resident of the veterans home the commandant oversees. Under the bill, the secretary of DVA or the secretary's designee may also receive, disburse, and account for the funds of a veterans home resident.

Under current law, documents that are evidence of service in the United States armed forces and that are in the possession of DVA may be disclosed only to veterans or their duly authorized representatives. Under current law, a "duly authorized representative" is a person who has written authorization from a veteran to act on his or her behalf, a guardian if the veteran has been adjudicated incompetent, or a legal representative if the veteran is deceased. A spouse or adult child of a veteran or a parent of an unmarried veteran may be also be considered a duly authorized representative of the veteran if there is no written authorization, guardian, or legal representative. This bill expands this list of relatives to include an adult sibling of a veteran.

Under current law, DWD administers the federal Disabled Veterans' Outreach Program, under which DWD employs specialists to provide services to meet the employment needs of eligible veterans, and the federal Local Veterans' Employment Representative Program, under which DWD employs representatives to facilitate employment, training, and placement services for veterans. This bill requires DWD and DVA, jointly, to prepare and submit to the secretary of the federal Department of Labor (secretary) a plan to transfer administration of those programs from DWD to DVA. If the secretary approves the plan, responsibility for administration of those programs is transferred from DWD to DVA.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

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

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

ASSEMBLY BILL 40**SECTION 1**

1 **SECTION 1.** 5.05 (2m) (c) 6. b. of the statutes is amended to read:

2 5.05 (**2m**) (c) 6. b. The board shall enter into a written contract with any
3 individual who is retained as special counsel setting forth the terms of the
4 engagement. The contract shall set forth the compensation to be paid such counsel
5 by the state. The contract shall be executed on behalf of the state by the board's legal
6 counsel, who shall file the contract in the office of the secretary of state. The
7 compensation shall be charged to the appropriation under s. ~~20.455 (1) (b)~~ 20.505 (1)
8 (d).

9 **SECTION 2.** 13.106 (1) (intro.) of the statutes is repealed.

10 **SECTION 3.** 13.106 (1) (a), (b), (c), (d) and (e) of the statutes are renumbered
11 13.106 (3) (ac), (ag), (aL), (ap) and (at).

12 **SECTION 4.** 13.106 (3) (intro.) of the statutes is amended to read:

13 13.106 (**3**) (intro.) By October 15 of each even-numbered year, the Medical
14 College of Wisconsin and the University of Wisconsin-Madison Medical School shall
15 submit a report to the governor, the joint committee on finance, and to the chief clerk
16 of each house of the legislature for distribution to the legislature under s. 13.172 (2),
17 that provides information on all of the following:

18 **SECTION 5.** 13.106 (3) (a) of the statutes is renumbered 13.106 (3) (ax).

19 **SECTION 6.** 13.106 (4) of the statutes is created to read:

20 13.106 (**4**) (a) In this subsection, "rural or underserved urban medicine
21 program" includes the Wisconsin Academy for Rural Medicine, the Training in
22 Urban Medicine and Public Health program, any community medical education
23 program of the Medical College of Wisconsin, and any other rural or underserved
24 urban medicine program established after the effective date of this paragraph
25 [LRB inserts date].

ASSEMBLY BILL 40

1 (b) By October 15 of each year, the Medical College of Wisconsin and the
2 University of Wisconsin-Madison Medical School shall submit an annual report to
3 the governor and to the chief clerk of each house of the legislature for distribution
4 to the legislature under s. 13.172 (2) that provides information on all of the following:

5 1. The number of students enrolled in rural or underserved urban medicine
6 programs.

7 2. The medical specialties and residency locations of the students in rural or
8 underserved urban medicine programs.

9 3. The initial postresidency practice locations for graduates of rural or
10 underserved urban medicine programs.

11 **SECTION 7.** 13.48 (2) (b) 3. of the statutes is amended to read:

12 13.48 (2) (b) 3. The Except as provided in sub. (14) (am), the building
13 commission may lease space in buildings described under subd. 2. to other
14 governmental bodies or to nonprofit associations organized for public purposes and
15 shall charge those bodies or associations an annual rental which shall be not less
16 than the cost of operating, maintaining and amortizing the construction cost of the
17 leased space.

18 **SECTION 8.** 13.48 (14) (title) of the statutes is amended to read:

19 13.48 (14) (title) SALE OR LEASE OF LANDS PROPERTY.

20 **SECTION 9.** 13.48 (14) (a) of the statutes is amended to read:

21 13.48 (14) (a) In this subsection, "agency" has the meaning given for "state
22 agency" in s. 20.001 (1), ~~except that the term does not include the Board of Regents~~
23 ~~of the University of Wisconsin System in s. 16.52 (7).~~

24 **SECTION 10.** 13.48 (14) (am) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 10**

1 13.48 (14) (am) Except as provided in this paragraph ~~and subject to par. (d),~~
2 the building commission shall have the authority to sell or lease all or any part of a
3 state-owned building or structure or state-owned land, including farmland, where
4 such authority is not otherwise provided to an agency by law real property unless the
5 sale or lease is prohibited under the state or federal constitution or federal law or the
6 sale is conducted as a part of a procedure to enforce an obligation to this state, and
7 may transfer ~~land~~ real property under its jurisdiction among agencies. The
8 commission may sell or lease property under this paragraph with or without the
9 approval of the agency having jurisdiction over the property and regardless of
10 whether the property is included in an inventory submitted under par. (d). The
11 building commission does not have the authority to sell or lease any state-owned real
12 property under this paragraph after the department of administration notifies the
13 commission in writing that an offer of sale or sale or lease agreement with respect
14 to a property is pending under s. 16.848 (1). If the sale or lease is not completed and
15 no further action is pending with respect to the property, the authority of the building
16 commission under this paragraph is restored. Except with respect to property
17 identified in s. 16.848 (2), if any agency has authority to sell or lease real property
18 under any other law, the authority of that agency does not apply after the commission
19 notifies the agency in writing that an offer of sale or sale, or a lease agreement, is
20 pending with respect to the property under this paragraph. If the sale or lease is not
21 completed and no further action is pending with respect to the property, the authority
22 of the agency to sell or lease the property is restored. If the commission sells or leases
23 any state-owned real property under this subsection, the commission may attach
24 such conditions to the sale or lease as it finds to be necessary or appropriate to carry
25 out the sale or lease in the best interest of the state. This paragraph does not apply

ASSEMBLY BILL 40

1 to real property that is exempted from sale or lease by the department of
2 administration under s. 16.848.

3 **SECTION 11.** 13.48 (14) (b) of the statutes is amended to read:

4 13.48 (14) (b) ~~Subject to par. (d), the~~ The building commission shall sell ~~or lease~~
5 on the basis of either public bids, with the building commission reserving the right
6 to reject any or all bids in the best interest of the state, or on the basis of negotiated
7 prices as determined through a competitive or transparent process. Buildings,
8 structures and land mentioned in this subsection shall be subject to general property
9 taxes levied by those taxing bodies within whose area they lie if used for commercial
10 purposes, and shall be subject to special assessments for public improvements in the
11 same manner and to the same extent as privately owned ~~buildings, structures and~~
12 ~~land~~ real property, subject to approval of the building commission when required
13 under s. 66.0703 (6).

14 **SECTION 12.** 13.48 (14) (bg) of the statutes is created to read:

15 13.48 (14) (bg) If any property that is proposed to be sold by the commission
16 under par. (am) is co-owned by a nonstate entity, the commission shall afford to that
17 entity the right of first refusal to purchase the share of the property owned by the
18 state on reasonable financial terms established by the commission.

19 **SECTION 13.** 13.48 (14) (br) of the statutes is created to read:

20 13.48 (14) (br) If the building commission sells or leases any real property
21 under par. (am) that was under the jurisdiction of an agency prior to the sale or lease,
22 the agency shall convey all systems, fixtures, or additional property interests
23 specified by the commission to the purchaser or lessee of the property on terms
24 specified by the commission. If the commission sells or leases a state-owned heating,
25 cooling, or power plant that is under the jurisdiction of an agency, the agency shall

ASSEMBLY BILL 40**SECTION 13**

1 convey all real and personal property associated with the plant to the purchaser or
2 lessee on terms specified by the commission.

3 **SECTION 14.** 13.48 (14) (c) of the statutes is renumbered 13.48 (14) (c) (intro.)
4 and amended to read:

5 13.48 (14) (c) (intro.) If Except as provided in par. (e), if there is any outstanding
6 public debt used to finance the acquisition of a building, structure or land or the,
7 construction, or improvement of a building or structure any property that is sold or
8 leased under par. (b) (am), the building commission shall deposit a sufficient amount
9 of the net proceeds from the sale or lease of the ~~building, structure or land~~ property
10 in the bond security and redemption fund under s. 18.09 to repay the principal and
11 pay the interest on the debt, and any premium due upon refunding any of that debt.
12 ~~Except as provided in s. 51.06 (6), if~~ If there is any outstanding public debt used to
13 finance the acquisition, construction, or improvement of any property that is sold or
14 leased under par. (am), the building commission shall then provide a sufficient
15 amount of the net proceeds from the sale or lease of the property for the costs of
16 maintaining federal tax law compliance applicable to the debt. If the property was
17 acquired, constructed, or improved with federal financial assistance, the commission
18 shall pay to the federal government any of the proceeds required by federal law. If
19 the property was acquired by gift or grant or with gift or grant funds, the commission
20 shall adhere to any restriction governing use of the proceeds. Except as required
21 under par. (e) and ss. 20.395 (9) (qd) and 51.06 (6), if there is no such debt
22 outstanding, or, there are no moneys payable to the federal government, and there
23 is no restriction governing use of the proceeds, and if the net proceeds exceed the
24 amount required to repay that principal and pay that interest and premium be
25 deposited, paid, or used for another purpose under this subsection, the building

ASSEMBLY BILL 40

1 commission shall ~~deposit~~ use the net proceeds or remaining net proceeds ~~in the~~
2 ~~budget stabilization fund.~~ to pay principal and interest costs on other outstanding
3 public debt. For the purpose of paying principal and interest costs on other
4 outstanding public debt under this paragraph, the commission may cause
5 outstanding bonds to be called for redemption on or following their optional
6 redemption date, establish one or more escrow accounts to redeem bonds at their
7 optional redemption date, or purchase bonds in the open market. To the extent
8 practical, the commission shall consider all of the following in determining which
9 public debt to redeem:

10 **SECTION 15.** 13.48 (14) (c) 1. to 4. of the statutes are created to read:

11 13.48 (14) (c) 1. To the extent that debt service on the property being sold or
12 leased was paid from a segregated fund, other outstanding public debt related to that
13 segregated fund should be redeemed.

14 2. The extent to which general obligation debt that was issued to acquire, build,
15 or improve the property being sold or leased is subject to current optional
16 redemption, would require establishment of an escrow, or could be assigned for
17 accounting purposes to another statutory bond purpose.

18 3. The fiscal benefit of redeeming outstanding debt with higher interest costs.

19 4. The costs of maintaining federal tax law compliance in the selection of
20 general obligation debt to be redeemed.

21 **SECTION 16.** 13.48 (14) (cm) of the statutes is created to read:

22 13.48 (14) (cm) If there are any outstanding revenue obligations, issued
23 pursuant to subch. II of ch. 18, used to finance the acquisition, construction, or
24 improvement of any property that is sold or leased under par. (am), the commission
25 shall deposit a sufficient amount of the net proceeds from the sale or lease of the

ASSEMBLY BILL 40**SECTION 16**

1 property in the respective redemption fund provided under s. 18.561 (5) or 18.562 (3)
2 to repay the principal and pay the interest on the revenue obligations, and any
3 premium due upon refunding any of the revenue obligations. If there are any
4 outstanding revenue obligations, issued pursuant to subch. II of ch. 18, used to
5 finance the acquisition, construction, or improvement of any property that is sold or
6 leased under par. (am), the commission shall then provide a sufficient amount of the
7 net proceeds from the sale or lease of the property for the costs of maintaining federal
8 tax law compliance applicable to the revenue obligations. For the purpose of paying
9 principal and interest costs on other outstanding revenue obligations, the
10 commission may cause outstanding revenue obligations to be called for redemption
11 on or following their optional redemption date, establish one or more escrow accounts
12 to redeem obligations at their optional redemption date, or purchase bonds on the
13 open market. Except as required under par. (e) and ss. 20.395 (9) (qd) and 51.06 (6),
14 if the net proceeds exceed the amount required to be deposited, paid, or used for
15 another purpose under this paragraph, the department shall use the net proceeds
16 or the remaining net proceeds to pay principal and interest costs on other similar
17 revenue obligations.

18 **SECTION 17.** 13.48 (14) (d) 1. of the statutes is repealed.

19 **SECTION 18.** 13.48 (14) (d) 2. of the statutes is renumbered 13.48 (14) (d) and
20 amended to read:

21 13.48 (14) (d) Biennially, beginning on January 1, 1984, ~~each agency having~~
22 surplus land 2014, each agency shall submit to the department of administration an
23 inventory of all real property under its jurisdiction together with the estimated fair
24 market value of each property. The agency shall specifically identify any under
25 utilized assets in the inventory. No later than July 1 following receipt of the

ASSEMBLY BILL 40

1 inventories, the department of administration shall obtain appraisals of all
2 properties in the inventories that are identified by the department for potential sale
3 and shall submit to the building commission and the joint committee on finance an
4 inventory containing the location, description and fair market value of each parcel
5 of surplus land property identified for potential sale.

6 **SECTION 19.** 13.48 (14) (d) 3. of the statutes is repealed.

7 **SECTION 20.** 13.48 (14) (d) 4. of the statutes is repealed.

8 **SECTION 21.** 13.48 (19) of the statutes is amended to read:

9 13.48 **(19)** ALTERNATIVES TO STATE CONSTRUCTION. Whenever the building
10 commission determines that the use of innovative types of design and construction
11 processes will make better use of the resources and technology available in the
12 building industry, the building commission may waive any or all of s. 16.855, except
13 s. 16.855 (13) and (14m), if such action is in the best interest of the state and if the
14 waiver is accomplished through formal action of the building commission. The
15 building commission may authorize the lease, lease purchase or acquisition of such
16 facilities constructed in the manner authorized by the building commission. Subject
17 to the requirements of s. 20.924 (1) (i), the building commission may also authorize
18 the lease, lease purchase or acquisition of existing facilities in lieu of state
19 construction of any project enumerated in the authorized state building program.

20 **SECTION 22.** 13.48 (20) of the statutes is amended to read:

21 13.48 **(20)** RESIDENCE HALLS. The Except as provided in sub. (14) (am), the
22 building commission may approve the sale or lease of state-owned residence halls
23 by the board of regents of the University of Wisconsin System to another state agency
24 or a nonstate nonprofit agency for purposes provided in s. 36.11 (1) (e).

25 **SECTION 23.** 13.48 (22) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 23**

1 13.48 **(22)** SALE OR LEASE OF CAPITOL AREA LANDS. The building commission may
2 lease or resell lands acquired in the capitol planning area for public or private
3 redevelopment and may set such conditions of sale or lease as it deems necessary to
4 ensure development compatible with the needs of the community and the state. This
5 subsection does not apply to lands that are authorized to be sold or leased under s.
6 16.848 while an offer of sale, sale, or lease agreement is pending or while the lands
7 are leased.

8 **SECTION 24.** 13.48 (23) of the statutes is amended to read:

9 13.48 **(23)** LEASE OF SPACE FOR COMMERCIAL USE. ~~The~~ Except as provided in sub.
10 (14) (am), the building commission may lease space in state office buildings for
11 commercial use, including without limitation because of enumeration, retail, service
12 and office uses. In doing so the building commission shall consider the cost and fair
13 market value of the space as well as the desirability of the proposed use. Such leases
14 may be negotiated or awarded by competitive bid procedures. All such leases of space
15 in state office buildings shall provide for payments in lieu of property taxes.

16 **SECTION 25.** 13.482 (2) (a) of the statutes is amended to read:

17 13.482 **(2)** (a) For the purpose of providing housing for state departments and
18 agencies, including housing for state offices and the completion of the state office
19 building, and to enable the construction, financing and ultimate acquisition thereof
20 by the state, the building commission may acquire any necessary lands, and, subject
21 to s. 13.48 (14) (am), lease and re-lease any lands owned by the state and available
22 for the purpose to the Wisconsin State Public Building Corporation or other nonstock
23 corporation organized under ch. 181 that is a nonprofit corporation, as defined in s.
24 181.0103 (17). The lease and re-lease shall be for a term or terms not exceeding 50
25 years each and shall be made on the condition that such corporation shall construct

ASSEMBLY BILL 40

1 and provide on such leased lands such building projects, including buildings,
2 improvements, facilities or equipment or other capital items, as the building
3 commission requires, and shall re-lease the same to the building commission upon
4 satisfactory terms as to the rental, maintenance and ultimate acquisition by the
5 state as is in its best interests in the judgment of the building commission. After such
6 leases and re-leases are executed and until the projects are acquired by the state,
7 they shall be operated by the building commission through the department of
8 administration, which shall have charge of such property as provided in ss. 16.85 and
9 16.8511. The building commission shall operate the projects in such manner as to
10 provide revenues therefrom sufficient to pay the costs of operation and maintenance
11 of the project and to provide for the payments due the Wisconsin State Public
12 Building Corporation or other nonstock, nonprofit corporation but if the building
13 commission finds and declares that the housing available in any such project is in
14 excess of the current housing needs or requirements of the state departments and
15 agencies occupying or availing themselves of the space in or capacity of such project,
16 the building commission need not operate such project in a manner to provide
17 revenues therefrom sufficient to pay the costs of operation and maintenance of the
18 project and to provide for the rental payments due the Wisconsin State Public
19 Building Corporation or other nonstock, nonprofit corporation.

20 **SECTION 26.** 13.488 (1) (a) of the statutes is amended to read:

21 13.488 (1) (a) Without limitation by reason of any other statutes except s. 13.48
22 (14) (am), the power to sell and to convey title in fee simple to a nonprofit-sharing
23 corporation any land and any existing buildings thereon owned by the state for such
24 consideration and upon such terms and conditions as in the judgment of the building
25 commission are in the public interest.

ASSEMBLY BILL 40**SECTION 27**

1 **SECTION 27.** 13.488 (1) (b) of the statutes is amended to read:

2 13.488 (1) (b) The Except as provided in s. 13.48 (14) (am), the power to lease
3 to a nonprofit-sharing corporation for terms not exceeding 50 years each any land
4 and existing buildings thereon owned by the state upon such terms, conditions and
5 rentals as in the judgment of the building commission are in the public interest.

6 **SECTION 28.** 14.11 (2) (b) of the statutes is amended to read:

7 14.11 (2) (b) When special counsel is employed, a contract in writing shall be
8 entered into between the state and such counsel, in which shall be fixed the
9 compensation to be paid such counsel by the state. The contract shall be executed
10 in behalf of the state by the governor, and shall be filed in the office of the secretary
11 of state. Such compensation shall be charged to the special counsel appropriation in
12 s. ~~20.455 (1) (b)~~ 20.505 (1) (d).

13 **SECTION 29.** 15.01 (6) of the statutes is amended to read:

14 15.01 (6) “Division,” “bureau,” “section,” and “unit” means the subunits of a
15 department or an independent agency, whether specifically created by law or created
16 by the head of the department or the independent agency for the more economic and
17 efficient administration and operation of the programs assigned to the department
18 or independent agency. ~~The office of justice assistance in the department of~~
19 ~~administration and the office of credit unions in the department of financial~~
20 ~~institutions, the office of the inspector general in the department of health services,~~
21 and the office of children’s mental health in the department of health services have
22 the meaning of “division” under this subsection. The office of the long-term care
23 ombudsman under the board on aging and long-term care and the office of
24 educational accountability in the department of public instruction have the meaning
25 of “bureau” under this subsection.

ASSEMBLY BILL 40

1 **SECTION 30.** 15.02 (3) (c) 1. of the statutes is amended to read:

2 15.02 (3) (c) 1. The principal subunit of the department is the “division”. Each
3 division shall be headed by an “administrator”. ~~The office of justice assistance in the~~
4 ~~department of administration and the office of credit unions in the department of~~
5 ~~financial institutions and the office of children’s mental health in the department of~~
6 ~~health services~~ have the meaning of “division” and the ~~executive staff director of the~~
7 ~~office of justice assistance in the department of administration and the director of~~
8 ~~credit unions in the department of financial institutions and the director of the office~~
9 ~~of children’s mental health in the department of health services~~ have the meaning
10 of “administrator” under this subdivision.

11 **SECTION 31.** 15.05 (3) of the statutes is repealed and recreated to read:

12 15.05 (3) ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANT. (a) Each
13 secretary may appoint an assistant deputy secretary to serve at his or her pleasure
14 outside the classified service. The assistant deputy secretary shall perform duties
15 as the secretary prescribes.

16 (b) The attorney general, the adjutant general, the director of the technical
17 college system, the state superintendent of public instruction, and the director of the
18 historical society may appoint an executive assistant to serve at his or her pleasure
19 outside the classified service. The executive assistant shall perform duties as his or
20 her appointing authority prescribes.

21 **SECTION 32.** 15.05 (5) (title) of the statutes is amended to read:

22 15.05 (5) (title) ~~EXECUTIVE~~ ASSISTANT DEPUTY SECRETARY AND EXECUTIVE
23 ASSISTANT APPROVALS.

24 **SECTION 33.** 15.06 (3) (a) 4. of the statutes is created to read:

25 15.06 (3) (a) 4. The members of the employment relations commission.

ASSEMBLY BILL 40**SECTION 34**

1 **SECTION 34.** 15.06 (3) (c) of the statutes is created to read:

2 15.06 **(3)** (c) Each member of the employment relations commission shall be
3 appointed to two-thirds of a full-time equivalent position.

4 **SECTION 35.** 15.06 (4m) of the statutes is amended to read:

5 15.06 **(4m)** EXECUTIVE ASSISTANT. ~~Each commission chairperson under s. 230.08~~
6 ~~(2) (m) and each~~ commissioner of the public service commission may appoint an
7 executive assistant to serve at his or her pleasure outside the classified service. The
8 executive assistant shall perform duties as the ~~chairperson or~~ commissioner
9 prescribes.

10 **SECTION 36.** 15.07 (2) (c) of the statutes is created to read:

11 15.07 **(2)** (c) The chairperson of the charter school oversight board shall be
12 designated by the governor.

13 **SECTION 37.** 15.105 (19) of the statutes is repealed.

14 **SECTION 38.** 15.107 (18) (b) 1. of the statutes is amended to read:

15 15.107 **(18)** (b) 1. The ~~executive director of the office of justice assistance~~
16 attorney general, the adjutant general, the secretary of natural resources, the
17 secretary of transportation, and a representative from the department of
18 administration with knowledge of information technology, or their designees.

19 **SECTION 39.** 15.193 of the statutes is created to read:

20 **15.193 Same; specified divisions. (1) OFFICE OF THE INSPECTOR GENERAL.**
21 There is created in the department of health services an office of the inspector
22 general.

23 **SECTION 40.** 15.194 of the statutes is created to read:

24 **15.194 Same; offices. (1) OFFICE OF CHILDREN'S MENTAL HEALTH.** There is
25 created an office of children's mental health in the department of health services.

ASSEMBLY BILL 40

1 The director of the office shall be appointed by the governor to serve at the pleasure
2 of the governor.

3 **SECTION 41.** 15.205 (title) of the statutes is repealed.

4 **SECTION 42.** 15.205 (4) of the statutes is renumbered 15.105 (34), and 15.105
5 (34) (intro.), as renumbered, is amended to read:

6 15.105 **(34)** CHILD ABUSE AND NEGLECT PREVENTION BOARD. (intro.) There is
7 created a child abuse and neglect prevention board, which is attached to the
8 department of ~~children and families~~ administration under s. 15.03. The board shall
9 consist of 20 members as follows:

10 **SECTION 43.** 15.255 (1) (a) 1. of the statutes is amended to read:

11 15.255 **(1)** (a) 1. ~~Six~~ Seven representatives of local law enforcement in this
12 state, at least one of whom shall be a sheriff and at least one of whom shall be a chief
13 of police.

14 **SECTION 44.** 15.255 (1) (a) 7. of the statutes is repealed.

15 **SECTION 45.** 15.375 (1) of the statutes is created to read:

16 15.375 **(1)** CHARTER SCHOOL OVERSIGHT BOARD. (a) There is created a charter
17 school oversight board attached to the department of public instruction under s.
18 15.03. The board shall consist of the state superintendent of public instruction or his
19 or her designee and the following members appointed for 3-year terms:

20 1. Two members appointed by the governor, at least one of whom has served on
21 the governing board of a charter school established under s. 118.40 (2r), has been
22 employed by a charter school established under s. 118.40 (2r), or has served on the
23 governing body of an entity specified in s. 118.40 (2r) (b) 1.

24 2. a. Two members, who are not legislators, appointed by the senate majority
25 leader.

ASSEMBLY BILL 40**SECTION 45**

1 b. One member, who is not a legislator, appointed by the senate minority leader.

2 c. Two members, who are not legislators, appointed by the speaker of the
3 assembly.

4 d. One member, who is not a legislator, appointed by the assembly minority
5 leader.

6 3. Two members, appointed by the state superintendent of public instruction,
7 who in addition to the qualifications under par. (b) have served on the governing
8 board of a charter school established under s. 118.40 (2r), have been employed by a
9 charter school established under s. 118.40 (2r), or have served on the governing body
10 of an entity specified in s. 118.40 (2r) (b) 1.

11 (b) The appointing authorities under par. (a) shall ensure to the extent feasible
12 that members appointed to the board are geographically diverse and have experience
13 and expertise in governing public and nonprofit organizations; in management and
14 finance; in public school leadership, assessment, and curriculum and instruction;
15 and in education law; and understand and are committed to the use of charter schools
16 to strengthen public education.

17 (c) No member of the board appointed under par. (a) may serve more than 2
18 consecutive terms.

19 (d) The board does not have rule-making authority.

20 **SECTION 46.** 15.406 (6) (a) 1. of the statutes is amended to read:

21 15.406 **(6)** (a) 1. Six massage therapists or bodywork therapists licensed under
22 ch. 460 who have engaged in the practice of massage therapy or bodywork therapy
23 for at least 2 years preceding appointment. One member appointed under this
24 subdivision shall be a representative of a massage therapy or bodywork therapy
25 school approved by the educational approval board under s. ~~38.50~~ 440.55. One

ASSEMBLY BILL 40

1 member appointed under this subdivision shall be a representative of a massage
2 therapy or bodywork therapy program offered by a technical college in this state. No
3 other members appointed under this subdivision shall be directly or indirectly
4 affiliated with a massage therapy or bodywork therapy school or program.

5 **SECTION 47.** 15.58 of the statutes is renumbered 15.225 (2) and amended to
6 read:

7 15.225 (2) EMPLOYMENT RELATIONS COMMISSION; ~~CREATION~~. There is created an
8 employment relations commission which is attached to the department of workforce
9 development under s. 15.03.

10 **SECTION 48.** 15.945 (title) of the statutes is repealed.

11 **SECTION 49.** 15.945 (1) of the statutes is renumbered 15.405 (18) and amended
12 to read:

13 15.405 (18) EDUCATIONAL APPROVAL BOARD. There is created an educational
14 approval board which is attached to the ~~technical college system board~~ department
15 of safety and professional services under s. 15.03. The board shall consist of not more
16 than 7 members, who shall be representatives of state agencies and other persons
17 with a demonstrated interest in educational programs, appointed to serve at the
18 pleasure of the governor.

19 **SECTION 50.** 16.004 (15) (a) of the statutes is amended to read:

20 16.004 (15) (a) In this subsection, "state agency" means ~~a~~ any office,
21 department, or independent agency in the executive branch of state government that
22 ~~has a secretary who serves at the pleasure of the governor.~~

23 **SECTION 51.** 16.004 (15) (b) of the statutes is repealed and recreated to read:

24 16.004 (15) (b) 1. At its own discretion, the department may provide legal
25 services to any state agency that has a secretary who serves at the pleasure of the

ASSEMBLY BILL 40**SECTION 51**

1 governor and shall assess the state agency for legal services provided by the division
2 of legal services.

3 2. At the request of any state agency that does not have a secretary who serves
4 at the pleasure of the governor, the department may provide legal services to the
5 state agency and shall assess the state agency for legal services provided by the
6 division of legal services.

7 3. The department shall credit all moneys received from state agencies under
8 this paragraph to the appropriation account under s. 20.505 (1) (kr).

9 **SECTION 52.** 16.004 (15) (bm) of the statutes is repealed.

10 **SECTION 53.** 16.004 (18) of the statutes is created to read:

11 16.004 (18) INTERGOVERNMENTAL AFFAIRS OFFICES. The secretary may maintain
12 intergovernmental affairs offices to conduct public outreach and promote
13 coordination between agencies, as defined in s. 16.70 (1e), and authorities, as defined
14 in s. 16.70 (2).

15 **SECTION 54.** 16.004 (19) of the statutes is created to read:

16 16.004 (19) CAPITAL INVESTMENT PROGRAM. In consultation with the director of
17 the office of business development, the secretary shall provide \$25,000,000 in fiscal
18 year 2013-14 for a capital investment program to make coinvestments in business
19 startups and investment capital projects.

20 **SECTION 55.** 16.283 (1) (b) 3. of the statutes is amended to read:

21 16.283 (1) (b) 3. A person who is in receipt of an award from the U.S.
22 department of veterans affairs of a service-connected disability rating under 38 USC
23 1114 or 1134 of at least ~~30~~ 20 percent.

24 **SECTION 56.** 16.283 (3) (b) of the statutes is renumbered 16.283 (3) (b) 1m.

25 **SECTION 57.** 16.283 (3) (b) 2m. of the statutes is created to read:

ASSEMBLY BILL 40

1 16.283 (3) (b) 2m. The department may, without conducting an investigation,
2 certify a business, financial adviser, or investment firm having its principal place of
3 business in this state and currently performing a useful business function if the
4 business, financial advisor, or investment firm is certified, or otherwise classified, as
5 a disabled veteran-owned business, financial advisor, or investment firm by an
6 agency or municipality of this or another state, a federally recognized American
7 Indian tribe, or the federal government, or by a private business with expertise in
8 certifying disabled veteran-owned businesses if the business uses substantially the
9 same procedures the department uses in making a determination under subd. 1m.

10 **SECTION 58.** 16.283 (3) (d) of the statutes is amended to read:

11 16.283 (3) (d) If a business, financial adviser, or investment firm applying for
12 certification under this section fails to provide the department with sufficient
13 information to enable the department to conduct an investigation under par. (b) 1m.
14 or does not qualify for certification under par. (b), the department shall deny the
15 application. A business, financial adviser, or investment firm whose application is
16 denied may, within 30 days after the date of the denial, appeal in writing to the
17 secretary. The secretary shall enter his or her final decision within 30 days after
18 receiving the appeal.

19 **SECTION 59.** 16.285 (1) (b) of the statutes is amended to read:

20 16.285 (1) (b) The department shall implement a program for the certification
21 of woman-owned businesses. The department ~~shall compile and periodically update~~
22 ~~a list of businesses certified under this section and shall make the list available to~~
23 ~~the public on the Internet~~ may, without conducting an investigation, certify a
24 business currently performing a useful business function in this state as a
25 woman-owned business if the business is certified, or otherwise classified, as a

ASSEMBLY BILL 40**SECTION 59**

1 woman-owned business by an agency or municipality of this or another state, a
2 federally recognized American Indian tribe, or the federal government, or by a
3 private business with expertise in certifying woman-owned businesses if the
4 business uses substantially the same process as the department promulgates by rule
5 for implementing this subsection.

6 **SECTION 60.** 16.285 (2) of the statutes is amended to read:

7 16.285 (2) The department shall develop, maintain, and keep current a
8 computer database of businesses in the state that are owned by women, containing
9 demographic statistics and information on the types of industries represented, sales
10 volume and growth rates, generation of jobs by both new and existing businesses,
11 and any other relevant characteristics. The department shall compile and
12 periodically update a list of businesses certified under sub. (1) and make the list
13 available to the public on the Internet.

14 **SECTION 61.** 16.287 (2) (c) of the statutes is amended to read:

15 16.287 (2) (c) The department, without investigation, may certify a business
16 incorporated in this state or having its principal place of business in this state if the
17 business is certified or otherwise classified as a minority business by an agency or
18 municipality of this or another state, a federally recognized American Indian tribe,
19 or the federal government, or by a private business with expertise in certifying
20 minority businesses if the private business uses substantially the same procedures
21 as those used by the department in making a determination under par. (b).

22 **SECTION 62.** 16.287 (2) (e) of the statutes is amended to read:

23 16.287 (2) (e) If a business refuses to provide the department with sufficient
24 information to enable it to conduct an investigation under par. (b) or if the business
25 does not qualify for certification under par. (b), (c) or (d), the department shall deny

ASSEMBLY BILL 40

1 the application. A business whose application is denied may, within 30 days after
2 the date of the denial, appeal in writing to the secretary. The secretary shall enter
3 his or her final decision within 30 days after receiving the appeal.

4 **SECTION 63.** 16.309 (title) of the statutes is amended to read:

5 **16.309 (title) Community development block grant housing programs.**

6 **SECTION 64.** 16.309 (1) of the statutes is amended to read:

7 16.309 (1) The department may administer housing programs, including the
8 housing improvement grant program and, the initial rehabilitation grant program,
9 the community development grant program, and the revolving loan fund program,
10 that are funded by a community development block grant, 42 USC 5301 to 5320.

11 **SECTION 65.** 16.310 (5) of the statutes is amended to read:

12 16.310 (5) NONAPPLICATION. This section does not apply to property that is
13 authorized to be sold under or leased or property that is operated under contract as
14 provided in s. 16.848 while an offer of sale, sale, or lease agreement is pending or
15 while the property is leased or under contractual operation.

16 **SECTION 66.** 16.505 (4) (b) of the statutes is amended to read:

17 16.505 (4) (b) ~~Except as provided in par. (c), no~~ No agency may change the
18 funding source for a position authorized under this section unless the position is
19 authorized to be created under a different funding source in accordance with this
20 section.

21 **SECTION 67.** 16.505 (4) (c) of the statutes is repealed.

22 **SECTION 68.** 16.70 (2) of the statutes is amended to read:

23 16.70 (2) "Authority" means a body created under subch. II of ch. 114 or subch.
24 III of ch. 149 or under ch. 231, 232, 233, 234, 237, 238, or 279.

25 **SECTION 69.** 16.70 (2j) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 69**

1 16.70 (2j) “Commodity” means materials, supplies, or equipment, but does not
2 include a service.

3 **SECTION 70.** 16.70 (3) of the statutes is amended to read:

4 16.70 (3) “Contractual services” includes all services, materials to be furnished
5 by a service provider in connection with services, and any limited trades work
6 involving less than \$30,000 to be done for or furnished to the state or any agency, but
7 does not include maintenance or support that is incidental to the purchase of a
8 commodity.

9 **SECTION 71.** 16.70 (3j) of the statutes is created to read:

10 16.70 (3j) “Delegated agency” means an agency that has a designated
11 purchasing agent to whom the department has delegated the authority to purchase
12 under s. 16.71 (1).

13 **SECTION 72.** 16.70 (8) of the statutes is amended to read:

14 16.70 (8) “Municipality” means a county, city, village, town, school district,
15 board of school directors, sewer district, drainage district, technical college district,
16 authority, or any other public or quasi-public corporation, officer, board or other body
17 having the authority to award public contracts.

18 **SECTION 73.** 16.70 (13m) of the statutes is created to read:

19 16.70 (13m) “Standard specification” means a requirement or qualification
20 that is chemical, physical, or both chemical and physical that describes the
21 commodity or service to be purchased but is not a trade name.

22 **SECTION 74.** 16.701 (title) of the statutes is amended to read:

23 **16.701 (title) Subscription service and procurement system.**

24 **SECTION 75.** 16.701 (1m) of the statutes is created to read:

ASSEMBLY BILL 40

1 16.701 (1m) The department may provide an electronic procurement system
2 to manage all aspects of procurement under this subchapter. The electronic
3 procurement system may supplement or supplant the subscription service under
4 sub. (1). If the department provides an electronic procurement system under this
5 subsection, the department may require that an agency use the system. The
6 department may assess agencies and vendors for the costs of the system under this
7 subsection in accordance with a method the department develops.

8 **SECTION 76.** 16.701 (2) of the statutes is amended to read:

9 16.701 (2) The department may permit prospective vendors to provide product
10 or service information through the service established under sub. (1) or through the
11 system provided under sub. (1m). The department may prescribe fees or establish
12 fees through a competitive process for the use of the service or system under this
13 subsection.

14 **SECTION 77.** 16.7015 of the statutes is amended to read:

15 **16.7015 Bidders list.** The department may maintain a bidders list. Any
16 ~~agency to which the department delegates purchasing authority under s. 16.71 (1)~~
17 ~~may maintain a bidders list if authorized by the delegation.~~ The bidders list shall
18 include the names and addresses of all persons who request to be notified of bids or
19 competitive sealed proposals, excluding those to be awarded under s. 16.75 (1) (c) or
20 (2m) (c), that are solicited by the department or ~~other~~ delegated agency for the
21 procurement of materials, supplies, equipment, or contractual services under this
22 subchapter. Any bidders list ~~maintained by the department~~ may include the names
23 and addresses of any person who requests to be notified of bids or competitive sealed
24 proposals that are solicited by any agency. The department or ~~other~~ delegated
25 agency shall notify each person on its the bidders list of all bids or competitive sealed

ASSEMBLY BILL 40**SECTION 77**

1 proposals that are solicited by the department or ~~other~~ delegated agency. The
2 department ~~or other agency~~ may remove any person from its the bidders list for
3 cause.

4 **SECTION 78.** 16.705 (1) of the statutes is amended to read:

5 16.705 (1) The department or ~~its agents~~ a delegated agency may contract for
6 services which can be performed more economically or efficiently by such contract.
7 The department shall, by rule, prescribe uniform procedures for determining
8 whether services are appropriate for contracting under this subsection.

9 **SECTION 79.** 16.705 (1b) (intro.) and (c) of the statutes are created to read:

10 16.705 (1b) (intro.) The determinations under sub. (1) do not apply to a contract
11 entered into by any of the following:

12 (c) The department under s. 16.848 (1).

13 **SECTION 80.** 16.705 (1m) of the statutes is renumbered 16.705 (1b) (a) and
14 amended to read:

15 16.705 (1b) (a) ~~Subsection (1) does not apply to contracts entered into by the~~
16 The service award board under s. 16.25 (4) (b).

17 **SECTION 81.** 16.705 (1n) of the statutes, as affected by 2011 Wisconsin Act 266,
18 is renumbered 16.705 (1b) (b) and amended to read:

19 16.705 (1b) (b) ~~Subsection (1) does not apply to a contract entered into by the~~
20 The department of corrections for global positioning system tracking services under
21 s. 301.48 (3) or 301.49.

22 **SECTION 82.** 16.705 (1r) (intro.) of the statutes is amended to read:

23 16.705 (1r) (intro.) Notwithstanding s. 16.75 (2m) and (3m), and except as
24 provided in s. 16.75 (2) (b) and (7), the department ~~and its agents~~ or a delegated
25 agency may purchase contractual services only if those services are performed

ASSEMBLY BILL 40

1 within the United States, which, notwithstanding s. 990.01 (40) and (44), includes
2 only the 50 states and the District of Columbia. This requirement does not apply to
3 any of the following:

4 **SECTION 83.** 16.705 (2) of the statutes, as affected by 2011 Wisconsin Act 32,
5 is renumbered 16.705 (2) (a) and amended to read:

6 16.705 (2) (a) The department shall promulgate rules for the procurement of
7 contractual services by the department and ~~its designated agents~~ or a delegated
8 agency, including but not limited to rules prescribing approval and monitoring
9 processes for contractual service contracts; except as provided in par. (b), a
10 requirement for agencies, except for the University of Wisconsin System, to conduct
11 a uniform cost-benefit analysis of each proposed contractual service procurement
12 involving an estimated expenditure of more than \$25,000 \$50,000 in accordance with
13 standards prescribed in the rules; and, except as provided in par. (b), a requirement
14 for agencies, except for the University of Wisconsin System, to review periodically,
15 and before any renewal, the continued appropriateness of contracting under each
16 contractual services agreement involving an estimated expenditure of more than
17 \$25,000 \$50,000.

18 (c) Each officer requesting approval to engage any person to perform
19 contractual services shall submit to the department written justification for such
20 contracting which shall include a description of the contractual services to be
21 procured, justification of need, justification for not contracting with other agencies,
22 a specific description of the scope of contractual services to be performed, and
23 justification for the procurement process if a process other than competitive bidding
24 is to be used. The department may not approve any contract for contractual services

ASSEMBLY BILL 40**SECTION 83**

1 unless it is satisfied that the justification for contracting conforms to the
2 requirements of this section and ss. 16.71 to 16.77.

3 **SECTION 84.** 16.705 (2) (b) of the statutes is created to read:

4 16.705 (2) (b) A cost-benefit analysis or continued appropriateness review is
5 not required for the following services:

6 1. Services that federal or state law requires to be performed by contract.

7 2. Services that are incidental to the purchase of a commodity.

8 3. Services that must be provided per a contract, license, or warranty, by the
9 original equipment manufacturer or publisher.

10 4. Services that cannot be performed by state employees because the state lacks
11 the required infrastructure.

12 5. Services that are expected to be completed within 12 months.

13 6. Web-based software application services that are delivered and managed
14 remotely.

15 **SECTION 85.** 16.705 (9) of the statutes is amended to read:

16 16.705 (9) The department shall maintain a list of persons that are or have
17 been a party to a contract with the state under this subchapter who have violated a
18 provision of this subchapter or a contract under this subchapter or who have been
19 debarred from contracting with the federal government or any agency. The parties
20 on the list are ineligible for state contracts and no state contract may be awarded to
21 a party on the ineligible list. The department may remove any party from the
22 ineligible list if the department determines that the party's practices comply with
23 this subchapter and ~~provide the party provides~~ adequate safeguards against future
24 violations of this subchapter or contracts under this subchapter or, if the person was

ASSEMBLY BILL 40

1 on the list due to debarment, the person is no longer debarred. The department shall
2 promulgate rules that provide procedures to implement this subsection.

3 **SECTION 86.** 16.71 (3) of the statutes is amended to read:

4 16.71 (3) ~~If~~ The department, department of revenue, or delegated agency shall
5 comply with the requirements under s. 565.25 if the department makes or delegates
6 to the department of revenue or to any other designated purchasing agent under sub-
7 (1) delegated agency the authority to make a major procurement, as defined in s.
8 565.01 (4), for the department of revenue, the department, department of revenue,
9 or designated purchasing agent shall comply with the requirements under s. 565.25.

10 **SECTION 87.** 16.72 (2) (a) of the statutes is renumbered 16.72 (2) (a) 1. and
11 amended to read:

12 16.72 (2) (a) 1. The department shall prepare standard specifications, as far as
13 possible, for all state purchases. ~~By “standard specifications” is meant a~~
14 ~~specification, either chemical or physical or both, prepared to describe in detail the~~
15 ~~article which the state desires to purchase, and trade names shall not be used~~
16 statewide except those purchases under subd. 2. On the formulation, adoption and
17 modification of any standard specifications, the department of administration shall
18 also seek and be accorded without cost, the assistance, advice, and cooperation of
19 other agencies and officers.

20 3. Each specification adopted under subd. 1. or 2. for any commodity purchase
21 shall, insofar as possible, satisfy the requirements of any and all agencies which use
22 it in common.

23 **SECTION 88.** 16.72 (2) (a) 2. of the statutes is created to read:

24 16.72 (2) (a) 2. Delegated agencies shall adopt standard specifications for all
25 delegated purchases.

ASSEMBLY BILL 40**SECTION 89**

1 **SECTION 89.** 16.72 (2) (b) of the statutes is amended to read:

2 16.72 (2) (b) Except as provided in ss. 16.25 (4) (b), 16.751, and 565.25 (2) (a)
3 4., the department or delegated agency shall prepare or review specifications for all
4 materials, supplies, equipment, other permanent personal property and contractual
5 services not purchased under standard specifications. Such “nonstandard
6 specifications” may be generic or performance specifications, or both, prepared to
7 describe in detail the article which the state desires to purchase either by its physical
8 properties or by its programmatic utility. When appropriate for such nonstandard
9 items or services, trade names may be used to identify what the state department or
10 delegated agency requires, but wherever possible 2 or more trade names shall be
11 designated and the trade name of any Wisconsin producer, distributor or supplier
12 shall appear first.

13 **SECTION 90.** 16.72 (2) (c) of the statutes is amended to read:

14 16.72 (2) (c) To the extent possible, the department or delegated agency shall
15 write specifications so as to permit the purchase of materials manufactured in the
16 United States, as defined in s. 16.754 (1) (b).

17 **SECTION 91.** 16.72 (2) (e) (intro.) of the statutes is amended to read:

18 16.72 (2) (e) (intro.) In writing the specifications under this subsection, the
19 department ~~and any other designated purchasing agent under s. 16.71 (1) or~~
20 delegated agency shall incorporate requirements for the purchase of products made
21 from recycled materials and recovered materials if their use is technically and
22 economically feasible. Each authority other than the University of Wisconsin
23 Hospitals and Clinics Authority, the Lower Fox River Remediation Authority, and
24 the Health Insurance Risk-Sharing Plan Authority, in writing specifications for
25 purchasing by the authority, shall incorporate requirements for the purchase of

ASSEMBLY BILL 40

1 products made from recycled materials and recovered materials if their use is
2 technically and economically feasible. The specifications shall include requirements
3 for the purchase of the following materials:

4 **SECTION 92.** 16.72 (2) (f) of the statutes is amended to read:

5 16.72 (2) (f) In writing specifications under this subsection, the department,
6 any other designated purchasing agent under s. 16.71 (1) delegated agency, and each
7 authority other than the University of Wisconsin Hospitals and Clinics Authority,
8 the Lower Fox River Remediation Authority, and the Health Insurance
9 Risk-Sharing Plan Authority shall incorporate requirements relating to the
10 recyclability and ultimate disposition of products and, wherever possible, shall write
11 the specifications so as to minimize the amount of solid waste generated by the state,
12 consistent with the priorities established under s. 287.05 (12). All specifications
13 under this subsection shall discourage the purchase of single-use, disposable
14 products and require, whenever practical, the purchase of multiple-use, durable
15 products.

16 **SECTION 93.** 16.72 (4) (a) of the statutes is amended to read:

17 16.72 (4) (a) Except as provided in ss. 16.71 and 16.74 or as otherwise provided
18 in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all
19 supplies, materials, equipment, and contractual services shall be purchased for and
20 furnished to any agency only upon requisition to the department. The department
21 shall prescribe the form, contents, number, and disposition of requisitions and shall
22 promulgate rules as to time and manner of submitting such requisitions for
23 processing. No Except as provided in ss. 16.71 and 16.74 or as otherwise provided
24 in this subchapter and the rules promulgated under s. 16.74 and this subchapter, no
25 agency or officer may engage any person to perform contractual services without the

ASSEMBLY BILL 40**SECTION 93**

1 specific prior approval of the department for each such engagement. Purchases of
2 supplies, materials, equipment, or contractual services by the legislature, the courts,
3 or legislative service or judicial branch agencies do not require approval under this
4 paragraph.

5 **SECTION 94.** 16.72 (4m) of the statutes is repealed.

6 **SECTION 95.** 16.73 (1m) of the statutes is created to read:

7 16.73 (1m) The department or a delegated agency may allow municipalities to
8 participate in state procurement solicitations and use any current state contract.

9 **SECTION 96.** 16.73 (5) of the statutes, as affected by 2011 Wisconsin Act 32, is
10 amended to read:

11 16.73 (5) After the department designates the board of regents of the
12 University of Wisconsin System or designates the University of Wisconsin-Madison
13 as its purchasing agent for any purpose under s. 16.71 (1) a delegated agency, the
14 board or the University of Wisconsin-Madison may enter into a contract to sell any
15 materials, supplies, equipment or contractual services purchased by the board or the
16 University of Wisconsin-Madison to the University of Wisconsin Hospitals and
17 Clinics Authority, and may contract with the University of Wisconsin Hospitals and
18 Clinics Authority for the joint purchase of any materials, supplies, equipment or
19 contractual services if the sale or purchase is made consistently with that delegation
20 and with this subchapter.

21 **SECTION 97.** 16.75 (1) (a) 1. of the statutes is amended to read:

22 16.75 (1) (a) 1. All orders awarded or contracts made by the department or a
23 delegated agency for all materials, supplies, equipment, and contractual services to
24 be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g),
25 (2m), (3m), (3t), (6), (7), (8), (9), (10e), and (10m) and ss. 16.705 (1r), 16.73 (4) (a),

ASSEMBLY BILL 40

1 16.751, 16.754, ~~16.964 (8)~~, 50.05 (7) (f), 153.05 (2m) (a), 165.987, and 287.15 (7), shall
2 be awarded to the lowest responsible bidder, taking into consideration life cycle cost
3 estimates under sub. (1m), when appropriate, the location of the agency, the
4 quantities of the articles to be supplied, their conformity with the specifications, and
5 the purposes for which they are required and the date of delivery.

6 **SECTION 98.** 16.75 (1) (a) 2. of the statutes is amended to read:

7 16.75 (1) (a) 2. If a vendor is not a Wisconsin producer, distributor, supplier or
8 retailer and the department determines that the state, foreign nation or subdivision
9 thereof in which the vendor is domiciled grants a preference to vendors domiciled in
10 that state, nation or subdivision in making governmental purchases, the
11 department, a delegated agency, and any agency making purchases under s. 16.74
12 shall give a preference over that vendor to Wisconsin producers, distributors,
13 suppliers and retailers, if any, when awarding the order or contract. The department
14 may enter into agreements with states, foreign nations and subdivisions thereof for
15 the purpose of implementing this subdivision.

16 **SECTION 99.** 16.75 (1) (b) 1. and 3. of the statutes, as affected by 2011 Wisconsin
17 Act 32, are consolidated, renumbered 16.75 (1) (b) and amended to read:

18 16.75 (1) (b) ~~Except as provided in subd. 2., when~~ When the estimated cost
19 exceeds ~~\$25,000~~ \$50,000, the department or delegated agency shall invite bids to be
20 submitted. ~~3. If subd. 1. or 2. requires bids~~ are to be solicited, the department or
21 delegated agency either shall solicit sealed bids to be opened publicly at a specified
22 date and time, or shall solicit bidding by auction to be conducted electronically at a
23 specified date and time. Whenever bids are invited, due notice inviting bids shall be
24 published as a class 2 notice, under ch. 985 or posted on the Internet at a site
25 determined or approved by the department. The bid opening or auction shall occur

ASSEMBLY BILL 40**SECTION 99**

1 at least 7 days after the date of the last insertion of the notice or at least 7 days after
2 the date of posting on the Internet. The notice shall specify whether sealed bids are
3 invited or bids will be accepted by auction, and shall give a clear description of the
4 materials, supplies, equipment, or contractual services to be purchased, the amount
5 of any bond, share draft, check, or other draft to be submitted as surety with the bid
6 or prior to the auction, and the date and time that the public opening or the auction
7 will be held.

8 **SECTION 100.** 16.75 (1) (b) 2. of the statutes, as created by 2011 Wisconsin Act
9 32, is repealed.

10 **SECTION 101.** 16.75 (1) (c) of the statutes is amended to read:

11 16.75 (1) (c) Except as provided in sub. (7), when the estimated cost is \$25,000
12 \$50,000 or less, the award may be made in accordance with simplified procedures
13 established by the department for such transactions.

14 **SECTION 102.** 16.75 (1m) of the statutes is amended to read:

15 16.75 (1m) The department or a delegated agency shall award each order or
16 contract for materials, supplies or equipment on the basis of life cycle cost estimates,
17 whenever such action is appropriate. Each authority other than the University of
18 Wisconsin Hospitals and Clinics Authority, the Lower Fox River Remediation
19 Authority, the Wisconsin Aerospace Authority, and the Health Insurance
20 Risk-Sharing Plan Authority shall award each order or contract for materials,
21 supplies or equipment on the basis of life cycle cost estimates, whenever such action
22 is appropriate. The terms, conditions and evaluation criteria to be applied shall be
23 incorporated in the solicitation of bids or proposals. The life cycle cost formula may
24 include, but is not limited to, the applicable costs of energy efficiency, acquisition and
25 conversion, money, transportation, warehousing and distribution, training,

ASSEMBLY BILL 40

1 operation and maintenance and disposition or resale. The department shall prepare
2 documents containing technical guidance for the development and use of life cycle
3 cost estimates, and shall make the documents available to interested parties,
4 including local governmental units.

5 **SECTION 103.** 16.75 (2m) (a) of the statutes is amended to read:

6 16.75 (2m) (a) Except as otherwise required by law, if the secretary or his or
7 her designee determines that the use of competitive sealed bidding is not practicable
8 or not advantageous to this state, the department or delegated agency may solicit
9 competitive sealed proposals. Each request for competitive sealed proposals shall
10 state the relative importance of price and other evaluation factors.

11 **SECTION 104.** 16.75 (2m) (b) 1. and 3. of the statutes, as affected by 2011
12 Wisconsin Act 32, are consolidated, renumbered 16.75 (2m) (b) and amended to read:

13 16.75 (2m) (b) ~~Except as provided in subd. 2., when~~ When the estimated cost
14 exceeds ~~\$25,000~~ \$50,000, the department or delegated agency may invite
15 competitive sealed proposals. 3. If competitive sealed proposals are to be invited, the
16 department or delegated agency shall publish a class 2 notice under ch. 985 or post
17 notice on the Internet at a site determined or approved by the department. The
18 notice shall describe the materials, supplies, equipment, or contractual services to
19 be purchased, the intent to make the procurement by solicitation of proposals rather
20 than by solicitation of bids, any requirement for surety and the date the proposals
21 will be opened, which shall be at least 7 days after the date of the last insertion of
22 the notice or at least 7 days after the date of posting on the Internet.

23 **SECTION 105.** 16.75 (2m) (b) 2. of the statutes, as created by 2011 Wisconsin Act
24 32, is repealed.

25 **SECTION 106.** 16.75 (2m) (c) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 106**

1 16.75 (2m) (c) When the estimated cost is \$25,000 \$50,000 or less, the
2 department or delegated agency may award the order or contract in accordance with
3 simplified procedures established by the department for such transactions.

4 **SECTION 107.** 16.75 (2m) (d) of the statutes is amended to read:

5 16.75 (2m) (d) For purposes of clarification, the department or delegated
6 agency may discuss the requirements of the proposed order or contract with any
7 person who submits a proposal and shall permit any offerer to revise his or her
8 proposal to ensure its responsiveness to those requirements.

9 **SECTION 108.** 16.75 (2m) (e) of the statutes is amended to read:

10 16.75 (2m) (e) The department or delegated agency shall determine which
11 proposals are reasonably apt to be awarded the order or contract and shall provide
12 each offerer of such a proposal a fair and equal opportunity to discuss the proposal.
13 The department or delegated agency may negotiate with each offerer in order to
14 obtain terms that are advantageous ~~to this state~~. Prior to the award of the order or
15 contract, any offerer may revise his or her proposal. The department or delegated
16 agency shall keep a written record of all meetings, conferences, oral presentations,
17 discussions, negotiations, and evaluations of proposals under this section.

18 **SECTION 109.** 16.75 (2m) (f) of the statutes is amended to read:

19 16.75 (2m) (f) In opening, discussing, and negotiating proposals, the
20 department or delegated agency may not disclose any information that would reveal
21 the terms of a competing proposal.

22 **SECTION 110.** 16.75 (2m) (g) of the statutes is amended to read:

23 16.75 (2m) (g) After receiving each offerer's best and final offer, the department
24 or delegated agency shall determine which proposal is most advantageous and shall
25 award the order or contract to the person who offered it. The department's

ASSEMBLY BILL 40**SECTION 110**

1 department or delegated agency shall base its ~~determination shall be based~~ only on
2 price and the other evaluation factors specified in the request for proposals. The
3 department or delegated agency shall state in writing the reason for the award and
4 shall place the statement in the contract file. This paragraph does not apply to
5 procurements under s. 16.751.

6 **SECTION 111.** 16.75 (3m) (b) 1. of the statutes is amended to read:

7 16.75 (3m) (b) 1. The department, a delegated agency, and any agency making
8 purchases under s. 16.74 shall attempt to ensure that 5 percent of the total amount
9 expended under this subchapter in each fiscal year is paid to minority businesses.

10 **SECTION 112.** 16.75 (3m) (b) 2. of the statutes is amended to read:

11 16.75 (3m) (b) 2. The department, a delegated agency, and any agency making
12 purchases under s. 16.74 shall make efforts to ensure that a portion of the total
13 amount expended under this subchapter in each fiscal year is paid to disabled
14 veteran-owned businesses.

15 **SECTION 113.** 16.75 (3m) (b) 3. of the statutes is amended to read:

16 16.75 (3m) (b) 3. Except as provided under sub. (7), the department, a
17 delegated agency, and any agency making purchases under s. 16.74 may purchase
18 materials, supplies, equipment, and contractual services from any minority business
19 or disabled veteran-owned business, or a business that is both a minority business
20 and a disabled veteran-owned business, submitting a qualified responsible
21 competitive bid that is no more than 5 percent higher than the apparent low bid or
22 competitive proposal that is no more than 5 percent higher than the most
23 advantageous proposal. In administering the preference for minority businesses or
24 disabled veteran-owned businesses established in this paragraph, the department,
25 a delegated agency, and any agency making purchases under s. 16.74 shall maximize

ASSEMBLY BILL 40**SECTION 113**

1 the use of minority businesses or disabled veteran-owned businesses which are
2 incorporated under ch. 180 or which have their principal place of business in this
3 state.

4 **SECTION 114.** 16.75 (3t) (c) (intro.) of the statutes is amended to read:

5 16.75 (3t) (c) (intro.) The department of corrections shall periodically provide
6 to the department of administration a current list of all materials, supplies,
7 equipment, or contractual services, excluding commodities, that are supplied by
8 prison industries, as created under s. 303.01. The department of administration
9 shall distribute the list to all ~~designated purchasing agents under s. 16.71 (1)~~
10 delegated agencies. Except as otherwise provided in sub. (6) (am), prior to seeking
11 bids or competitive sealed proposals with respect to the purchase of any materials,
12 supplies, equipment, or contractual services enumerated in the list, the department
13 of administration or ~~any other designated purchasing agent under s. 16.71 (1)~~
14 delegated agency shall offer prison industries the opportunity to supply the
15 materials, supplies, equipment, or contractual services if the department of
16 corrections is able to provide them at a price that is equal to or lower than one which
17 may be obtained through competitive bidding or competitive sealed proposals and is
18 able to conform to the specifications. If the department of administration or ~~other~~
19 ~~purchasing agent~~ delegated agency is unable to determine whether the price of
20 prison industries is equal to or lower than one obtained through competitive bidding
21 or competitive sealed proposals, it may solicit bids or competitive proposals before
22 awarding the order or contract. This paragraph does not apply to the printing of the
23 following forms:

24 **SECTION 115.** 16.75 (5) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 115**

1 16.75 (5) The department or delegated agency may require of bidders, persons
2 making proposals under sub. (2m) or contractors such sureties as, in its judgment,
3 are deemed advisable and may decide as to their responsibility and competency. The
4 department or delegated agency may require a contractor to provide a bond
5 furnished by a surety company authorized to do business in this state, for the proper
6 performance of each contract.

7 **SECTION 116.** 16.75 (6) (c) of the statutes is amended to read:

8 16.75 (6) (c) If the governor or, if acting as the governor's designee, the secretary
9 determines that it is in the best interest of this state to do so, he or she may, ~~with the~~
10 ~~approval of the governor,~~ waive the requirements of subs. (1) to (5) and may purchase
11 supplies, ~~material~~ materials, equipment, or contractual services, other than printing
12 and stationery, from a private source other than a source specified in par. (b). Except
13 as provided in sub. (2g) (c), if the cost of the purchase is expected to exceed \$25,000
14 \$50,000, the department shall first publish a class 2 notice under ch. 985 or post a
15 notice on the Internet at the site determined or approved by the department under
16 sub. (1) (b) describing the materials, supplies, equipment, or contractual services to
17 be purchased, stating the intent to make the purchase from a private source without
18 soliciting bids or competitive sealed proposals and stating the date on which the
19 contract or purchase order will be awarded. The date of the award shall be at least
20 7 days after the date of the last insertion or the date of posting on the Internet.

21 **SECTION 117.** 16.75 (6) (d) of the statutes is amended to read:

22 16.75 (6) (d) If the governor or, if acting as the governor's designee, the
23 secretary determines that it is in the best interest of this state to do so, he or she may
24 issue a general waiver of the requirements of subs. (1) to (5) permitting the purchase
25 of specified materials, supplies, equipment, or contractual services, except printing

ASSEMBLY BILL 40**SECTION 117**

1 and stationery, from a private source. A general waiver may be issued for any period
2 up to one year. The governor or, if acting as the governor's designee, the secretary
3 may impose any necessary or appropriate condition or restriction on the waiver.

4 **SECTION 118.** 16.75 (8) (a) 1. of the statutes is amended to read:

5 16.75 (8) (a) 1. The department, any ~~other designated purchasing agent under~~
6 ~~s. 16.71 (1) delegated agency~~, any agency making purchases under s. 16.74, and each
7 authority other than the University of Wisconsin Hospitals and Clinics Authority,
8 the Lower Fox River Remediation Authority, and the Health Insurance
9 Risk-Sharing Plan Authority shall, to the extent practicable, make purchasing
10 selections using specifications developed under s. 16.72 (2) (e) to maximize the
11 purchase of materials utilizing recycled materials and recovered materials.

12 **SECTION 119.** 16.75 (9) of the statutes is amended to read:

13 16.75 (9) The department, any ~~other designated purchasing agent under s.~~
14 ~~16.71 (1) delegated agency~~, any agency making purchases under s. 16.74, and any
15 authority other than the University of Wisconsin Hospitals and Clinics Authority,
16 the Lower Fox River Remediation Authority, and the Health Insurance
17 Risk-Sharing Plan Authority shall, to the extent practicable, make purchasing
18 selections using specifications prepared under s. 16.72 (2) (f).

19 **SECTION 120.** 16.75 (10e) (a) of the statutes is amended to read:

20 16.75 (10e) (a) In this subsection, "energy consuming equipment" means any
21 equipment that is designed for heating, ventilation, air conditioning, water heating
22 or cooling, lighting, or refrigeration, ~~or any other function, and that consumes energy.~~

23 **SECTION 121.** 16.75 (10e) (b) of the statutes is amended to read:

24 16.75 (10e) (b) If s. 16.855 (10s) (a) provides an applicable standard for the type
25 of agency energy consuming equipment being purchased and the purchase will cost

ASSEMBLY BILL 40**SECTION 121**

1 more than \$5,000 per unit the department, any ~~other designated purchasing agent~~
2 ~~under s. 16.71 (1) delegated agency~~, any agency making purchases under s. 16.74,
3 and any authority may not purchase that type of energy consuming equipment
4 unless the specifications for the equipment meet the applicable standards. If there
5 is an applicable standard under s. 16.855 (10s) (a), but the energy consuming
6 equipment meeting that standard is not reasonably available, the department,
7 ~~purchasing agent delegated agency~~, agency, or authority shall ensure, for purchases
8 over \$5,000 per unit, that the energy consuming equipment that is purchased
9 maximizes energy efficiency to the extent technically and economically feasible. The
10 department, ~~purchasing agent delegated agency~~, agency, or authority shall not
11 determine that energy consuming equipment that meets the applicable standard
12 under s. 16.855 (10s) (a) either is not reasonably available on the basis of cost alone
13 or is not cost-effective unless the difference in the cost of the purchase and
14 installation of the equipment that meets the standard and the equipment that would
15 otherwise be installed is greater than the difference in the cost of operating the
16 equipment that meets the standard and the equipment that would otherwise be
17 installed over the anticipated life of the equipment.

18 **SECTION 122.** 16.75 (10m) of the statutes is amended to read:

19 16.75 (10m) The department, any ~~other designated purchasing agent under s.~~
20 ~~16.71 (1) delegated agency~~, any agency making purchases under s. 16.74, and any
21 authority shall not enter into any contract or order for the purchase of materials,
22 supplies, equipment, or contractual services with a person if the name of the person,
23 or the name of an affiliate of that person, is certified to the department by the
24 secretary of revenue under s. 77.66.

25 **SECTION 123.** 16.84 (1) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 123**

1 16.84 (1) Have charge of, operate, maintain and keep in repair the state capitol
2 building, the executive residence, ~~the light, heat and power plant, any heating,~~
3 cooling, and power plants serving state properties that are not operated by an agency,
4 as defined in s. 16.52 (7), or by a purchaser, lessee, or contractor under s. 13.48 (14)
5 or 16.848 (1), the state office buildings and their power plants, the grounds connected
6 therewith, and such other state properties as are designated by law. All costs of such
7 operation and maintenance shall be paid from the appropriations under s. 20.505 (5)
8 (ka) and (kb), except for debt service costs paid under s. 20.866 (1) (u). The
9 department shall transfer moneys from the appropriation under s. 20.505 (5) (ka) to
10 the appropriation account under s. 20.505 (5) (kc) sufficient to make principal and
11 interest payments on state facilities and payments to the United States under s.
12 13.488 (1) (m).

13 **SECTION 124.** 16.848 (title) of the statutes is amended to read:

14 **16.848 (title) Sale, lease, or contractual operation of certain state**
15 **property or facilities.**

16 **SECTION 125.** 16.848 (1) of the statutes is amended to read:

17 16.848 (1) Except as provided in sub. (2), the department may offer for sale or
18 lease any state-owned real property, if the department determines that the sale or
19 lease is in the best interest of the state, unless prohibited under the state or federal
20 constitution or federal law or the sale is conducted as a part of a procedure to enforce
21 an obligation to this state. Any sale may be either on the basis of public bids, with
22 the department reserving the right to reject any bid in the best interest of the state,
23 or on the basis of negotiated prices as determined through a competitive or
24 transparent process. If the department receives an offer to purchase property offered
25 under this subsection, the department may submit a report to the building

ASSEMBLY BILL 40**SECTION 125**

1 commission recommending acceptance of the offer. The report shall contain a
2 description of the property and the reasons for the recommendation. The
3 department may recommend the sale of a ~~parcel of~~ property with or without the
4 approval of the agency, as defined in s. 16.52 (7), having jurisdiction of over the
5 property and regardless of whether the property is included in an inventory
6 submitted under s. 13.48 (14) (d). If the building commission approves the proposed
7 sale, the department may sell the property. Except with respect to property
8 identified in sub. (2), if any agency, as defined in s. 16.52 (7), has authority to sell or
9 lease real property under any other law, the authority of that agency does not apply
10 after the department notifies the agency in writing that an offer of sale or sale, or a
11 lease agreement, is pending with respect to the property under this subsection. If
12 the sale or lease is not completed and no further action is pending with respect to the
13 property, the authority of the agency to sell or lease the property is restored. If the
14 department sells or leases any state-owned real property under this subsection, the
15 department may attach such conditions to the sale or lease as it finds to be necessary
16 or appropriate to carry out the sale or lease in the best interest of the state. If the
17 department sells or leases a state-owned heating, cooling, or power plant under this
18 subsection, the department may contract with the purchaser or lessee for the
19 operation of the plant.

20 **SECTION 126.** 16.848 (1e) of the statutes is created to read:

21 16.848 (1e) If the department sells, leases, or contracts with a purchaser or
22 lessee for the operation of any real property under sub. (1) that was under the
23 jurisdiction of an agency, as defined in s. 16.52 (7), prior to the sale, lease, or contract,
24 the agency shall convey all systems, fixtures, or additional property interests
25 specified by the department to the purchaser or lessee of the property on terms

ASSEMBLY BILL 40**SECTION 126**

1 specified by the department. If the department sells, leases, or contracts with a
2 purchaser or lessee for the operation of a state-owned heating, cooling, or power
3 plant that is under the jurisdiction of an agency, as defined in s. 16.52 (7), the agency
4 shall convey all real and personal property associated with the plant to the purchaser
5 or lessee on terms specified by the department.

6 **SECTION 127.** 16.848 (1m) of the statutes is created to read:

7 16.848 (1m) If any property that is proposed to be sold by the department under
8 sub. (1) is co-owned by a nonstate entity, the department shall afford to that entity
9 the right of first refusal to purchase the share of the property owned by the state on
10 reasonable financial terms established by the department.

11 **SECTION 128.** 16.848 (1s) of the statutes is created to read:

12 16.848 (1s) (a) If the department sells, leases, or contracts with a purchaser or
13 lessee for the operation of any facility under sub. (1) that is operated by an agency,
14 as defined in s. 16.52 (7), on the day prior to the effective date of the sale, lease, or
15 contract, the secretary shall, notwithstanding s. 16.50 (1), require submission of
16 expenditure estimates for approval under s. 16.50 (2) for each agency that proposes
17 to expend moneys from any appropriation for the operation of the facility during the
18 fiscal biennium in which the facility is sold or leased or operated under contract.

19 (b) Notwithstanding s. 16.50 (2), the secretary shall disapprove any such
20 estimate for the period during which the facility is not operated by the agency. The
21 secretary may then require the use of the amounts of any disapproved expenditure
22 estimates for the purpose of purchase of contractual services from the facility or
23 payment of the costs of purchasing services that were provided by the facility from
24 an alternative source. If the department sells, leases, or contracts for the operation
25 of a facility under this subsection, the secretary may identify any full-time

ASSEMBLY BILL 40**SECTION 128**

1 equivalent positions authorized for the agency that was operating the facility the
2 duties of which primarily relate to the management or operation of the facility, and
3 may decrease the authorized full-time equivalent positions for the agency by the
4 number of positions so identified effective on the effective date of the sale, lease, or
5 contract.

6 (c) Notwithstanding s. 20.001 (3) (a) to (c), the secretary may lapse or transfer
7 to the general fund from the unencumbered balance of appropriations to any agency,
8 other than sum sufficient appropriations or appropriations of program revenues to
9 the Board of Regents of the University of Wisconsin System or appropriations of
10 segregated or federal revenues, any amount appropriated to an agency that is
11 determined by the secretary to be allocated for the management or operation of the
12 facility that was sold or leased or operated under contract effective on the effective
13 date of the sale, lease, or contract.

14 (d) The secretary shall report any action taken under this subsection to the
15 cochairpersons of the joint committee on finance.

16 **SECTION 129.** 16.848 (2) (a) of the statutes is repealed.

17 **SECTION 130.** 16.848 (2) (b) of the statutes is repealed.

18 **SECTION 131.** 16.848 (2) (gw) of the statutes is repealed.

19 **SECTION 132.** 16.848 (4) (a) of the statutes is amended to read:

20 16.848 (4) (a) Except as provided in s. 13.48 (14) (e), if there is any outstanding
21 public debt used to finance the acquisition, construction, or improvement of any
22 property that is sold or leased under sub. (1), the department shall deposit a
23 sufficient amount of the net proceeds from the sale or lease of the property in the bond
24 security and redemption fund under s. 18.09 to repay the principal and pay the
25 interest on the debt, and any premium due upon refunding any of the debt. If there

ASSEMBLY BILL 40**SECTION 132**

1 is any outstanding public debt used to finance the acquisition, construction, or
2 improvement of any property that is sold or leased under sub. (1), the department
3 shall then provide a sufficient amount of the net proceeds from the sale or lease of
4 the property for the costs of maintaining federal tax law compliance applicable to the
5 debt. If the property was acquired, constructed, or improved with federal financial
6 assistance, the department shall pay to the federal government any of the net
7 proceeds required by federal law. If the property was acquired by gift or grant or
8 acquired with gift or grant funds, the department shall adhere to any restriction
9 governing use of the proceeds. Except as required under ss. 13.48 (14) (e), 20.395 (9)
10 (qd), and 51.06 (6), if there is no such debt outstanding, there are no moneys payable
11 to the federal government, and there is no restriction governing use of the proceeds,
12 and if the net proceeds exceed the amount required to be deposited, paid, or used for
13 another purpose under this ~~paragraph~~ subsection, the department shall use the net
14 proceeds or remaining net proceeds to pay principal and interest costs on other
15 outstanding public debt.

16 **SECTION 133.** 16.848 (4) (b) 1. of the statutes is repealed and recreated to read:

17 16.848 (4) (b) 1. To the extent that debt service on the property being sold or
18 leased was paid from a segregated fund, other outstanding public debt related to that
19 segregated fund should be redeemed.

20 **SECTION 134.** 16.848 (4) (b) 2. of the statutes is repealed.

21 **SECTION 135.** 16.848 (4) (b) 3. of the statutes is amended to read:

22 16.848 (4) (b) 3. The extent to which general obligation debt that was issued
23 to acquire, build, or improve the property being sold or leased is subject to current
24 optional redemption, would require establishment of an escrow, or could be assigned
25 for accounting purposes to another statutory bond purpose.

ASSEMBLY BILL 40**SECTION 136**

1 **SECTION 136.** 16.848 (4) (b) 5. of the statutes is amended to read:

2 16.848 (4) (b) 5. The costs of maintaining federal tax law compliance in the
3 selection of general obligation debt to be redeemed.

4 **SECTION 137.** 16.848 (4) (c) of the statutes is created to read:

5 16.848 (4) (c) If there are any outstanding revenue obligations, issued pursuant
6 to subch. II of ch. 18, used to finance the acquisition, construction, or improvement
7 of any property that is sold or leased under sub. (1), the department shall deposit a
8 sufficient amount of the net proceeds from the sale or lease of the property in the
9 respective redemption fund provided under s. 18.561 (5) or 18.562 (3) to repay the
10 principal and pay the interest on the revenue obligations, and any premium due upon
11 refunding any of the revenue obligations. If there are any outstanding revenue
12 obligations, issued pursuant to subch. II of ch. 18, used to finance the acquisition,
13 construction, or improvement of any property that is sold or leased under sub. (1),
14 the department shall then provide a sufficient amount of the net proceeds from the
15 sale or lease of the property for the costs of maintaining federal tax law compliance
16 applicable to the revenue obligations. For the purpose of paying principal and
17 interest costs on other outstanding revenue obligations, the secretary may cause
18 outstanding revenue obligations to be called for redemption on or following their
19 optional redemption date, establish one or more escrow accounts to redeem
20 obligations at their optional redemption date, or purchase bonds on the open market.
21 Except as required under ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if the net
22 proceeds exceed the amount required to be deposited, paid, or used for another
23 purpose under this paragraph, the department shall use the net proceeds or
24 remaining net proceeds to pay principal and interest costs on other similar revenue
25 obligations.

ASSEMBLY BILL 40**SECTION 138**

1 **SECTION 138.** 16.849 of the statutes is created to read:

2 **16.849 Facility design services for state agencies.** The department may
3 provide facility design services to agencies, as defined in s. 16.70 (1e). The
4 department may assess a fee to agencies for which the department performs services
5 under this section.

6 **SECTION 139.** 16.855 (1) of the statutes is renumbered 16.855 (1m) and
7 amended to read:

8 **16.855 (1m)** The department shall let by contract to the lowest qualified
9 responsible bidder all construction work when the estimated construction cost of the
10 project exceeds \$50,000, except for construction work authorized under s. 16.858 and
11 except as provided in sub. (1r) or (10m) or s. 13.48 (19). If factors other than dollar
12 amounts are required to be evaluated for a project, the department shall specify a
13 formula that will convert the other factors into a dollar value for comparison.

14 **(1r)** If a bidder is not a Wisconsin firm and the department determines that the
15 state, foreign nation or subdivision thereof in which the bidder is domiciled grants
16 a preference to bidders domiciled in that state, nation or subdivision in making
17 governmental purchases, the department shall give a preference over that bidder to
18 Wisconsin firms, if any, when awarding the contract, in the absence of compelling
19 reasons to the contrary. The department may enter into agreements with states,
20 foreign nations and subdivisions thereof for the purpose of implementing this
21 subsection.

22 **SECTION 140.** 16.855 (1g) of the statutes is created to read:

23 **16.855 (1g)** In this section:

ASSEMBLY BILL 40**SECTION 140**

1 (a) "Mechanical, electrical, or plumbing subcontractor" is a contractor that
2 performs mechanical, electrical, plumbing, or fire protection work and enters into a
3 contract with a general prime contractor to perform their division of work.

4 (b) "Qualified bidder" means a person that the department certifies under sub.
5 (9m) (b) 1.

6 (c) "Qualified responsible bidder" means a person who is a qualified bidder and
7 who is a responsible bidder.

8 (d) "Responsible bidder" means a person that the department certifies under
9 sub. (9m) (b) 2.

10 (e) "Single prime contracting" means bidding and contracting through a
11 process in which only a general prime contractor has a contractual relationship with
12 the state and all mechanical, electrical, or plumbing subcontractors are selected by
13 department and are subcontractors to the general prime contractor.

14 **SECTION 141.** 16.855 (2) (a) 5. of the statutes is amended to read:

15 16.855 (2) (a) 5. Date, when and place where plans will be available.

16 **SECTION 142.** 16.855 (2) (a) 6. of the statutes is created to read:

17 16.855 (2) (a) 6. That the department shall consider only bids from persons who
18 are responsible bidders and, unless sub. (9m) (ar) 2. applies, qualified bidders.

19 **SECTION 143.** 16.855 (9) of the statutes is renumbered 16.855 (9m) (b) 1. c. and
20 amended to read:

21 16.855 (9m) (b) 1. c. ~~The~~ If the department may require bidders to submit so
22 requires or the bidder will be considered unqualified, the bidder has submitted a
23 sworn statements statement as to financial ability, equipment, and experience in
24 construction and ~~require such~~ other information as may be necessary to determine
25 ~~their~~ the bidder's competency.

ASSEMBLY BILL 40**SECTION 144**

1 **SECTION 144.** 16.855 (9m) of the statutes is created to read:

2 16.855 **(9m)** (ag) In this subsection, “bidder” includes a potential bidder.

3 (ar) 1. The department shall certify bidders as qualified bidders under par. (b)
4 1. and responsible bidders under par. (b) 2. and shall administer a registration
5 process for all bidders submitting bids on any construction project under this section.
6 The department shall issue, in a timely manner, a certification decision on a complete
7 application for certification. A certification under this subdivision is valid for 2 years
8 except the department may decertify a bidder if the department determines that the
9 bidder no longer meets the qualifications under par. (b) and if the department follows
10 a decertification process developed by rule that provides to the bidder notice,
11 hearing, and a means to appeal.

12 2. Notwithstanding sub. (1m) or (14) (e), the department may waive the
13 condition of certification as a qualified bidder if the project is of such magnitude as
14 to limit competition if the conditions under par. (b) 1. were required.

15 3. The department shall consider for certification under par. (b) associations
16 consisting of at least 2 contracting firms that are organized for the purpose of
17 entering into a construction contract as a single entity if at least one of the
18 contracting firms is qualified under par. (b) and if the assignment of, and provisions
19 for the continuity of, the various responsibilities within the association are agreed
20 upon before the contract is awarded.

21 (b) 1. To be certified as a qualified bidder, a bidder must meet all of the following
22 conditions:

23 a. The bidder has completed at least one project that involved similar work to
24 the work being bid and the project was at least 50 percent of the size or value of the
25 division of the project being bid. If the department determines that more experience

ASSEMBLY BILL 40

1 is necessary for a particular project, the department may include additional
2 requirements in the specifications and certify bidders accordingly.

3 b. The bidder has access to all necessary equipment and the organizational
4 capacity and technical competence necessary to perform the project work properly
5 and expeditiously.

6 2. To be certified as a responsible bidder, a bidder must meet all of the following
7 conditions:

8 a. The bidder maintains a permanent place of business.

9 b. The bidder submits a sworn statement, upon the department's request, that
10 indicates that the bidder has adequate financial resources to complete the work
11 being bid, taking into account any other work the bidder is currently under contract
12 to complete.

13 c. The bidder is bondable for the term of the proposed contract.

14 d. The bidder has a record of satisfactorily completing projects. In determining
15 this factor, the department shall consider if the bidder has completed all contracts
16 in accordance with drawings and specifications; diligently pursued execution of the
17 work and completed contracts according to the time schedule, taking account of
18 extensions granted; fulfilled guarantee requirements of contracts; if the contract
19 included an affirmative action program requirement, complied with the
20 requirement; and, if the contract included a safety program requirement, complied
21 with the requirement.

22 e. The bidder is not on an ineligible list that the department maintains under
23 s. 16.705 (9) or 16.765 (9) or on a list that another agency maintains for persons who
24 violated construction-related statutes or administrative rules.

25 f. The bidder has been in business for at least 12 months.

ASSEMBLY BILL 40**SECTION 144**

1 g. The bidder is a legal entity and authorized to do business in Wisconsin.

2 h. The bidder has performed at least one other public project for a government
3 entity.

4 i. The bidder can provide information, upon request, to the department on the
5 bidder's ownership, management, and control.

6 j. In any jurisdiction, the bidder, in the previous 10 years, has not been debarred
7 from any government contracts and has not been found to have committed tax
8 avoidance or evasion.

9 k. In any jurisdiction, in the previous 10 years, the bidder has not been
10 disciplined under a professional license and none of the bidder's employees and no
11 member of the bidder's organization has been disciplined under a professional
12 license.

13 **SECTION 145.** 16.855 (10m) (am) 3. of the statutes is amended to read:

14 16.855 **(10m)** (am) 3. The department may award any contract to a minority
15 business or disabled veteran-owned business, or a business that is both a minority
16 business and a disabled veteran-owned business, ~~that~~ if the business is a qualified
17 responsible bidder and the business submits a ~~qualified responsible~~ bid that is no
18 more than 5 percent higher than the apparent low bid.

19 **SECTION 146.** 16.855 (13) of the statutes is repealed and recreated to read:

20 16.855 **(13)** (a) In any project under this section let under single prime
21 contracting, the department shall identify, as provided under par. (b), necessary
22 mechanical, electrical, or plumbing subcontractors who are qualified responsible
23 bidders and a general prime contractor who is submitting a bid under sub. (14) shall
24 include the selected subcontractors.

ASSEMBLY BILL 40**SECTION 146**

1 (b) For purposes of selecting subcontractors under par. (a), the department
2 shall develop and administer an open and public bidding process and follow the
3 requirements and procedures under sub. (2). Within 48 hours of bid submission, the
4 department shall make available on the department Internet site the names of the
5 bidders and the amount of the bid. No more than 7 days after the deadline for bid
6 submission, the department shall provide public notice of the lowest bidders who are
7 qualified responsible bidders. The department shall make available on its Internet
8 site the bids, including the bid documents, identified under this paragraph as the
9 lowest bidders and they shall be open to public inspection. No other bids under this
10 paragraph may be on the Internet site or open to public inspection.

11 **SECTION 147.** 16.855 (14) (a) of the statutes is renumbered 16.855 (14) (d) and
12 amended to read:

13 16.855 (14) (d) ~~If a project requires prior approval of the building commission~~
14 ~~under s. 13.48 (10) (a) and bids are required to be solicited under sub. (2), the~~
15 ~~department shall take both single bids and separate bids on any division of the work~~
16 ~~that it designates. If a project does not require prior approval of the building~~
17 ~~commission under s. 13.48 (10) (a) and bids are required to be solicited under sub.~~
18 ~~(2), the department may take single bids or separate bids on any division of the work~~
19 ~~that it designates. If the department awards contracts by the division of work, the~~
20 ~~department shall award the contracts according to the division of work selected for~~
21 ~~bidding. Except as provided in sub. (10m) (am), the department shall award all~~
22 single prime contracts to the lowest bidder who is a qualified responsible bidder ~~or~~
23 ~~bidders that result~~ results in the lowest total construction cost for the project.

24 **SECTION 148.** 16.855 (14) (am) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 148**

1 16.855 (14) (am) Except as provided in s. 13.48 (19), the department shall let
2 all construction projects that exceed \$185,000 through single prime contracting.

3 **SECTION 149.** 16.855 (14) (b) of the statutes is amended to read:

4 16.855 (14) (b) The state is not liable to a ~~prime~~ contractor for damage from
5 delay caused by another ~~prime~~ contractor if the department takes reasonable action
6 to require the delaying ~~prime~~ contractor to comply with its contract. If the state is
7 not liable under this paragraph, the delayed ~~prime~~ contractor may bring an action
8 for damages against the delaying ~~prime~~ contractor.

9 **SECTION 150.** 16.855 (14) (bm) of the statutes is created to read:

10 16.855 (14) (bm) If the bid is being let through single prime contracting, bidders
11 for the general prime contractor who are responsible qualified bidders shall submit
12 their bids to the department no later than 7 days after the successful subcontractor
13 bids become available to the public under sub. (13) (b).

14 **SECTION 151.** 16.855 (14) (c) of the statutes is created to read:

15 16.855 (14) (c) The department shall reject any bid for the general prime
16 contractor from a bidder who submits a bid that includes contractors other than the
17 ones selected under sub. (13) (a). The award of a contract may not be finalized until
18 the department approves the required performance bond and certificate of
19 insurance.

20 **SECTION 152.** 16.855 (14) (e) of the statutes is created to read:

21 16.855 (14) (e) Within 30 days after the deadline under par. (bm), the
22 department shall notify the successful general prime contractor bidder of its
23 selection. The contractor who is awarded the contract shall enter into contracts with
24 the mechanical, electrical, or plumbing subcontractors selected under par. (13) (a)
25 and shall comply with the requirements under sub. (14m). The department shall

ASSEMBLY BILL 40**SECTION 152**

1 make the final bid results available on its Internet site at the time it provides the
2 written, official notice to the successful general prime contractor bidder notifying the
3 contractor that the contract is fully executed and that the contractor is authorized
4 to begin work on the project.

5 **SECTION 153.** 16.855 (14m) of the statutes is created to read:

6 16.855 (14m) (a) The department shall develop a standard contract for a
7 general prime contractor selected under sub. (14) to use and shall include in the
8 contract all of the following:

9 1. A requirement that all subcontractors selected under sub. (13) (a) provide
10 a 100 percent performance bond and a 100 percent payment bond to the benefit of
11 the general prime contractor as the only obligee.

12 2. A delineation of the responsibilities, insurance requirements,
13 indemnification obligations, claims processes, and termination rights and
14 protections of all subcontractors selected under sub. (13) (a).

15 3. A requirement that the general prime contractor is subject to s. 16.528 (2m).

16 4. A schedule for payment from the general prime contractor to a subcontractor
17 that is consistent with sub. (19) (b).

18 (b) Neither a general prime contractor nor a subcontractor selected under sub.
19 (13) (b) may amend a contract developed under par. (a).

20 **SECTION 154.** 16.855 (19) of the statutes is renumbered 16.855 (19) (a) and
21 amended to read:

22 16.855 (19) (a) As the work progresses under any contract for construction of
23 a project the department, from time to time, shall grant to the contractor an estimate
24 of the amount and proportionate value of the work done, which shall entitle the
25 contractor to receive the amount thereof, less the retainage, from the proper fund.

ASSEMBLY BILL 40**SECTION 154**

1 The retainage shall be an amount equal to not more than 5% of the estimate until
2 50% of the work has been completed. At 50% completion, no additional amounts shall
3 be retained, and partial payments shall be made in full to the contractor unless the
4 ~~architect or engineer~~ department certifies that the job is not proceeding
5 satisfactorily. At 50% completion or any time thereafter when the progress of the
6 work is not satisfactory, additional amounts may be retained but in no event shall
7 the total retainage be more than 10% of the value of the work completed. Upon
8 substantial completion of the work, ~~an~~ any amount retained ~~may~~ shall be paid to the
9 contractor, less the value of any required corrective work or uncompleted work. For
10 the purposes of this section, estimates may include any fabricated or manufactured
11 materials and components specified, previously paid for by contractor and delivered
12 to the work or properly stored and suitable for incorporation in the work embraced
13 in the contract.

14 (c) This subsection does not apply to contracts awarded under s. 16.858.

15 **SECTION 155.** 16.855 (19) (b) of the statutes is created to read:

16 16.855 **(19)** (b) As the work progresses under any subcontract under sub. (14)
17 (e) for construction of a project, the general prime contractor shall, upon request of
18 a subcontractor, pay to the subcontractor an amount equal to the proportionate value
19 of the subcontractor's work done, less retainage. The retainage shall be an amount
20 equal to not more than 5 percent of the subcontractor's work completed until 50
21 percent of the subcontractor's work has been completed. At 50 percent completion,
22 no additional amounts may be retained, and partial payments shall be made in full
23 to the subcontractor unless the department certifies that the subcontractor's work
24 is not proceeding satisfactorily. At 50 percent completion or any time thereafter
25 when the progress of the subcontractor's work is not satisfactory, additional amounts

ASSEMBLY BILL 40**SECTION 155**

1 may be retained but the total retainage may not be more than 10 percent of the value
2 of the work completed. Upon substantial completion of the subcontractor's work, any
3 amount retained shall be paid to the subcontractor, less the value of any required
4 corrective work or uncompleted work. All payments the general prime contractor
5 makes under this paragraph shall be within 7 calendar days after the date on which
6 the general prime contractor receives payment from the department for the work
7 performed.

8 **SECTION 156.** 16.957 (1) (gg) of the statutes is repealed.

9 **SECTION 157.** 16.957 (2) (a) (intro.) of the statutes is amended to read:

10 16.957 (2) (a) *Low-income programs.* (intro.) After holding a hearing,
11 establish programs to be administered by the department for awarding grants from
12 the appropriation under s. 20.505 (3) (r) to provide low-income assistance. In each
13 fiscal year, the amount awarded under this paragraph shall be sufficient to ensure
14 that an amount equal to ~~47%~~ 50% of the sum of the following, ~~or the amount~~
15 ~~determined under par. (d) 2m.,~~ is spent allocated for weatherization and other energy
16 conservation services:

17 **SECTION 158.** 16.957 (2) (a) 1. of the statutes is repealed.

18 **SECTION 159.** 16.957 (2) (a) 3. of the statutes is amended to read:

19 16.957 (2) (a) 3. ~~All The moneys spent in a fiscal year on programs established~~
20 ~~under this paragraph~~ collected in low-income assistance fees under sub. (4) (a).

21 **SECTION 160.** 16.957 (2) (d) 2m. of the statutes is repealed.

22 **SECTION 161.** 16.964 (title) of the statutes is repealed.

23 **SECTION 162.** 16.964 (1g) of the statutes is repealed.

24 **SECTION 163.** 16.964 (1m) (intro.) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 164**

1 **SECTION 164.** 16.964 (1m) (a) and (b) of the statutes are consolidated,
2 renumbered 165.25 (13) and amended to read:

3 165.25 (13) JUVENILE JUSTICE IMPROVEMENT PLAN. Serve as the state planning
4 agency under the juvenile justice and delinquency prevention act of 1974, P.L.
5 93-415. ~~(b) Prepare~~ The department shall prepare a state comprehensive juvenile
6 justice improvement plan ~~on behalf of the governor.~~ The plan shall be submitted to
7 the governor, the joint committee on finance in accordance with s. 16.54, and to the
8 appropriate standing committees of each house of the legislature as determined by
9 the presiding officer of each house. The plan shall be updated periodically and shall
10 be based on an analysis of the state's juvenile justice needs and problems.

11 **SECTION 165.** 16.964 (1m) (c) of the statutes is repealed.

12 **SECTION 166.** 16.964 (1m) (d) of the statutes is renumbered 165.25 (14) and
13 amended to read:

14 165.25 (14) COOPERATION AND ASSISTANCE. Cooperate with and render technical
15 assistance to state agencies and units of local government and public or private
16 agencies relating to the criminal and juvenile justice system.

17 **SECTION 167.** 16.964 (1m) (e) of the statutes is renumbered 165.25 (15) and
18 amended to read:

19 165.25 (15) CONTRACTS AND EXPENDITURES. Apply for contracts or receive and
20 expend for its purposes any appropriation or grant from the state, a political
21 subdivision of the state, the federal government or any other source, public or
22 private, in accordance with the statutes.

23 **SECTION 168.** 16.964 (1m) (f) of the statutes is renumbered 165.845 (1) (c).

24 **SECTION 169.** 16.964 (1m) (g) of the statutes is renumbered 165.845 (1) (a) and
25 amended to read:

ASSEMBLY BILL 40**SECTION 169**

1 165.845 (1) (a) Collect information concerning the number and nature of
2 offenses known to have been committed in this state and such other information as
3 may be useful in the study of crime and the administration of justice. The ~~office~~
4 department of justice may determine any other information to be obtained regarding
5 crime and justice system statistics. The information shall include data requested by
6 the federal bureau of investigation under its system of uniform crime reports for the
7 United States.

8 **SECTION 170.** 16.964 (1m) (h) of the statutes is renumbered 165.845 (1) (b) and
9 amended to read:

10 165.845 (1) (b) Furnish all reporting officials with forms or instructions or both
11 that specify the nature of the information required under par. ~~(g)~~ (a), the time it is
12 to be forwarded, the method of classifying and any other matters that facilitate
13 collection and compilation.

14 **SECTION 171.** 16.964 (1m) (i) of the statutes is renumbered 321.03 (1) (e).

15 **SECTION 172.** 16.964 (2) of the statutes is renumbered 165.845 (2) and amended
16 to read:

17 165.845 (2) All persons in charge of law enforcement agencies and other
18 criminal and juvenile justice system agencies shall supply the ~~office~~ department of
19 justice with the information described in sub. ~~(1m) (g) (1) (a)~~ on the basis of the forms
20 or instructions or both to be supplied by the ~~office~~ department under sub. ~~(1m) (g) (1)~~
21 (a). The department may conduct an audit to determine the accuracy of the data and
22 other information it receives from law enforcement agencies and other criminal and
23 juvenile justice system agencies.

24 **SECTION 173.** 16.964 (3) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 174**

1 **SECTION 174.** 16.964 (5) of the statutes is renumbered 165.986, and 165.986 (1),
2 (2), (3) (intro.), (4) and (6), as renumbered, are amended to read:

3 165.986 (1) The ~~office~~ department of justice shall provide grants from the
4 appropriation under s. ~~20.505 (6) (kb)~~ 20.455 (2) (kb) to cities to employ additional
5 uniformed law enforcement officers whose primary duty is beat patrolling. A city is
6 eligible for a grant under this ~~subsection~~ section in fiscal year 1994-95 if the city has
7 a population of 25,000 or more. A city may receive a grant for a calendar year if the
8 city applies for a grant before September 1 of the preceding calendar year. Grants
9 shall be awarded to the 10 eligible cities submitting an application for a grant that
10 have the highest rates of violent crime index offenses in the most recent full calendar
11 year for which data is available under the uniform crime reporting system of the
12 federal bureau of investigation.

13 (2) A city applying to the ~~office~~ department of justice for a grant under this
14 ~~subsection~~ section shall include a proposed plan of expenditure of the grant moneys.
15 The grant moneys that a city receives under this ~~subsection~~ section may be used for
16 salary and fringe benefits only. Except as provided in ~~par. (e)~~ sub. (3), the positions
17 for which funding is sought must be created on or after April 21, 1994, and result in
18 a net increase in the number of uniformed law enforcement officers assigned to beat
19 patrol duties.

20 (3) (intro.) During the first 6 months of the first year of a grant, a city may, with
21 the approval of the ~~office~~ department, use part of the grant for the payment of salary
22 and fringe benefits for overtime provided by uniformed law enforcement officers
23 whose primary duty is beat patrolling. A city may submit a request to the ~~office~~
24 department for a 3-month extension of the use of the grant for the payment of

ASSEMBLY BILL 40**SECTION 174**

1 overtime costs. To be eligible to use part of the first year's grant for overtime costs,
2 the city shall provide the office department with all of the following:

3 (4) The office department shall develop criteria which, notwithstanding s.
4 227.10 (1), need not be promulgated as rules under ch. 227, for use in determining
5 the amount to grant to cities under this ~~subsection~~ section. The office department
6 may not award an annual grant in excess of \$150,000 to any city. The office
7 department shall review any application and plan submitted under ~~par. (b)~~ sub. (2)
8 to determine if that application and plan meet the requirements of this ~~subsection~~
9 section. The grant that a city receives under this ~~subsection~~ section may not
10 supplant existing local resources.

11 (6) The office department may make grants to additional cities with a
12 population of 25,000 or more after fiscal year 1994-95. Eligibility for grants under
13 this ~~paragraph~~ subsection shall be determined and allocations made as provided in
14 this ~~subsection~~ section.

15 **SECTION 175.** 16.964 (8) of the statutes is renumbered 165.987, and 165.987 (1),
16 (2) and (3), as renumbered, are amended to read:

17 165.987 (1) From the appropriations under s. ~~20.505 (6) (d) and (kj)~~ 20.455 (2)
18 (cr) and (kj), the office department of justice shall allocate \$500,000 in each fiscal
19 year to enter into a contract with an organization to provide services in a county
20 having a population of 500,000 or more for the diversion of youths from gang
21 activities into productive activities, including placement in appropriate educational,
22 recreational, and employment programs. Notwithstanding s. 16.75, the office
23 department may enter into a contract under this ~~paragraph~~ subsection without
24 soliciting bids or proposals and without accepting the lowest responsible bid or offer.

ASSEMBLY BILL 40**SECTION 175**

1 (2) From the appropriation under s. ~~20.505 (6) (km)~~ 20.455 (2) (k), the office
2 department of justice may not distribute more than \$300,000 in each fiscal year to
3 the organization that it has contracted with under ~~par. (a)~~ sub. (1) for alcohol and
4 other drug abuse education and treatment services for participants in that
5 organization's youth diversion program.

6 (3) From the appropriations under s. ~~20.505 (6) (d) and (kj)~~ 20.455 (2) (cr) and
7 (kj) the office department of justice shall allocate \$150,000 in each fiscal year to enter
8 into a contract with an organization to provide services in Racine County, \$150,000
9 in each fiscal year to enter into a contract with an organization to provide services
10 in Kenosha County, \$150,000 in each fiscal year to enter into a contract with an
11 organization that is located in ward 2 in the city of Racine to provide services in
12 Racine County, and \$150,000 in each fiscal year to enter into a contract with an
13 organization to provide services in Brown County, and from the appropriation under
14 s. ~~20.505 (6) (kj)~~ 20.455 (2) (kj), the department shall allocate \$100,000 in each fiscal
15 year to enter into a contract with an organization, for the diversion of youths from
16 gang activities into productive activities, including placement in appropriate
17 educational, recreational, and employment programs, and for alcohol or other drug
18 abuse education and treatment services for participants in that organization's youth
19 diversion program. The organization that is located in ward 2 in the city of Racine
20 shall have a recreational facility, shall offer programs to divert youths from gang
21 activities, may not be affiliated with any national or state association, and may not
22 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.
23 16.75, the office department may enter into a contract under this paragraph
24 subsection without soliciting bids or proposals and without accepting the lowest
25 responsible bid or offer.

ASSEMBLY BILL 40**SECTION 176**

1 **SECTION 176.** 16.964 (11) of the statutes is repealed.

2 **SECTION 177.** 16.964 (12) (a) to (j) of the statutes are renumbered 165.95 (1) to
3 (10), and 165.95 (1) (intro.), (2), (2r), (3) (intro.) and (k), (4), (5), (5m) (intro.), (6), (7),
4 (7m), (8), (9) and (10), as renumbered, are amended to read:

5 165.95 (1) (intro.) In this ~~subsection~~ section, “violent offender” means a person
6 to whom one of the following applies:

7 (2) The ~~office~~ department of justice shall make grants to counties to enable
8 them to establish and operate programs, including suspended and deferred
9 prosecution programs and programs based on principles of restorative justice, that
10 provide alternatives to prosecution and incarceration for criminal offenders who
11 abuse alcohol or other drugs. The ~~office~~ department of justice shall make the grants
12 from the appropriations under s. ~~20.505 (6) (b), (kn), and (ku)~~ 20.455 (2) (em), (kn),
13 and (kv). The ~~office~~ department of justice shall collaborate with the departments of
14 corrections and health and family services in establishing this grant program.

15 (2r) Any county that receives a grant under this ~~subsection~~ section on or after
16 January 1, 2012, shall provide matching funds that are equal to 25 percent of the
17 amount of the grant.

18 (3) (intro.) A county shall be eligible for a grant under ~~par. (b)~~ sub. (2) if all of
19 the following apply:

20 (k) The county complies with other eligibility requirements established by the
21 ~~office~~ department of justice to promote the objectives listed in ~~subds. 1. and 2~~ pars.
22 (a) and (b).

23 (4) In implementing a program that meets the requirements of ~~par. (e)~~ sub. (3),
24 a county department may contract with or award grants to a religious organization
25 under s. 59.54 (27).

ASSEMBLY BILL 40**SECTION 177**

1 **(5)** (a) A county that receives a grant under this ~~subsection~~ section shall create
2 an oversight committee to advise the county in administering and evaluating its
3 program. Each committee shall consist of a circuit court judge, the district attorney
4 or his or her designee, the state public defender or his or her designee, a local law
5 enforcement official, a representative of the county, a representative of each other
6 county agency responsible for providing social services, including services relating
7 to child welfare, mental health, and the Wisconsin Works program, representatives
8 of the departments of corrections and health and family services, a representative
9 from private social services agencies, a representative of substance abuse treatment
10 providers, and other members to be determined by the county.

11 (b) A county that receives a grant under this ~~subsection~~ section shall comply
12 with state audits and shall submit an annual report to the ~~office~~ department of
13 justice and to the oversight committee created under ~~subd. 1. par. (a)~~ regarding the
14 impact of the program on jail and prison populations and its progress in attaining
15 the goals specified in ~~par. (e) 2. and 6~~ sub. (3) (b) and (f).

16 **(5m)** (intro.) In a program funded by a grant under this ~~subsection~~ section, if
17 urine collection for the purposes of a drug test results in the exposure of a program
18 participant's genitals, pubic area, buttock or anus, all of the following must apply:

19 **(6)** Two or more counties may jointly apply for and receive a grant under this
20 ~~subsection~~ section. If counties submit a joint application, they shall include with
21 their application a written agreement specifying each county department's role in
22 developing, administering, and evaluating the program. The oversight committee
23 established under ~~par. (e) 1.~~ sub. (5) (a) shall consist of representatives from each
24 county.

ASSEMBLY BILL 40**SECTION 177**

1 (7) Grants provided under this ~~subsection~~ section shall be provided on a
2 calendar year basis beginning on January 1, 2007. If the ~~office~~ department of justice
3 decides to make a grant to a county under this ~~subsection~~ section, the ~~office~~
4 department of justice shall notify the county of its decision and the amount of the
5 grant no later than September 1 of the year preceding the year for which the grant
6 will be made.

7 (7m) Beginning in fiscal year 2012-13, the ~~office~~ department of justice shall,
8 every 5 years, make grants under this ~~subsection~~ section available to any county on
9 a competitive basis. A county may apply for a grant under this ~~paragraph~~ subsection
10 regardless of whether the county has received a grant previously under this
11 ~~subsection~~ section.

12 (8) The ~~office~~ department of justice shall assist a county receiving a grant under
13 this ~~subsection~~ section in obtaining funding from other sources for its program.

14 (9) The ~~office~~ department of justice shall inform any county that is applying for
15 a grant under this ~~subsection~~ section whether the county meets the requirements
16 established under ~~par. (e) sub. (3)~~, regardless of whether the county receives a grant.

17 (10) The ~~office~~ department of justice shall ~~enter into one or more contracts with~~
18 ~~another person for the purpose of evaluating~~ evaluate every 2 years, the grant
19 program established under this ~~subsection~~ section. ~~The office shall fund such~~
20 ~~contracts from moneys appropriated under s. 20.505 (6) (b) and (ku) with 1 percent~~
21 ~~of the amount awarded as grants under par. (b).~~

22 **SECTION 178.** 16.964 (12) (k) of the statutes is repealed.

23 **SECTION 179.** 16.964 (14) of the statutes is renumbered 165.96, and 165.96
24 (intro.), as renumbered, is amended to read:

ASSEMBLY BILL 40**SECTION 179**

1 **165.96 Child advocacy grants.** (intro.) Beginning in fiscal year 2011-2012,
2 from the appropriation under s. ~~20.505 (6) (ke)~~ 20.455 (5) (ke), the office department
3 of justice shall in each fiscal year provide \$17,000 to each of the following child
4 advocacy centers for education, training, medical advice, and quality assurance
5 activities:

6 **SECTION 180.** 16.964 (15) of the statutes is renumbered 165.25 (17) and
7 amended to read:

8 **165.25 (17) INTEROPERABILITY.** (a) The office department of justice shall provide
9 staff support for the interoperability council under s. 16.9645 and oversight of the
10 development and operation of a statewide public safety interoperable
11 communication system.

12 (b) 1. The office department may charge a public safety agency, as defined in
13 s. 256.35 (1) (g), that is a state agency a fee for use of the statewide public safety
14 interoperable communication system under par. (a).

15 2. The office department may charge a person that is not a state agency a fee
16 for use of the statewide public safety interoperable communication system under par.
17 (a).

18 **SECTION 181.** 16.964 (17) of the statutes is renumbered 301.073 and amended
19 to read:

20 **301.073 American Indian tribal community reintegration program.**
21 The office department shall establish a program to facilitate the reintegration of
22 American Indians who have been incarcerated in a state prison into their American
23 Indian tribal communities. Under the program, each participant shall be provided
24 an integration plan that addresses the participant's needs and shall be provided
25 services that are customized for the participant. The program shall encourage

ASSEMBLY BILL 40**SECTION 181**

1 confidence, responsibility, and independence among participants. The ~~office~~
2 department shall ensure that the program incorporates tribal practices and
3 traditions that meet the participant's community reintegration needs.

4 **SECTION 182.** 16.964 (18) of the statutes is repealed.

5 **SECTION 183.** 16.9645 (2) (d) of the statutes is amended to read:

6 16.9645 (2) (d) Assist the ~~office~~ department of justice ~~assistance~~ in identifying
7 and obtaining funding to implement a statewide public safety interoperable
8 communication system.

9 **SECTION 184.** 16.9645 (2) (e) of the statutes is amended to read:

10 16.9645 (2) (e) Advise the ~~office~~ department of justice ~~assistance~~ and the
11 department of military affairs on allocating funds, including those available for
12 homeland security, for the purpose of achieving the goals under par. (b).

13 **SECTION 185.** 16.9645 (2) (f) (intro.) of the statutes is amended to read:

14 16.9645 (2) (f) (intro.) Make recommendations to the ~~office~~ department of
15 justice ~~assistance~~ on all of the following:

16 **SECTION 186.** 16.967 (3) (h) of the statutes is created to read:

17 16.967 (3) (h) Establish an implementation plan for a statewide digital parcel
18 map.

19 **SECTION 187.** 16.971 (2) (cf) of the statutes is amended to read:

20 16.971 (2) (cf) Implement, operate, maintain, and upgrade an integrated
21 business information enterprise resource planning system capable of providing
22 information technology services to all agencies in the areas of accounting, auditing,
23 payroll and other financial services; procurement; human resources; and other
24 administrative processes. The department may provide information technology
25 services under this subsection to any executive branch agency under s. 16.70 (4). The

ASSEMBLY BILL 40**SECTION 187**

1 department may also provide information technology services to any local
2 governmental unit under this subsection.

3 **SECTION 188.** 16.972 (2) (j) of the statutes is created to read:

4 16.972 (2) (j) In consultation with an executive branch agency other than the
5 Board of Regents of the University of Wisconsin System transfer to the department
6 any full-time equivalent position in that executive branch agency other than the
7 Board of Regents of the University of Wisconsin System that is related to the
8 provision of information technology infrastructure services in that executive branch
9 agency, and any incumbent employee holding that position. If a position is
10 transferred under this paragraph, the department shall assess the appropriate
11 executive branch agency appropriation account for the costs to pay salary and fringe
12 benefit costs of the transferred position. If an incumbent employee is transferred
13 under this paragraph, the department shall determine the transferred employee's
14 probationary status under s. 230.28, except that the employee shall receive credit
15 towards his or her probationary period for the time that the employee had been
16 employed in any unclassified position immediately prior to appointment. The
17 department may require an executive branch agency that is subject to a transfer
18 under this paragraph to transfer to the department information technology
19 equipment or systems required by the department to carry out information
20 technology services for the executive branch agency, and may assess that executive
21 branch agency for the provision of information technology services to that executive
22 branch agency.

23 **SECTION 189.** 16.974 (2) of the statutes is amended to read:

24 16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with
25 any agency, any authority, any unit of the federal government, any local

ASSEMBLY BILL 40**SECTION 189**

1 governmental unit, any entity in the private sector, any individual, or any tribal
2 school, as defined in s. 115.001 (15m), to provide services authorized to be provided
3 by the department to that agency, authority, unit, entity, individual, or tribal school
4 at a cost specified in the agreement.

5 **SECTION 190.** 16.974 (3) of the statutes is amended to read:

6 16.974 (3) Develop or operate and maintain any system or device facilitating
7 Internet or telephone access to information about programs of agencies, authorities,
8 local governmental units, entities in the private sector, individuals, or any tribal
9 schools, as defined in s. 115.001 (15m), or otherwise permitting the transaction of
10 business by agencies, authorities, local governmental units, entities in the private
11 sector, individuals, or tribal schools by means of electronic communication. The
12 department may assess executive branch agencies, other than the board of regents
13 of the University of Wisconsin System, for the costs of systems or devices relating to
14 information technology or telecommunications that are developed, operated, or
15 maintained under this subsection in accordance with a methodology determined by
16 the department. The department may also charge any agency, authority, local
17 governmental unit, entity in the private sector, individual, or tribal school for such
18 costs as a component of any services provided by the department to that agency,
19 authority, local governmental unit, entity, individual, or tribal school.

20 **SECTION 191.** 16.975 of the statutes is amended to read:

21 **16.975 Access to information.** The department shall withhold from access
22 under s. 19.35 (1) all information submitted to the department by agencies,
23 authorities, units of the federal government, local governmental units ~~or~~, entities in
24 the private sector, or individuals for the purpose of processing. The department may
25 not process such information without the consent of the agency, authority, unit ~~or~~

ASSEMBLY BILL 40**SECTION 191**

1 ~~other~~, entity, or individual which submitted the information and may not withhold
2 such information from the agency, authority, unit ~~or other~~, entity, or individual or
3 from any other person authorized by the agency, authority, unit ~~or~~, entity, or
4 individual to have access to the information. The agency, authority, unit ~~or other~~,
5 entity, or individual submitting the information remains the custodian of the
6 information while it is in the custody of the department and access to such
7 information by that agency, authority, unit ~~or~~, entity, or individual or any other
8 person shall be determined by that agency, authority, unit ~~or other~~, entity, or
9 individual and in accordance with law.

10 **SECTION 192.** 16.9795 of the statutes is created to read:

11 **16.9795 Broadband expansion grant program. (1)** In this section:

12 (a) "Eligible applicant" means any of the following:

13 1. An organization operated for profit or not for profit, including a cooperative.

14 2. A telecommunications utility.

15 3. A city, village, town, or county that submits an application in partnership

16 with an eligible applicant under subd. 1. or 2.

17 (b) "Underserved" means served by fewer than 2 broadband service providers.

18 **(2)** The department shall administer the broadband expansion program and
19 shall have the following powers:

20 (a) In consultation with the public service commission, to make broadband
21 expansion grants to eligible applicants for the purpose of constructing broadband
22 infrastructure in underserved areas designated under par. (d). Grants awarded
23 under this section shall be paid from the appropriation under s. 20.505 (4) (u).

24 (b) To prescribe the form, nature, and extent of the information that shall be
25 contained in an application for a grant under this section. The application shall

ASSEMBLY BILL 40**SECTION 192**

1 require the applicant to identify the area of the state that will be affected by the
2 proposed project and explain how the proposed project will increase broadband
3 access.

4 (c) To establish criteria for evaluating applications and awarding grants under
5 this section. The criteria shall prohibit grants that have the effect of subsidizing the
6 expenses of a telecommunication service provider or the monthly bills of
7 telecommunications customers. The criteria shall give priority to projects that
8 include matching funds, that involve public-private partnerships, that affects areas
9 with no broadband service providers, or that affect a large geographic area or a large
10 number of underserved individuals or communities.

11 (d) In consultation with the public service commission, to designate areas of the
12 state that are underserved as underserved areas.

13 **SECTION 193.** 17.03 (4) (d) of the statutes is amended to read:

14 17.03 (4) (d) If the office is local and appointive, and residency, subject to s.
15 66.0502, is a local requirement, the county, city, village, town, district, or area within
16 which the duties of the office are required to be discharged.

17 **SECTION 194.** 20.002 (11) (b) 2. of the statutes is amended to read:

18 20.002 (11) (b) 2. Except as provided in subd. 3, the secretary of administration
19 shall limit the total amount of any temporary reallocations to the general fund at any
20 one time during a fiscal year to an amount ~~equal to 5%~~ not to exceed 9 percent of the
21 total amounts shown in the schedule under s. 20.005 (3) of appropriations of general
22 purpose revenues, calculated by the secretary as of that time and for that fiscal year.
23 ~~During the 2011-13 fiscal biennium, the amount that may be reallocated under this~~
24 ~~subdivision during a fiscal year may not exceed 9 percent of such revenues.~~

25 **SECTION 195.** 20.003 (4) (gm) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 195**

1 20.003 (4) (gm) For fiscal year 2015-16, \$65,000,000.

2 **SECTION 196.** 20.003 (4) (gn) of the statutes is created to read:

3 20.003 (4) (gn) For fiscal year 2016-17, \$65,000,000.

4 **SECTION 197.** 20.003 (4) (L) of the statutes is amended to read:

5 20.003 (4) (L) For fiscal year ~~2015-16~~ 2017-18 and each fiscal year thereafter,
6 2 percent.

7 **SECTION 198.** 20.005 (1) of the statutes is repealed and recreated to read:

8 20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for
9 the state of Wisconsin for all funds beginning on July 1, 2013, and ending on June
10 30, 2015, is summarized as follows: [See Figure 20.005 (1) following]

11

12 **Figure: 20.005 (1)**

13

GENERAL FUND SUMMARY

| | 2013-14 | 2014-15 |
|--|--------------------------|--------------------------|
| Opening Balance, July 1 | \$ 487,725,300 | \$ 296,256,900 |
| Revenues | | |
| Taxes | \$ 13,991,205,900 | \$ 14,520,998,000 |
| Departmental Revenues | | |
| Tribal Gaming | 25,985,400 | 26,766,700 |
| Other | <u>563,520,500</u> | <u>521,019,700</u> |
| Total Available | \$ 15,068,437,100 | \$ 15,365,041,300 |
| Appropriations, Transfers, and Reserves | | |
| Gross Appropriations | \$ 14,978,420,900 | \$ 15,507,819,500 |
| Transfers to: | | |
| Transportation Fund | 58,127,000 | 36,302,500 |
| Veterans Trust Fund | 5,300,000 | 0 |

ASSEMBLY BILL 40**SECTION 198**

| | 2013-14 | 2014-15 |
|---------------------------------|--------------------------|--------------------------|
| Compensation Reserves | 46,363,700 | 76,000,500 |
| Less Lapses | <u>-316,031,400</u> | <u>-363,180,900</u> |
| Total Expenditures | \$ 14,772,180,200 | \$ 15,256,941,600 |
| Balances | | |
| Gross Balance | \$ 296,256,900 | \$ 108,099,700 |
| Less Required Statutory Balance | <u>-65,000,000</u> | <u>-65,000,000</u> |
| Net Balance, June 30 | \$ 231,256,900 | \$ 43,099,700 |

SUMMARY OF APPROPRIATIONS — ALL FUNDS

| | 2013-14 | 2014-15 |
|-------------------------|--------------------------|--------------------------|
| General Purpose Revenue | \$ 14,978,420,900 | \$ 15,507,819,500 |
| Federal Revenue | \$ 9,663,243,000 | \$ 9,915,856,400 |
| Program | 8,764,609,400 | 9,018,125,100 |
| Segregated | 898,633,600 | 897,731,300 |
| Program Revenue | \$ 4,961,635,700 | \$ 4,991,319,500 |
| Nonservice | 4,126,413,800 | 4,158,037,000 |
| Service | 835,221,900 | 833,282,500 |
| Segregated Revenue | \$ 4,048,794,200 | \$ 3,931,573,400 |
| State nonservice | 3,700,673,000 | 3,583,427,900 |
| Local | 107,611,800 | 107,636,100 |
| Service | 240,509,400 | 240,509,400 |
| GRAND TOTAL | \$ 33,652,093,800 | \$ 34,346,568,800 |

ASSEMBLY BILL 40**SECTION 198****SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

| | 2013-14 | 2014-15 |
|-------------------------|----------------------|-----------------------|
| General Purpose Revenue | \$ 46,363,700 | \$ 76,000,500 |
| Federal Revenue | 12,054,600 | 19,760,100 |
| Program Revenue | 20,400,000 | 33,440,200 |
| Segregated Revenue | <u>13,909,100</u> | <u>22,800,100</u> |
| TOTAL | \$ 92,727,400 | \$ 152,000,900 |

LOTTERY FUND SUMMARY

| | 2013-14 | 2014-15 |
|-------------------------|-----------------------|-----------------------|
| Gross Revenue | | |
| Ticket Sales | \$ 526,636,400 | \$ 526,636,400 |
| Miscellaneous Revenue | <u>63,800</u> | <u>63,800</u> |
| | \$ 526,700,200 | \$ 526,700,200 |
| Expenses | | |
| Prizes | \$ 310,686,300 | \$ 310,686,300 |
| Administrative Expenses | <u>72,803,000</u> | <u>73,142,300</u> |
| | \$ 383,489,300 | \$ 383,828,600 |
| Net Proceeds | \$ 143,210,900 | \$ 142,871,600 |

ASSEMBLY BILL 40

| | 2013-14 | 2014-15 |
|--|-----------------------|-----------------------|
| Total Available for Property Tax Relief | | |
| Opening Balance | \$ 17,157,600 | \$ 10,534,000 |
| Net Proceeds | 143,210,900 | 142,871,600 |
| Interest Earnings | 111,200 | 124,600 |
| Gaming-Related Revenue | <u>102,300</u> | <u>102,300</u> |
| | \$ 160,582,100 | \$ 153,632,500 |
| Property Tax Relief | \$ 150,048,000 | \$ 143,098,500 |
| Gross Closing Balance | \$ 10,534,000 | \$ 10,534,000 |
| Reserve | \$ 10,534,000 | \$ 10,534,000 |
| Net Balance | \$ -0- | \$ -0- |

1
2
3
4
5
6
7
8

SECTION 199. 20.005 (2) of the statutes is repealed and recreated to read:

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

Figure: 20.005 (2) (a)

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2013-15 FISCAL BIENNIUM**

| | |
|---------------------------|---------------|
| Source and Purpose | Amount |
|---------------------------|---------------|

GENERAL OBLIGATIONS

Agriculture, Trade and Consumer Protection

| | |
|----------------|--------------|
| Soil and water | \$ 7,000,000 |
|----------------|--------------|

Building Commission

ASSEMBLY BILL 40**SECTION 199**

| Source and Purpose | Amount |
|--|-------------------------|
| Refunding tax-supported and self-amortizing general obligation debt | 2,010,000,000 |
| Environmental Improvement Fund | |
| Safe drinking water loan program | 7,100,000 |
| Natural Resources | |
| Contaminated sediment removal | 5,000,000 |
| Dam safety projects | 4,000,000 |
| Nonpoint source | 7,000,000 |
| Urban nonpoint source cost-sharing | 5,000,000 |
| Transportation | |
| Rail acquisitions and improvements | 60,000,000 |
| Harbor improvements | 10,700,000 |
| State highway rehabilitation projects, southeast megaprojects | 200,000,000 |
| Southeast rehabilitation projects, southeast megaprojects, and high-cost bridge projects | <u>307,000,000</u> |
| TOTAL General Obligation Bonds | \$ 2,622,800,000 |
| REVENUE OBLIGATIONS | |
| Transportation | |
| Transportation facilities and major highway projects | <u>\$ 416,512,000</u> |
| TOTAL Revenue Obligation Bonds | \$ 416,512,000 |
| GRAND TOTAL General and Revenue Obligation Bonding Authority Modifications | \$ 3,039,312,000 |

ASSEMBLY BILL 401
2
3**Figure: 20.005 (2) (b)****GENERAL OBLIGATION DEBT SERVICE
FISCAL YEARS 2013-14 AND 2014-15**

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|--|---------------|----------------|----------------|
| <i>20.115 Agriculture, trade and consumer protection, department of</i> | | | |
| (2) (d) Principal repayment and interest | GPR | \$ 15,500 | \$ 14,100 |
| (7) (b) Principal repayment and interest, conservation reserve enhancement | GPR | 1,697,100 | 1,243,600 |
| <i>20.190 State fair park board</i> | | | |
| (1) (c) Housing facilities principal repayment, interest and rebates | GPR | 1,120,200 | 1,120,400 |
| (1) (d) Principal repayment and interest | GPR | 2,374,700 | 2,374,200 |
| <i>20.225 Educational communications board</i> | | | |
| (1) (c) Principal repayment and interest | GPR | 2,898,400 | 2,856,400 |
| <i>20.245 Historical society</i> | | | |
| (1) (e) Principal repayment, interest, and rebates | GPR | 3,243,600 | 3,263,700 |
| <i>20.250 Medical College of Wisconsin</i> | | | |
| (1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator | GPR | 3,146,700 | 3,332,900 |
| (1) (e) Principal repayment and interest | GPR | 208,400 | 194,500 |
| <i>20.255 Public instruction, department of</i> | | | |
| (1) (d) Principal repayment and interest | GPR | 1,156,900 | 1,152,400 |
| <i>20.285 University of Wisconsin System</i> | | | |
| (1) (d) Principal repayment and interest | GPR | 235,855,700 | 245,110,100 |

ASSEMBLY BILL 40**SECTION 199**

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|---|---------------|----------------|----------------|
| <i>20.320 Environmental improvement program</i> | | | |
| (1) (c) Principal repayment and interest - clean water fund program | GPR | 32,732,600 | 34,535,900 |
| (2) (c) Principal repayment and interest - safe drinking water loan program | GPR | 5,244,600 | 5,407,300 |
| <i>20.370 Natural resources, department of</i> | | | |
| (7) (aa) Resource acquisition and development - principal repayment and interest | GPR | 78,262,500 | 81,058,100 |
| (7) (ac) Principal repayment and interest - recreational boating bonds | GPR | -0- | -0- |
| (7) (cb) Principal repayment and interest - pollution abatement bonds | GPR | 9,734,100 | 9,871,800 |
| (7) (cc) Principal repayment and interest - combined sewer overflow; pollution abatement bonds | GPR | 5,403,100 | 5,138,400 |
| (7) (cd) Principal repayment and interest - municipal clean drinking water grants | GPR | 288,000 | 270,400 |
| (7) (ea) Administrative facilities - principal repayment and interest | GPR | 933,600 | 873,500 |
| <i>20.395 Transportation, department of</i> | | | |
| (6) (af) Principal repayment and interest, local roads for job preservation program, major highway and rehabilitation projects, southeast megaprojects, state funds | GPR | 177,301,000 | 144,171,300 |
| <i>20.410 Corrections, department of</i> | | | |
| (1) (e) Principal repayment and interest | GPR | 95,680,700 | 90,165,000 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|--|---------------|----------------|----------------|
| (1) (ec) Prison industries principal, interest and rebates | GPR | -0- | -0- |
| (3) (e) Principal repayment and interest | GPR | 6,701,800 | 6,546,200 |
| <i>20.435 Health services, department of</i> | | | |
| (2) (ee) Principal repayment and interest | GPR | 23,559,800 | 23,523,800 |
| <i>20.465 Military affairs, department of</i> | | | |
| (1) (d) Principal repayment and interest | GPR | 6,390,300 | 6,429,300 |
| <i>20.485 Veterans affairs, department of</i> | | | |
| (1) (f) Principal repayment and interest | GPR | 1,648,400 | 1,632,100 |
| <i>20.505 Administration, department of</i> | | | |
| (4) (es) Principal, interest, and rebates; general purpose revenue - schools | GPR | 2,153,300 | 2,052,300 |
| (4) (et) Principal, interest, and rebates; general purpose revenue - public library boards | GPR | 16,200 | 16,900 |
| (5) (c) Principal repayment and interest; Black Point Estate | GPR | 177,300 | 185,300 |
| <i>20.855 Miscellaneous appropriations</i> | | | |
| (8) (a) Dental clinic and education facility; principal repayment, interest and rebates | GPR | 1,816,300 | 1,770,300 |
| <i>20.867 Building commission</i> | | | |
| (1) (a) Principal repayment and interest; housing of state agencies | GPR | -0- | -0- |
| (1) (b) Principal repayment and interest; capitol and executive residence | GPR | 14,926,600 | 14,901,800 |
| (3) (a) Principal repayment and interest | GPR | 20,116,200 | 36,084,100 |

ASSEMBLY BILL 40**SECTION 199**

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|--|---------------|----------------|----------------|
| (3) (b) Principal repayment and interest | GPR | 2,261,800 | 1,803,800 |
| (3) (bb) Principal repayment, interest and rebates; AIDS Network, Inc. | GPR | 24,500 | 24,500 |
| (3) (bc) Principal repayment, interest and rebates; Grand Opera House in Oshkosh | GPR | 32,300 | 35,100 |
| (3) (bd) Principal repayment, interest and rebates; Aldo Leopold climate change classroom and interactive laboratory | GPR | 38,400 | 38,400 |
| (3) (be) Principal repayment, interest and rebates; Bradley Center Sports and Entertainment Corporation | GPR | 385,600 | 388,700 |
| (3) (bf) Principal repayment, interest and rebates; AIDS Resource Center of Wisconsin, Inc. | GPR | 65,300 | 65,300 |
| (3) (bg) Principal repayment, interest, and rebates; Madison Children's Museum | GPR | 20,400 | 20,400 |
| (3) (bh) Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc. | GPR | 41,500 | 41,500 |
| (3) (bi) Principal repayment, interest, and rebates; Marshfield Clinic | GPR | -0- | -0- |
| (3) (bj) Principal repayment, interest, and rebates; Lac du Flambeau Indian Tribal Cultural Center | GPR | 10,100 | 20,100 |
| (3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc. | GPR | 140,100 | 139,000 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|---|---------------|----------------------|----------------------|
| (3) (bn) Principal repayment, interest and rebates; Hmong cultural centers | GPR | 22,400 | 22,200 |
| (3) (bp) Principal repayment, interest and rebates | GPR | 22,100 | 22,100 |
| (3) (bq) Principal repayment, interest and rebates; children's research institute | GPR | 1,041,400 | 1,085,400 |
| (3) (br) Principal repayment, interest and rebates | GPR | 104,300 | 102,600 |
| (3) (bu) Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums | GPR | 44,300 | 44,300 |
| (3) (bv) Principal repayment, interest, and rebates; Bond Health Center | GPR | 23,200 | 23,200 |
| (3) (e) Principal repayment, interest and rebates; parking ramp | GPR | <u>-0-</u> | <u>-0-</u> |
| TOTAL General Purpose Revenue Debt Service | | \$739,081,300 | \$729,172,700 |
| <i>20.190 State fair park board</i> | | | |
| (1) (i) State fair capital expenses | PR | \$ -0- | \$ -0- |
| (1) (j) State fair principal repayment, interest and rebates | PR | 3,939,500 | \$3,952,900 |
| <i>20.225 Educational communications board</i> | | | |
| (1) (i) Program revenue facilities; principal repayment, interest, and rebates | PR | 13,900 | 13,900 |
| <i>20.245 Historical society</i> | | | |
| (1) (j) Self-amortizing facilities; principal repayment, interest, and rebates | PR | 2,400 | 5,000 |

ASSEMBLY BILL 40**SECTION 199**

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|---|---------------|----------------|----------------|
| <i>20.285 University of Wisconsin System</i> | | | |
| (1) (gj) Self-amortizing facilities principal and interest | PR | 138,022,300 | 155,388,900 |
| <i>20.370 Natural resources, department of</i> | | | |
| (7) (ag) Land acquisition - principal repayment and interest | PR | -0- | -0- |
| (7) (cg) Principal repayment and interest - nonpoint repayments | PR | -0- | -0- |
| <i>20.410 Corrections, department of</i> | | | |
| (1) (ko) Prison industries principal repayment, interest and rebates | PR | 90,900 | 214,000 |
| <i>20.505 Administration, department of</i> | | | |
| (4) (ha) Principal, interest, and rebates; program revenue - schools | PR | 16,800 | 178,500 |
| (4) (hb) Principal, interest, and rebates; program revenue - public library boards | PR | -0- | -0- |
| (5) (g) Principal repayment, interest and rebates; parking | PR | 2,346,000 | 2,326,300 |
| (5) (kc) Principal repayment, interest and rebates | PR | 19,045,400 | 17,999,100 |
| <i>20.867 Building commission</i> | | | |
| (3) (g) Principal repayment, interest and rebates; program revenues | PR | -0- | -0- |
| (3) (h) Principal repayment, interest, and rebates | PR | -0- | -0- |
| (3) (i) Principal repayment, interest and rebates; capital equipment | PR | -0- | -0- |
| (3) (kd) Energy conservation construction projects; principal repayment, interest and rebates | PR | 2,337,600 | 4,536,200 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|---|---------------|----------------|----------------|
| (3) (km) Aquaculture demonstration facility; principal repayment and interest | PR | <u>262,600</u> | <u>263,100</u> |
| TOTAL Program Revenue Debt Service | | \$166,077,400 | \$184,877,900 |

20.115 Agriculture, trade and consumer protection, department of

| | | | |
|--|-----|--------------|--------------|
| (7) (s) Principal repayment and interest; soil and water, environmental fund | SEG | \$ 3,659,500 | \$ 3,900,700 |
|--|-----|--------------|--------------|

20.320 Environmental improvement program

| | | | |
|---|-----|-----------|-----------|
| (1) (t) Principal repayment and interest - clean water fund program bonds | SEG | 8,000,000 | 8,000,000 |
|---|-----|-----------|-----------|

20.370 Natural resources, department of

| | | | |
|--|-----|------------|------------|
| (7) (aq) Resource acquisition and development - principal repayment and interest | SEG | 16,500 | 16,500 |
| (7) (ar) Dam repair and removal - principal repayment and interest | SEG | 533,000 | 543,600 |
| (7) (at) Recreation development - principal repayment and interest | SEG | -0- | -0- |
| (7) (au) State forest acquisition and development - principal repayment and interest | SEG | 13,500,000 | 13,500,000 |
| (7) (bq) Principal repayment and interest - remedial action | SEG | 3,486,600 | 3,385,300 |
| (7) (br) Principal repayment and interest - contaminated sediment | SEG | 1,485,700 | 1,786,400 |
| (7) (cq) Principal repayment and interest - nonpoint source grants | SEG | 7,981,400 | 7,965,700 |
| (7) (cr) Principal repayment and interest - nonpoint source | SEG | 1,302,400 | 1,525,000 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|--|---------------|----------------|----------------|
| (7) (cs) Principal repayment and interest - urban nonpoint source cost-sharing | SEG | 2,927,900 | 3,193,800 |
| (7) (ct) Principal and interest - pollution abatement, environmental fund | SEG | 8,000,000 | 8,000,000 |
| (7) (eq) Administrative facilities - principal repayment and interest | SEG | 4,977,700 | 5,058,100 |
| (7) (er) Administrative facilities - principal repayment and interest; environmental fund | SEG | 816,900 | 883,700 |
| <i>20.395 Transportation, department of</i> | | | |
| (6) (aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds | SEG | 29,844,200 | 30,960,800 |
| (6) (ar) Principal repayment and interest, buildings, state funds | SEG | 25,200 | 25,900 |
| (6) (au) Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high-cost bridge projects, state funds | SEG | 47,939,100 | 67,360,200 |
| <i>20.485 Veterans affairs, department of</i> | | | |
| (1) (rg) Self-amortizing facilities; principal repayment and interest | SEG | 1,660,900 | 1,902,500 |
| (3) (t) Debt service | SEG | 8,435,900 | 6,906,600 |
| (4) (qm) Repayment of principal and interest | SEG | 81,200 | 87,000 |
| <i>20.866 Public debt</i> | | | |
| (1) (u) Principal repayment and interest | SEG | -0- | -0- |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | 2013-14 | 2014-15 |
|---|--------|------------------------|------------------------|
| 20.867 Building commission | | | |
| (3) (q) Principal repayment and interest; segregated revenues | SEG | -0- | -0- |
| TOTAL Segregated Revenue Debt Service | | \$ 144,674,100 | \$ 165,001,800 |
| GRAND TOTAL All Debt Service | | \$1,049,832,800 | \$1,079,052,400 |

1
2 **SECTION 200.** 20.005 (3) of the statutes is repealed and recreated to read:
3 20.005 (3) APPROPRIATIONS. The following schedule sets forth all annual,
4 biennial, and sum certain continuing appropriations and anticipated expenditures
5 from other appropriations for the programs and other purposes indicated. All
6 appropriations are made from the general fund unless otherwise indicated. The
7 letter abbreviations shown designating the type of appropriation apply to both fiscal
8 years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

9
10 **Figure: 20.005 (3)**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--------|------|-----------|-----------|
| Commerce | | | | |
| 20.115 Agriculture, Trade and Consumer Protection, Department of | | | | |
| (1) FOOD SAFETY AND CONSUMER PROTECTION | | | | |
| (a) General program operations | GPR | A | -0- | -0- |
| Food inspection | GPR | A | 3,413,700 | 3,415,100 |
| Meat and poultry inspection | GPR | A | 3,911,700 | 3,912,300 |
| Trade and consumer protection | GPR | A | 1,710,100 | 1,713,000 |
| NET APPROPRIATION | | | 9,035,500 | 9,040,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (c) Petroleum products; storage tank | | | | |
| 2 | inventory | GPR | A | -0- | -0- |
| 3 | (g) Related services | PR | A | 42,700 | 42,700 |
| 4 | (gb) Food regulation | PR | A | 5,426,100 | 5,427,400 |
| 5 | (gc) Testing of petroleum products | PR | C | -0- | -0- |
| 6 | (gf) Fruit and vegetable inspection | PR | C | 964,100 | 964,300 |
| 7 | (gh) Public warehouse regulation | PR | A | 126,000 | 126,200 |
| 8 | (gm) Dairy trade regulation | PR | A | 158,500 | 158,700 |
| 9 | (h) Grain inspection and certification | PR | C | 1,241,300 | 1,241,300 |
| 10 | (hm) Ozone-depleting refrigerants and | | | | |
| 11 | products regulation | PR | A | 470,100 | 470,400 |
| 12 | (i) Sale of supplies | PR | A | 25,400 | 25,400 |
| 13 | (im) Consumer protection; telephone | | | | |
| 14 | solicitor fees | PR | A | 241,700 | 248,300 |
| 15 | (ip) Bisphenol A enforcement | PR | C | -0- | -0- |
| 16 | (j) Weights and measures inspection | PR | A | 1,274,900 | 1,274,900 |
| 17 | (jb) Consumer protection, information, | | | | |
| 18 | and education | PR | A | 147,800 | 147,800 |
| 19 | (jm) Telecommunications utility trade | | | | |
| 20 | practices | PR | A | 382,200 | 386,200 |
| 21 | (m) Federal funds | PR-F | C | 5,505,100 | 5,505,800 |
| 22 | (q) Dairy, grain, and vegetable security | SEG | A | 1,147,000 | 1,151,800 |
| 23 | (r) Unfair sales act enforcement | SEG | A | 222,000 | 228,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (s) Weights and measures; petroleum | | | | |
| 2 | inspection fund | SEG | A | 786,400 | 790,000 |
| 3 | (t) Petroleum products; petroleum | | | | |
| 4 | inspection fund | SEG | A | 5,153,100 | 4,963,500 |
| 5 | (u) Recyclable and nonrecyclable | | | | |
| 6 | products regulation | SEG | A | -0- | -0- |
| 7 | (v) Agricultural producer security; | | | | |
| 8 | contingent financial backing | SEG | S | -0- | -0- |
| 9 | (w) Agricultural producer security; | | | | |
| 10 | payments | SEG | S | 200,000 | 200,000 |
| 11 | (wb) Agricultural producer security; | | | | |
| 12 | proceeds of contingent financial | | | | |
| 13 | backing | SEG | C | -0- | -0- |
| 14 | (wc) Agricultural producer security; | | | | |
| 15 | repayment of contingent financial | | | | |
| 16 | backing | SEG | S | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 9,035,500 | 9,040,400 |
| | PROGRAM REVENUE | | | 16,005,900 | 16,019,400 |
| | FEDERAL | | | (5,505,100) | (5,505,800) |
| | OTHER | | | (10,500,800) | (10,513,600) |
| | SEGREGATED REVENUE | | | 7,508,500 | 7,333,800 |
| | OTHER | | | (7,508,500) | (7,333,800) |
| | TOTAL-ALL SOURCES | | | 32,549,900 | 32,393,600 |
| 17 | (2) ANIMAL HEALTH SERVICES | | | | |
| 18 | (a) General program operations | GPR | A | 2,719,700 | 2,719,700 |
| 19 | (b) Animal disease indemnities | GPR | S | 108,600 | 108,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (c) Financial assistance for | | | | |
| 2 | paratuberculosis testing | GPR | A | -0- | -0- |
| 3 | (d) Principal repayment and interest | GPR | S | 15,500 | 14,100 |
| 4 | (e) Livestock premises registration | GPR | A | 250,400 | 250,400 |
| 5 | (g) Related services | PR | C | -0- | -0- |
| 6 | (h) Sale of supplies | PR | A | 28,400 | 28,400 |
| 7 | (ha) Inspection, testing and enforcement | PR | C | 591,500 | 593,400 |
| 8 | (j) Dog licenses, rabies control, and | | | | |
| 9 | related services | PR | C | 504,500 | 504,700 |
| 10 | (m) Federal funds | PR-F | C | 1,059,300 | 1,059,800 |
| 11 | (q) Animal health inspection, testing | | | | |
| 12 | and enforcement | SEG | A | 352,500 | 352,500 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 3,094,200 | 3,092,800 |
| | PROGRAM REVENUE | | | 2,183,700 | 2,186,300 |
| | FEDERAL | | | (1,059,300) | (1,059,800) |
| | OTHER | | | (1,124,400) | (1,126,500) |
| | SEGREGATED REVENUE | | | 352,500 | 352,500 |
| | OTHER | | | (352,500) | (352,500) |
| | TOTAL-ALL SOURCES | | | 5,630,400 | 5,631,600 |
| 13 | (3) AGRICULTURAL DEVELOPMENT SERVICES | | | | |
| 14 | (a) General program operations | GPR | A | 2,103,700 | 2,106,800 |
| 15 | (at) Farm to school program | | | | |
| 16 | administration | GPR | A | 66,600 | 66,600 |
| 17 | (g) Related services | PR | A | -0- | -0- |
| 18 | (h) Loans for rural development | PR | C | 58,700 | 58,700 |
| 19 | (i) Marketing orders and agreements | PR | C | 96,800 | 97,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (j) Stray voltage program | PR | A | 537,300 | 537,600 |
| 2 | (ja) Agricultural development services | | | | |
| 3 | and materials | PR | C | 148,300 | 148,400 |
| 4 | (jm) Stray voltage program; rural | | | | |
| 5 | electric cooperatives | PR | A | 22,600 | 22,600 |
| 6 | (L) Something special from Wisconsin | | | | |
| 7 | promotion | PR | A | 60,100 | 60,400 |
| 8 | (m) Federal funds | PR-F | C | 2,785,000 | 2,779,400 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,170,300 | 2,173,400 |
| | PROGRAM REVENUE | | | 3,708,800 | 3,704,100 |
| | FEDERAL | | | (2,785,000) | (2,779,400) |
| | OTHER | | | (923,800) | (924,700) |
| | TOTAL-ALL SOURCES | | | 5,879,100 | 5,877,500 |
| 9 | (4) AGRICULTURAL ASSISTANCE | | | | |
| 10 | (a) Aid to Wisconsin livestock breeders | | | | |
| 11 | association | GPR | A | -0- | -0- |
| 12 | (am) Buy local grants | GPR | B | -0- | -0- |
| 13 | (as) Farm to school grants | GPR | A | -0- | -0- |
| 14 | (b) Aids to county and district fairs | GPR | A | 356,400 | 356,400 |
| 15 | (c) Agricultural investment aids | GPR | B | -0- | -0- |
| 16 | (d) Dairy industry promotion | GPR | A | 200,000 | 200,000 |
| 17 | (dm) Dairy processing plant grant | | | | |
| 18 | program | GPR | A | 200,000 | 200,000 |
| 19 | (e) Aids to World Dairy Expo, Inc. | GPR | A | 20,100 | 20,100 |
| 20 | (f) Exposition center grants | GPR | A | 182,700 | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (q) Grants for agriculture in the | | | | |
| 2 | classroom program | SEG | A | 93,900 | 93,900 |
| 3 | (qm) Grants for agricultural facilities | SEG | B | -0- | -0- |
| 4 | (r) Agricultural investment aids, | | | | |
| 5 | agrichemical management fund | SEG | B | -0- | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 959,200 | 776,500 |
| | SEGREGATED REVENUE | | | 93,900 | 93,900 |
| | OTHER | | | (93,900) | (93,900) |
| | TOTAL-ALL SOURCES | | | 1,053,100 | 870,400 |
| 6 | (7) AGRICULTURAL RESOURCE MANAGEMENT | | | | |
| 7 | (a) General program operations | GPR | A | 763,600 | 765,700 |
| 8 | (b) Principal repayment and interest, | | | | |
| 9 | conservation reserve enhancement | GPR | S | 1,697,100 | 1,243,600 |
| 10 | (c) Soil and water resource | | | | |
| 11 | management program | GPR | C | 2,844,500 | 3,027,200 |
| 12 | (dm) Farmland preservation planning | | | | |
| 13 | grants | GPR | A | 374,200 | 374,200 |
| 14 | (g) Agricultural impact statements | PR | C | 299,600 | 299,800 |
| 15 | (ga) Related services | PR | C | 334,500 | 336,600 |
| 16 | (gm) Seed testing and labeling | PR | C | 86,100 | 86,100 |
| 17 | (h) Fertilizer research assessments | PR | C | 135,600 | 135,600 |
| 18 | (ha) Liming material research funds | PR | C | 21,100 | 21,100 |
| 19 | (i) Agricultural conservation | | | | |
| 20 | easements; gifts and grants | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-------------------------|--|---------------|-------------|------------------|------------------|
| 1 | (ja) Plant protection | PR | C | 321,500 | 321,900 |
| 2 | (k) Agricultural resource management | | | | |
| 3 | services | PR-S | C | 669,100 | 669,200 |
| 4 | (m) Federal funds | PR-F | C | 2,600,500 | 2,601,600 |
| 5 | (qc) Plant protection; conservation fund | SEG | A | 1,555,400 | 1,556,500 |
| 6 | (qd) Soil and water administration; | | | | |
| 7 | environmental fund | SEG | A | 2,185,500 | 2,187,900 |
| 8 | (qe) Soil and water management; local | | | | |
| 9 | assistance | SEG | A | 5,036,900 | 5,036,900 |
| 10 | (qf) Soil and water management; aids | SEG | A | 2,500,000 | 2,500,000 |
| 11 | (r) General program operations; | | | | |
| 12 | agrichemical management | SEG | A | 6,663,100 | 6,668,000 |
| 13 | (s) Principal repayment and interest; | | | | |
| 14 | soil and water, environmental fund | SEG | S | 3,659,500 | 3,900,700 |
| 15 | (tg) Agricultural conservation | | | | |
| 16 | easements | SEG | A | -0- | -0- |
| 17 | (tm) Farmland preservation planning | | | | |
| 18 | grants, working lands fund | SEG | A | -0- | -0- |
| 19 | (ts) Working lands programs | SEG | A | -0- | -0- |
| 20 | (va) Clean sweep grants | SEG | A | 1,500,000 | 750,000 |
| 21 | (wm) Agricultural chemical cleanup | | | | |
| 22 | reimbursement | SEG | C | 1,500,000 | 1,500,000 |
| (7) PROGRAM TOTALS | | | | | |
| GENERAL PURPOSE REVENUE | | | | 5,679,400 | 5,410,700 |
| PROGRAM REVENUE | | | | 4,468,000 | 4,471,900 |
| FEDERAL | | | | (2,600,500) | (2,601,600) |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--|--------|------|--------------|--------------|
| | OTHER | | | (1,198,400) | (1,201,100) |
| | SERVICE | | | (669,100) | (669,200) |
| | SEGREGATED REVENUE | | | 24,600,400 | 24,100,000 |
| | OTHER | | | (24,600,400) | (24,100,000) |
| | TOTAL-ALL SOURCES | | | 34,747,800 | 33,982,600 |
| 1 | (8) CENTRAL ADMINISTRATIVE SERVICES | | | | |
| 2 | (a) General program operations | GPR | A | 5,828,400 | 5,842,900 |
| 3 | (g) Gifts and grants | PR | C | 1,168,100 | 1,137,900 |
| 4 | (ge) Agricultural education and | | | | |
| 5 | workforce development council, | | | | |
| 6 | gifts and grants | PR | C | -0- | -0- |
| 7 | (gm) Enforcement cost recovery | PR | A | 4,600 | 4,600 |
| 8 | (h) Sale of material and supplies | PR | C | 9,600 | 9,600 |
| 9 | (ha) General laboratory related services | PR | C | 44,200 | 44,200 |
| 10 | (hm) Restitution | PR | C | -0- | -0- |
| 11 | (i) Related services | PR | A | 85,600 | 85,600 |
| 12 | (j) Electronic processing | PR | C | -0- | -0- |
| 13 | (jm) Telephone solicitation regulation | PR | C | 743,500 | 750,500 |
| 14 | (k) Computer system equipment, staff | | | | |
| 15 | and services | PR-S | A | 2,112,200 | 2,112,200 |
| 16 | (kL) Central services | PR-S | C | 892,600 | 901,800 |
| 17 | (km) General laboratory services | PR-S | B | 2,904,000 | 2,904,000 |
| 18 | (ks) State services | PR-S | C | 178,400 | 181,800 |
| 19 | (m) Federal funds | PR-F | C | 618,000 | 619,900 |
| 20 | (pz) Indirect cost reimbursements | PR-F | C | 2,037,400 | 1,987,700 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 | | |
|-----------------------------|---|------------------------------------|--------------|--------------|------------|------------|
| (8) PROGRAM TOTALS | | | | | | |
| GENERAL PURPOSE REVENUE | | | 5,828,400 | 5,842,900 | | |
| PROGRAM REVENUE | | | 10,798,200 | 10,739,800 | | |
| FEDERAL | | | (2,655,400) | (2,607,600) | | |
| OTHER | | | (2,055,600) | (2,032,400) | | |
| SERVICE | | | (6,087,200) | (6,099,800) | | |
| TOTAL-ALL SOURCES | | | 16,626,600 | 16,582,700 | | |
| 20.115 DEPARTMENT TOTALS | | | | | | |
| GENERAL PURPOSE REVENUE | | | 26,767,000 | 26,336,700 | | |
| PROGRAM REVENUE | | | 37,164,600 | 37,121,500 | | |
| FEDERAL | | | (14,605,300) | (14,554,200) | | |
| OTHER | | | (15,803,000) | (15,798,300) | | |
| SERVICE | | | (6,756,300) | (6,769,000) | | |
| SEGREGATED REVENUE | | | 32,555,300 | 31,880,200 | | |
| OTHER | | | (32,555,300) | (31,880,200) | | |
| TOTAL-ALL SOURCES | | | 96,486,900 | 95,338,400 | | |
| 1 | 20.144 Financial Institutions, Department of | | | | | |
| 2 | (1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION AND OTHER FUNCTIONS | | | | | |
| 3 | (a) | Losses on public deposits | GPR | S | -0- | -0- |
| 4 | (g) | General program operations | PR | A | 16,806,700 | 16,904,900 |
| 5 | (h) | Gifts, grants, settlements and | | | | |
| 6 | | publications | PR | C | 58,500 | 58,500 |
| 7 | (i) | Investor education and training | | | | |
| 8 | | fund | PR | A | 84,500 | 84,500 |
| 9 | (j) | Payday loan database and financial | | | | |
| 10 | | literacy | PR | C | 900,000 | 900,000 |
| 11 | (m) | Credit union examinations, federal | | | | |
| 12 | | funds | PR-F | C | -0- | -0- |
| 13 | (u) | State deposit fund | SEG | S | -0- | -0- |
| (1) PROGRAM TOTALS | | | | | | |
| | | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | | PROGRAM REVENUE | | | 17,849,700 | 17,947,900 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|--------------|--------------|
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (17,849,700) | (17,947,900) |
| SEGREGATED REVENUE | | | -0- | -0- |
| OTHER | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 17,849,700 | 17,947,900 |

20.144 DEPARTMENT TOTALS

| | | | | |
|-------------------------|--|--|--------------|--------------|
| GENERAL PURPOSE REVENUE | | | -0- | -0- |
| PROGRAM REVENUE | | | 17,849,700 | 17,947,900 |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (17,849,700) | (17,947,900) |
| SEGREGATED REVENUE | | | -0- | -0- |
| OTHER | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 17,849,700 | 17,947,900 |

1 **20.145 Insurance, Office of the Commissioner of**

2 (1) SUPERVISION OF THE INSURANCE INDUSTRY

| | | | | |
|-------------------------------------|------|---|------------|------------|
| 3 (g) General program operations | PR | A | 16,841,300 | 16,857,700 |
| 4 (gm) Gifts and grants | PR | C | -0- | -0- |
| 5 (h) Holding company restructuring | | | | |
| 6 expenses | PR | C | -0- | -0- |
| 7 (m) Federal funds | PR-F | C | 1,583,000 | 395,800 |

(1) PROGRAM TOTALS

| | | | | |
|-------------------|--|--|--------------|--------------|
| PROGRAM REVENUE | | | 18,424,300 | 17,253,500 |
| FEDERAL | | | (1,583,000) | (395,800) |
| OTHER | | | (16,841,300) | (16,857,700) |
| TOTAL-ALL SOURCES | | | 18,424,300 | 17,253,500 |

8 (2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND

| | | | | |
|--|-----|---|-----------|-----------|
| 9 (a) Supplement for claims payable | GPR | S | -0- | -0- |
| 10 (q) Interest earned on future medical | | | | |
| 11 expenses | SEG | S | -0- | -0- |
| 12 (u) Administration | SEG | A | 1,204,800 | 1,205,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (um) Peer review council | SEG | A | 125,300 | 125,400 |
| 2 | (v) Specified responsibilities, | | | | |
| 3 | investment board payments, and | | | | |
| 4 | future medical expenses | SEG | C | 54,150,400 | 54,150,400 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | SEGREGATED REVENUE | | | 55,480,500 | 55,481,000 |
| | OTHER | | | (55,480,500) | (55,481,000) |
| | TOTAL-ALL SOURCES | | | 55,480,500 | 55,481,000 |
| 5 | (3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND | | | | |
| 6 | (u) Administration | SEG | A | 1,425,500 | 1,425,500 |
| 7 | (v) Specified payments, fire dues and | | | | |
| 8 | reinsurance | SEG | C | 28,546,900 | 29,660,200 |
| | (3) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | 29,972,400 | 31,085,700 |
| | OTHER | | | (29,972,400) | (31,085,700) |
| | TOTAL-ALL SOURCES | | | 29,972,400 | 31,085,700 |
| 9 | (4) STATE LIFE INSURANCE FUND | | | | |
| 10 | (u) Administration | SEG | A | 664,000 | 664,400 |
| 11 | (v) Specified payments and losses | SEG | C | 3,528,400 | 3,528,400 |
| | (4) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | 4,192,400 | 4,192,800 |
| | OTHER | | | (4,192,400) | (4,192,800) |
| | TOTAL-ALL SOURCES | | | 4,192,400 | 4,192,800 |
| | 20.145 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | PROGRAM REVENUE | | | 18,424,300 | 17,253,500 |
| | FEDERAL | | | (1,583,000) | (395,800) |
| | OTHER | | | (16,841,300) | (16,857,700) |
| | SEGREGATED REVENUE | | | 89,645,300 | 90,759,500 |
| | OTHER | | | (89,645,300) | (90,759,500) |
| | TOTAL-ALL SOURCES | | | 108,069,600 | 108,013,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | 20.155 Public Service Commission | | | | |
| 2 | (1) REGULATION OF PUBLIC UTILITIES | | | | |
| 3 | (g) Utility regulation | PR | A | 14,219,000 | 14,232,400 |
| 4 | (h) Holding company and nonutility | | | | |
| 5 | affiliate regulation | PR | C | 717,900 | 717,900 |
| 6 | (j) Intervenor financing and grants | PR | B | 1,042,500 | 1,042,500 |
| 7 | (L) Stray voltage program | PR | A | 280,200 | 280,200 |
| 8 | (Lb) Gifts for stray voltage program | PR | C | -0- | -0- |
| 9 | (Lm) Consumer education and awareness | PR | C | -0- | -0- |
| 10 | (m) Federal funds | PR-F | C | 384,100 | 293,900 |
| 11 | (n) Indirect costs reimbursement | PR-F | C | 50,000 | 50,000 |
| 12 | (q) Universal telecommunications | | | | |
| 13 | service | SEG | A | 5,940,000 | 5,940,000 |
| 14 | (r) Nuclear waste escrow fund | SEG | S | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 16,693,700 | 16,616,900 |
| | FEDERAL | | | (434,100) | (343,900) |
| | OTHER | | | (16,259,600) | (16,273,000) |
| | SEGREGATED REVENUE | | | 5,940,000 | 5,940,000 |
| | OTHER | | | (5,940,000) | (5,940,000) |
| | TOTAL-ALL SOURCES | | | 22,633,700 | 22,556,900 |
| 15 | (2) OFFICE OF THE COMMISSIONER OF RAILROADS | | | | |
| 16 | (g) Railroad and water carrier | | | | |
| 17 | regulation and general program | | | | |
| 18 | operations | PR | A | 534,100 | 534,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (m) Railroad and water carrier | | | | |
| 2 | regulation; federal funds | PR-F | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 534,100 | 534,500 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (534,100) | (534,500) |
| | TOTAL-ALL SOURCES | | | 534,100 | 534,500 |
| 3 | (3) AFFILIATED GRANT PROGRAMS | | | | |
| 4 | (q) General program operations and | | | | |
| 5 | grants | SEG | C | -0- | -0- |
| 6 | (s) Energy efficiency and renewable | | | | |
| 7 | resource programs | SEG | A | 419,000 | 419,000 |
| 8 | (t) Police and fire protection fee | | | | |
| 9 | administration | SEG | A | 166,600 | 166,600 |
| | (3) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | 585,600 | 585,600 |
| | OTHER | | | (585,600) | (585,600) |
| | TOTAL-ALL SOURCES | | | 585,600 | 585,600 |
| | 20.155 DEPARTMENT TOTALS | | | | |
| | PROGRAM REVENUE | | | 17,227,800 | 17,151,400 |
| | FEDERAL | | | (434,100) | (343,900) |
| | OTHER | | | (16,793,700) | (16,807,500) |
| | SEGREGATED REVENUE | | | 6,525,600 | 6,525,600 |
| | OTHER | | | (6,525,600) | (6,525,600) |
| | TOTAL-ALL SOURCES | | | 23,753,400 | 23,677,000 |
| 10 | 20.165 Safety and Professional Services, Department of | | | | |
| 11 | (1) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES | | | | |
| 12 | (a) General program operations - | | | | |
| 13 | executive and administrative | | | | |
| 14 | services | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (g) General program operations | PR | A | 9,691,600 | 9,683,000 |
| 2 | (gc) Chiropractic examination | PR | C | -0- | -0- |
| 3 | (gm) Applicant investigation | | | | |
| 4 | reimbursement | PR | C | 113,000 | 113,000 |
| 5 | (h) Technical assistance; nonstate | | | | |
| 6 | agencies and organizations | PR | C | -0- | -0- |
| 7 | (hg) General program operations; | | | | |
| 8 | medical examining board; | | | | |
| 9 | prescription drug monitoring | | | | |
| 10 | program | PR | B | 1,799,300 | 1,801,000 |
| 11 | (i) Examinations; general program | | | | |
| 12 | operations | PR | C | 1,269,500 | 1,270,100 |
| 13 | (im) Boxing and mixed martial arts | | | | |
| 14 | fighting; enforcement | PR | C | -0- | -0- |
| 15 | (jm) Nursing workforce survey | | | | |
| 16 | administration | PR | B | 9,000 | 9,000 |
| 17 | (k) Technical assistance; state agencies | PR-S | C | -0- | -0- |
| 18 | (ka) Sale of materials and services - | | | | |
| 19 | local assistance | PR-S | C | -0- | -0- |
| 20 | (kb) Sale of materials and services - | | | | |
| 21 | individuals and organizations | PR-S | C | -0- | -0- |
| 22 | (kc) Sale of materials or services | PR-S | C | 35,600 | 35,600 |
| 23 | (kd) Administrative services | PR-S | A | 4,605,200 | 4,577,900 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ke) Transfer of unappropriated | | | | |
| 2 | balances | PR-S | C | -0- | -0- |
| 3 | (m) Federal funds | PR-F | C | -0- | -0- |
| 4 | (n) Federal aid, local assistance | PR-F | C | -0- | -0- |
| 5 | (o) Federal aid, individuals and | | | | |
| 6 | organizations | PR-F | C | -0- | -0- |
| 7 | (pz) Indirect cost reimbursements | PR-F | C | 246,700 | 246,700 |
| 8 | (s) Wholesale drug distributor bonding | SEG | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | PROGRAM REVENUE | | | 17,769,900 | 17,736,300 |
| | FEDERAL | | | (246,700) | (246,700) |
| | OTHER | | | (12,882,400) | (12,876,100) |
| | SERVICE | | | (4,640,800) | (4,613,500) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 17,769,900 | 17,736,300 |
| 9 | (2) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS | | | | |
| 10 | (a) General program operations | GPR | A | 73,700 | 73,700 |
| 11 | (de) Private on-site wastewater | | | | |
| 12 | treatment system replacement and | | | | |
| 13 | rehabilitation | GPR | C | 2,338,600 | 2,338,600 |
| 14 | (g) Gifts and grants | PR | C | 18,000 | 18,000 |
| 15 | (ga) Publications and seminars | PR | C | 21,000 | 21,000 |
| 16 | (gb) Local agreements | PR | C | -0- | -0- |
| 17 | (h) Local energy resource system fees | PR | A | -0- | -0- |
| 18 | (j) Safety and building operations | PR | A | 15,142,000 | 15,157,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ka) Interagency agreements | PR-S | C | 115,200 | 115,300 |
| 2 | (kg) Construction career academy grant | PR | B | -0- | -0- |
| 3 | (km) Crex Meadows youth conservation | | | | |
| 4 | camp grant | PR | B | -0- | -0- |
| 5 | (ks) Data processing | PR-S | C | -0- | -0- |
| 6 | (L) Fire dues distribution | PR | C | 15,400,000 | 15,400,000 |
| 7 | (La) Fire prevention and fire dues | | | | |
| 8 | administration | PR | A | 785,900 | 786,500 |
| 9 | (m) Federal funds | PR-F | C | 541,200 | 542,200 |
| 10 | (ma) Federal aid - program | | | | |
| 11 | administration | PR-F | C | -0- | -0- |
| 12 | (q) Groundwater - standards; | | | | |
| 13 | implementation | SEG | A | -0- | -0- |
| 14 | (r) Safety and building operations; | | | | |
| 15 | petroleum inspection fund | SEG | A | 100,000 | 100,000 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,412,300 | 2,412,300 |
| | PROGRAM REVENUE | | | 32,023,300 | 32,040,200 |
| | FEDERAL | | | (541,200) | (542,200) |
| | OTHER | | | (31,366,900) | (31,382,700) |
| | SERVICE | | | (115,200) | (115,300) |
| | SEGREGATED REVENUE | | | 100,000 | 100,000 |
| | OTHER | | | (100,000) | (100,000) |
| | TOTAL-ALL SOURCES | | | 34,535,600 | 34,552,500 |
| 16 | (3) EDUCATIONAL APPROVAL BOARD | | | | |
| 17 | (g) Proprietary school programs | PR | A | 516,700 | 516,700 |
| 18 | (gm) Student protection | PR | C | 56,600 | 56,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (i) Closed schools; preservation of | | | | |
| 2 | student records | PR | C | 12,100 | 12,100 |
| | (3) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 585,400 | 585,400 |
| | OTHER | | | (585,400) | (585,400) |
| | TOTAL-ALL SOURCES | | | 585,400 | 585,400 |
| | 20.165 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,412,300 | 2,412,300 |
| | PROGRAM REVENUE | | | 50,378,600 | 50,361,900 |
| | FEDERAL | | | (787,900) | (788,900) |
| | OTHER | | | (44,834,700) | (44,844,200) |
| | SERVICE | | | (4,756,000) | (4,728,800) |
| | SEGREGATED REVENUE | | | 100,000 | 100,000 |
| | OTHER | | | (100,000) | (100,000) |
| | TOTAL-ALL SOURCES | | | 52,890,900 | 52,874,200 |
| 3 | 20.190 State Fair Park Board | | | | |
| 4 | (1) STATE FAIR PARK | | | | |
| 5 | (c) Housing facilities principal | | | | |
| 6 | repayment, interest and rebates | GPR | S | 1,120,200 | 1,120,400 |
| 7 | (d) Principal repayment and interest | GPR | S | 2,374,700 | 2,374,200 |
| 8 | (h) State fair operations | PR | C | 15,210,500 | 15,212,500 |
| 9 | (i) State fair capital expenses | PR | C | 180,000 | 180,000 |
| 10 | (j) State fair principal repayment, | | | | |
| 11 | interest and rebates | PR | S | 3,939,500 | 3,952,900 |
| 12 | (jm) Gifts and grants | PR | C | -0- | -0- |
| 13 | (m) Federal funds | PR-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 3,494,900 | 3,494,600 |
| | PROGRAM REVENUE | | | 19,330,000 | 19,345,400 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (19,330,000) | (19,345,400) |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 | |
|-----------------------------|--|------|--------------|---------------|---------------|
| TOTAL-ALL SOURCES | | | 22,824,900 | 22,840,000 | |
| 20.190 DEPARTMENT TOTALS | | | | | |
| GENERAL PURPOSE REVENUE | | | 3,494,900 | 3,494,600 | |
| PROGRAM REVENUE | | | 19,330,000 | 19,345,400 | |
| FEDERAL | | | (-0-) | (-0-) | |
| OTHER | | | (19,330,000) | (19,345,400) | |
| TOTAL-ALL SOURCES | | | 22,824,900 | 22,840,000 | |
| 1 | 20.192 Wisconsin Economic Development Corporation | | | | |
| 2 | (1) PROMOTION OF ECONOMIC DEVELOPMENT | | | | |
| 3 | (a) Operations and programs | GPR | C | 35,111,500 | 38,511,500 |
| 4 | (m) Federal aids; programs | PR-F | C | -0- | -0- |
| 5 | (r) Economic development fund; | | | | |
| 6 | programs | SEG | C | 25,189,200 | 27,189,200 |
| 7 | (s) Brownfield site assessment grants | SEG | B | 1,000,000 | 1,000,000 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 35,111,500 | 38,511,500 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 26,189,200 | 28,189,200 |
| | OTHER | | | (26,189,200) | (28,189,200) |
| | TOTAL-ALL SOURCES | | | 61,300,700 | 66,700,700 |
| | 20.192 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 35,111,500 | 38,511,500 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 26,189,200 | 28,189,200 |
| | OTHER | | | (26,189,200) | (28,189,200) |
| | TOTAL-ALL SOURCES | | | 61,300,700 | 66,700,700 |
| | Commerce | | | | |
| | FUNCTIONAL AREA TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 67,785,700 | 70,755,100 |
| | PROGRAM REVENUE | | | 160,375,000 | 159,181,600 |
| | FEDERAL | | | (17,410,300) | (16,082,800) |
| | OTHER | | | (131,452,400) | (131,601,000) |
| | SERVICE | | | (11,512,300) | (11,497,800) |
| | SEGREGATED REVENUE | | | 155,015,400 | 157,454,500 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|---------------|---------------|
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (155,015,400) | (157,454,500) |
| SERVICE | | | (-0-) | (-0-) |
| LOCAL | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 383,176,100 | 387,391,200 |

Education**1 20.220 Wisconsin Artistic Endowment Foundation****2 (1) SUPPORT OF THE ARTS**

| | | | | | | |
|----------|-----|----------------------------|-----|---|-----|-----|
| 3 | (a) | Education and marketing | GPR | C | -0- | -0- |
| 4 | (q) | General program operations | SEG | A | -0- | -0- |
| 5 | (r) | Support of the arts | SEG | C | -0- | -0- |

(1) PROGRAM TOTALS

| | | |
|-------------------------|-------|-------|
| GENERAL PURPOSE REVENUE | -0- | -0- |
| SEGREGATED REVENUE | -0- | -0- |
| OTHER | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | -0- | -0- |

20.220 DEPARTMENT TOTALS

| | | |
|-------------------------|-------|-------|
| GENERAL PURPOSE REVENUE | -0- | -0- |
| SEGREGATED REVENUE | -0- | -0- |
| OTHER | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | -0- | -0- |

6 20.225 Educational Communications Board**7 (1) INSTRUCTIONAL TECHNOLOGY**

| | | | | | | |
|-----------|------|----------------------------------|-----|---|-----------|-----------|
| 8 | (a) | General program operations | GPR | A | 2,893,300 | 2,899,500 |
| 9 | (b) | Energy costs; energy-related | | | | |
| 10 | | assessments | GPR | A | 850,600 | 868,200 |
| 11 | (c) | Principal repayment and interest | GPR | S | 2,898,400 | 2,856,400 |
| 12 | (d) | Milwaukee area technical college | GPR | A | 211,900 | 211,900 |
| 13 | (er) | Transmitter operation | GPR | A | 16,000 | 16,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (f) Programming | GPR | A | 1,063,200 | 1,063,200 |
| 2 | (g) Gifts, grants, contracts, leases, | | | | |
| 3 | instructional material, and | | | | |
| 4 | copyrights | PR | C | 10,397,600 | 10,602,100 |
| 5 | (i) Program revenue facilities; | | | | |
| 6 | principal repayment, interest, and | | | | |
| 7 | rebates | PR | S | 13,900 | 13,900 |
| 8 | (k) Funds received from other state | | | | |
| 9 | agencies | PR-S | C | -0- | -0- |
| 10 | (kb) Emergency weather warning | | | | |
| 11 | system operation | PR-S | A | 135,500 | 135,800 |
| 12 | (m) Federal grants | PR-F | C | 1,171,800 | 1,171,800 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 7,933,400 | 7,915,200 |
| | PROGRAM REVENUE | | | 11,718,800 | 11,923,600 |
| | FEDERAL | | | (1,171,800) | (1,171,800) |
| | OTHER | | | (10,411,500) | (10,616,000) |
| | SERVICE | | | (135,500) | (135,800) |
| | TOTAL-ALL SOURCES | | | 19,652,200 | 19,838,800 |
| | 20.225 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 7,933,400 | 7,915,200 |
| | PROGRAM REVENUE | | | 11,718,800 | 11,923,600 |
| | FEDERAL | | | (1,171,800) | (1,171,800) |
| | OTHER | | | (10,411,500) | (10,616,000) |
| | SERVICE | | | (135,500) | (135,800) |
| | TOTAL-ALL SOURCES | | | 19,652,200 | 19,838,800 |
| 13 | 20.235 Higher Educational Aids Board | | | | |
| 14 | (1) STUDENT SUPPORT ACTIVITIES | | | | |
| 15 | (b) Tuition grants | GPR | B | 26,870,300 | 26,870,300 |
| 16 | (cg) Nursing student loans | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (cm) Nursing student loan program | GPR | A | 445,500 | 445,500 |
| 2 | (cr) Minority teacher loans | GPR | A | 259,500 | 259,500 |
| 3 | (cu) Teacher education loan program | GPR | A | 272,200 | 272,200 |
| 4 | (cx) Loan program for teachers and | | | | |
| 5 | orientation and mobility instructors | | | | |
| 6 | of visually impaired pupils | GPR | A | 99,000 | 99,000 |
| 7 | (d) Dental education contract | GPR | A | 1,559,700 | 1,733,000 |
| 8 | (e) Minnesota-Wisconsin student | | | | |
| 9 | reciprocity agreement | GPR | S | 8,600,000 | 8,600,000 |
| 10 | (fc) Independent student grants | | | | |
| 11 | program | GPR | B | -0- | -0- |
| 12 | (fd) Talent incentive grants | GPR | B | 4,458,800 | 4,458,800 |
| 13 | (fe) Wisconsin higher education grants; | | | | |
| 14 | University of Wisconsin System | | | | |
| 15 | students | GPR | S | 58,345,400 | 58,345,400 |
| 16 | (ff) Wisconsin higher education grants; | | | | |
| 17 | technical college students | GPR | B | 18,797,900 | 18,797,900 |
| 18 | (fg) Minority undergraduate retention | | | | |
| 19 | grants program | GPR | B | 819,000 | 819,000 |
| 20 | (fj) Handicapped student grants | GPR | B | 122,600 | 122,600 |
| 21 | (fm) Wisconsin covenant scholars grants | GPR | A | 12,050,000 | 16,110,000 |
| 22 | (fy) Academic excellence higher | | | | |
| 23 | education scholarships | GPR | S | 3,309,300 | 3,309,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------------------|-------------|------------------|------------------|
| 1 | (fz) Remission of fees and | | | | |
| 2 | reimbursement for veterans and | | | | |
| 3 | dependents | GPR | B | 6,496,700 | 6,496,700 |
| 4 | (g) Student loans | PR | A | -0- | -0- |
| 5 | (gg) Nursing student loan repayments | PR | C | -0- | -0- |
| 6 | (gm) Indian student assistance; | | | | |
| 7 | contributions | PR | C | -0- | -0- |
| 8 | (i) Gifts and grants | PR | C | -0- | -0- |
| 9 | (k) Indian student assistance | PR-S | B | 779,700 | 779,700 |
| 10 | (km) Wisconsin higher education grants; | | | | |
| 11 | tribal college students | PR-S | B | 454,200 | 454,200 |
| 12 | (no) Federal aid; aids to individuals and | | | | |
| 13 | organizations | PR-F | C | 1,567,700 | 1,567,700 |
| | | (1) PROGRAM TOTALS | | | |
| | GENERAL PURPOSE REVENUE | | | 142,505,900 | 146,739,200 |
| | PROGRAM REVENUE | | | 2,801,600 | 2,801,600 |
| | FEDERAL | | | (1,567,700) | (1,567,700) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (1,233,900) | (1,233,900) |
| | TOTAL-ALL SOURCES | | | 145,307,500 | 149,540,800 |
| 14 | (2) ADMINISTRATION | | | | |
| 15 | (aa) General program operations | GPR | A | 922,000 | 923,600 |
| 16 | (bb) Student loan interest, loans sold or | | | | |
| 17 | conveyed | GPR | S | -0- | -0- |
| 18 | (bc) Write-off of uncollectible student | | | | |
| 19 | loans | GPR | A | -0- | -0- |
| 20 | (bd) Purchase of defective student loans | GPR | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (ga) Student interest payments | PR | C | 900 | 900 |
| 2 | (gb) Student interest payments, loans | | | | |
| 3 | sold or conveyed | PR | C | -0- | -0- |
| 4 | (ia) Student loans; collection and | | | | |
| 5 | administration | PR | C | -0- | -0- |
| 6 | (ja) Write-off of defaulted student loans | PR | A | -0- | -0- |
| 7 | (n) Federal aid; state operations | PR-F | C | -0- | -0- |
| 8 | (qa) Student loan revenue obligation | | | | |
| 9 | repayment | SEG | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 922,000 | 923,600 |
| | PROGRAM REVENUE | | | 900 | 900 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (900) | (900) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 922,900 | 924,500 |
| | 20.235 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 143,427,900 | 147,662,800 |
| | PROGRAM REVENUE | | | 2,802,500 | 2,802,500 |
| | FEDERAL | | | (1,567,700) | (1,567,700) |
| | OTHER | | | (900) | (900) |
| | SERVICE | | | (1,233,900) | (1,233,900) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 146,230,400 | 150,465,300 |
| 10 | 20.245 Historical Society | | | | |
| 11 | (1) HISTORY SERVICES | | | | |
| 12 | (a) General program operations | GPR | A | 10,580,500 | 10,721,900 |
| 13 | (b) Wisconsin Black Historical Society | | | | |
| 14 | and Museum | GPR | A | 84,500 | 84,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (c) Energy costs; energy-related | | | | |
| 2 | assessments | GPR | A | 921,300 | 946,000 |
| 3 | (e) Principal repayment, interest, and | | | | |
| 4 | rebates | GPR | S | 3,243,600 | 3,263,700 |
| 5 | (h) Gifts, grants, and membership | | | | |
| 6 | sales | PR | C | 807,500 | 807,500 |
| 7 | (j) Self-amortizing facilities; principal | | | | |
| 8 | repayment, interest and rebates | PR | S | 2,400 | 5,000 |
| 9 | (k) Storage facility | PR-S | B | 210,300 | 210,300 |
| 10 | (km) Northern Great Lakes Center | PR-S | A | 230,100 | 230,100 |
| 11 | (ks) General program operations - | | | | |
| 12 | service funds | PR-S | C | 1,533,800 | 1,535,100 |
| 13 | (kw) Records management — service | | | | |
| 14 | funds | PR-S | C | 265,100 | 265,100 |
| 15 | (m) General program operations; | | | | |
| 16 | federal funds | PR-F | C | 1,161,800 | 1,162,000 |
| 17 | (n) Federal aids | PR-F | C | -0- | -0- |
| 18 | (pz) Indirect cost reimbursements | PR-F | C | 102,000 | 102,000 |
| 19 | (q) Endowment | SEG | C | 600,000 | 600,000 |
| 20 | (r) History preservation partnership | | | | |
| 21 | trust fund | SEG | C | 4,079,100 | 4,079,100 |
| 22 | (y) Northern great lakes center; | | | | |
| 23 | interpretive programming | SEG | A | 50,200 | 50,200 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 14,829,900 | 15,016,100 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-------------|-------------|
| PROGRAM REVENUE | | | 4,313,000 | 4,317,100 |
| FEDERAL | | | (1,263,800) | (1,264,000) |
| OTHER | | | (809,900) | (812,500) |
| SERVICE | | | (2,239,300) | (2,240,600) |
| SEGREGATED REVENUE | | | 4,729,300 | 4,729,300 |
| OTHER | | | (4,729,300) | (4,729,300) |
| TOTAL-ALL SOURCES | | | 23,872,200 | 24,062,500 |

20.245 DEPARTMENT TOTALS

| | | | | |
|-------------------------|--|--|-------------|-------------|
| GENERAL PURPOSE REVENUE | | | 14,829,900 | 15,016,100 |
| PROGRAM REVENUE | | | 4,313,000 | 4,317,100 |
| FEDERAL | | | (1,263,800) | (1,264,000) |
| OTHER | | | (809,900) | (812,500) |
| SERVICE | | | (2,239,300) | (2,240,600) |
| SEGREGATED REVENUE | | | 4,729,300 | 4,729,300 |
| OTHER | | | (4,729,300) | (4,729,300) |
| TOTAL-ALL SOURCES | | | 23,872,200 | 24,062,500 |

1 **20.250 Medical College of Wisconsin**

2 (1) TRAINING OF HEALTH PERSONNEL

3 (a) Medical student tuition assistance GPR A 1,926,600 1,926,600

4 (b) Family medicine education GPR A 3,726,500 3,726,500

5 (c) Principal repayment, interest, and

6 rebates; biomedical research and

7 technology incubator GPR S 3,146,700 3,332,900

8 (e) Principal repayment and interest GPR S 208,400 194,500

9 (k) Tobacco-related illnesses PR-S C -0- -0-

(1) PROGRAM TOTALS

| | | | | |
|-------------------------|--|--|-----------|-----------|
| GENERAL PURPOSE REVENUE | | | 9,008,200 | 9,180,500 |
| PROGRAM REVENUE | | | -0- | -0- |
| SERVICE | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 9,008,200 | 9,180,500 |

10 (2) RESEARCH

11 (g) Cancer research PR C 247,500 247,500

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (h) Prostate cancer research | PR | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 247,500 | 247,500 |
| | OTHER | | | (247,500) | (247,500) |
| | TOTAL-ALL SOURCES | | | 247,500 | 247,500 |
| | 20.250 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 9,008,200 | 9,180,500 |
| | PROGRAM REVENUE | | | 247,500 | 247,500 |
| | OTHER | | | (247,500) | (247,500) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 9,255,700 | 9,428,000 |
| 2 | 20.255 Public Instruction, Department of | | | | |
| 3 | (1) EDUCATIONAL LEADERSHIP | | | | |
| 4 | (a) General program operations | GPR | A | 10,876,700 | 10,954,800 |
| 5 | (b) General program operations; | | | | |
| 6 | Wisconsin Educational Services | | | | |
| 7 | Program for the Deaf and Hard of | | | | |
| 8 | Hearing and Wisconsin Center for | | | | |
| 9 | the Blind and Visually Impaired | GPR | A | 10,788,000 | 10,788,000 |
| 10 | (c) Energy costs; Wisconsin | | | | |
| 11 | Educational Services Program for | | | | |
| 12 | the Deaf and Hard of Hearing and | | | | |
| 13 | Wisconsin Center for the Blind and | | | | |
| 14 | Visually Impaired; energy-related | | | | |
| 15 | assessments | GPR | A | 592,800 | 613,200 |
| 16 | (d) Principal repayment and interest | GPR | S | 1,156,900 | 1,152,400 |
| 17 | (dw) Pupil assessment | GPR | A | 6,310,400 | 14,014,500 |
| 18 | (e) Student information system | GPR | C | 13,875,900 | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ee) Educator effectiveness evaluation | | | | |
| 2 | system | GPR | A | 1,118,600 | 973,300 |
| 3 | (ek) Longitudinal data system | GPR | A | 3,313,100 | 3,313,100 |
| 4 | (el) WISElearn | GPR | A | -0- | 1,450,000 |
| 5 | (em) Academic and career planning | GPR | C | -0- | 1,100,000 |
| 6 | (f) Assessments of reading readiness | GPR | A | 2,296,000 | 2,151,000 |
| 7 | (g) Student activity therapy | PR | A | 100 | 100 |
| 8 | (gb) Wisconsin Educational Services | | | | |
| 9 | Program for the Deaf and Hard of | | | | |
| 10 | Hearing and Wisconsin Center for | | | | |
| 11 | the Blind and Visually Impaired; | | | | |
| 12 | nonresident fees | PR | C | -0- | -0- |
| 13 | (ge) Educator effectiveness evaluation | | | | |
| 14 | system; fees | PR | C | 4,309,500 | 4,309,500 |
| 15 | (gL) Wisconsin Educational Services | | | | |
| 16 | Program for the Deaf and Hard of | | | | |
| 17 | Hearing and Wisconsin Center for | | | | |
| 18 | the Blind and Visually Impaired; | | | | |
| 19 | leasing of space | PR | C | 2,000 | 2,000 |
| 20 | (gs) Wisconsin Educational Services | | | | |
| 21 | Program for the Deaf and Hard of | | | | |
| 22 | Hearing and Wisconsin Center for | | | | |
| 23 | the Blind and Visually Impaired; | | | | |
| 24 | services | PR | C | 7,000 | 7,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (gt) Wisconsin Educational Services | | | | |
| 2 | Program for the Deaf and Hard of | | | | |
| 3 | Hearing and Wisconsin Center for | | | | |
| 4 | the Blind and Visually Impaired; | | | | |
| 5 | pupil transportation | PR | A | 1,180,000 | 1,210,000 |
| 6 | (he) Student information system; fees | PR | C | 1,449,800 | 2,771,700 |
| 7 | (hg) Personnel licensure, teacher supply, | | | | |
| 8 | information and analysis and | | | | |
| 9 | teacher improvement | PR | A | 3,382,100 | 3,382,100 |
| 10 | (hj) General educational development | | | | |
| 11 | and high school graduation | | | | |
| 12 | equivalency | PR | C | 128,100 | 128,100 |
| 13 | (hm) Services for drivers | PR-S | A | 254,500 | 254,500 |
| 14 | (i) Publications | PR | C | 116,300 | 116,300 |
| 15 | (im) Library products and services | PR | C | 141,100 | 141,100 |
| 16 | (j) Milwaukee Parental Choice | | | | |
| 17 | Program and the parental choice | | | | |
| 18 | program for eligible school districts; | | | | |
| 19 | financial audits | PR | C | 132,100 | 132,100 |
| 20 | (jg) School lunch handling charges | PR | A | 10,000,500 | 10,000,500 |
| 21 | (jm) Professional services center charges | PR | A | 147,800 | 147,800 |
| 22 | (jr) Gifts, grants and trust funds | PR | C | 1,500,000 | 1,500,000 |
| 23 | (jz) School district boundary appeal | | | | |
| 24 | proceedings | PR | C | 10,000 | 10,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|--------|------|---------------|---------------|
| 1 | (kd) Alcohol and other drug abuse | | | | |
| 2 | program | PR-S | A | 591,800 | 591,800 |
| 3 | (ke) Funds transferred from other state | | | | |
| 4 | agencies; program operations | PR-S | C | 2,704,600 | 2,704,600 |
| 5 | (km) State agency library processing | | | | |
| 6 | center | PR-S | A | 30,300 | 30,300 |
| 7 | (ks) Data processing | PR-S | C | 9,483,100 | 9,483,100 |
| 8 | (me) Federal aids; program operations | PR-F | C | 47,383,400 | 47,094,500 |
| 9 | (pz) Indirect cost reimbursements | PR-F | C | 3,659,200 | 3,659,200 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 50,328,400 | 46,510,300 |
| | PROGRAM REVENUE | | | 86,613,300 | 87,676,300 |
| | FEDERAL | | | (51,042,600) | (50,753,700) |
| | OTHER | | | (22,506,400) | (23,858,300) |
| | SERVICE | | | (13,064,300) | (13,064,300) |
| | TOTAL-ALL SOURCES | | | 136,941,700 | 134,186,600 |
| 10 | (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING | | | | |
| 11 | (ac) General equalization aids | GPR | A | 4,336,594,600 | 4,379,960,500 |
| 12 | (ad) Supplemental aid | GPR | A | 100,000 | 100,000 |
| 13 | (ae) Sparsity aid | GPR | A | 13,453,300 | 13,453,300 |
| 14 | (ar) Low revenue adjustment aid | GPR | A | -0- | -0- |
| 15 | (az) Special Needs Scholarship Program | GPR | S | 6,946,000 | 13,903,500 |
| 16 | (b) Aids for special education and | | | | |
| 17 | school age parents programs | GPR | A | 368,939,100 | 368,939,100 |
| 18 | (bb) Aid for high poverty school districts | GPR | A | 16,830,000 | 16,830,000 |
| 19 | (bc) Aid for children-at-risk programs | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (bd) Additional special education aid | GPR | A | 3,500,000 | 3,500,000 |
| 2 | (be) Supplemental special education aid | GPR | A | 1,750,000 | 1,750,000 |
| 3 | (bh) Aid to county children with | | | | |
| 4 | disabilities education boards | GPR | A | 4,067,300 | 4,067,300 |
| 5 | (cc) Bilingual-bicultural education aids | GPR | A | 8,589,800 | 8,589,800 |
| 6 | (cf) Alternative education grants | GPR | A | -0- | -0- |
| 7 | (cg) Tuition payments; full-time open | | | | |
| 8 | enrollment transfer payments | GPR | A | 8,242,900 | 8,242,900 |
| 9 | (cm) Reimbursement for school | | | | |
| 10 | breakfast programs | GPR | C | 2,510,500 | 2,510,500 |
| 11 | (cn) Aids for school lunches and | | | | |
| 12 | nutritional improvement | GPR | A | 4,218,100 | 4,218,100 |
| 13 | (cp) Wisconsin school day milk program | GPR | A | 617,100 | 617,100 |
| 14 | (cr) Aid for pupil transportation | GPR | A | 23,703,600 | 23,703,600 |
| 15 | (cs) Aid for debt service | GPR | A | 133,700 | 133,700 |
| 16 | (cu) Achievement guarantee contracts | GPR | A | 109,184,500 | 109,184,500 |
| 17 | (cw) Aid for transportation; youth | | | | |
| 18 | options program | GPR | A | 17,400 | 17,400 |
| 19 | (cy) Aid for transportation; open | | | | |
| 20 | enrollment and special needs | | | | |
| 21 | scholarships | GPR | A | 434,200 | 434,200 |
| 22 | (da) School performance incentive | | | | |
| 23 | program; grants for high | | | | |
| 24 | performing schools | GPR | A | -0- | 24,000,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (db) School performance incentive | | | | |
| 2 | program; grants to schools that | | | | |
| 3 | demonstrate improvement | GPR | A | -0- | 30,000,000 |
| 4 | (dd) School performance incentive | | | | |
| 5 | program; grants for schools that fail | | | | |
| 6 | to meet expectations | GPR | A | -0- | 10,000,000 |
| 7 | (dp) Four-year-old kindergarten grants | GPR | A | 1,350,000 | 1,350,000 |
| 8 | (eh) Head start supplement | GPR | A | 6,264,100 | 6,264,100 |
| 9 | (ek) Educator effectiveness evaluation | | | | |
| 10 | system; grants to school districts | GPR | A | 5,746,000 | 5,746,000 |
| 11 | (fg) Aid for cooperative educational | | | | |
| 12 | service agencies | GPR | A | 260,600 | 260,600 |
| 13 | (fk) Grant program for peer review and | | | | |
| 14 | mentoring | GPR | A | 1,606,700 | 1,606,700 |
| 15 | (fm) Charter schools | GPR | S | 67,527,200 | 80,103,100 |
| 16 | (fr) Parental choice program for eligible | | | | |
| 17 | school districts | GPR | S | 8,052,500 | 14,390,000 |
| 18 | (fu) Milwaukee parental choice program | GPR | S | 164,271,000 | 194,266,000 |
| 19 | (fv) Milwaukee Parental Choice | | | | |
| 20 | Program and the parental choice | | | | |
| 21 | program for eligible school districts; | | | | |
| 22 | transfer pupils | GPR | S | -0- | -0- |
| 23 | (fy) Grants to support gifted and | | | | |
| 24 | talented pupils | GPR | A | 237,200 | 237,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (k) Funds transferred from other state | | | | |
| 2 | agencies; local aids | PR-S | C | 8,500,000 | 8,500,000 |
| 3 | (kd) Aid for alcohol and other drug | | | | |
| 4 | abuse programs | PR-S | A | 1,284,700 | 1,284,700 |
| 5 | (kg) Mentoring grants for initial | | | | |
| 6 | educators | GPR | A | -0- | -0- |
| 7 | (km) Tribal language revitalization | | | | |
| 8 | grants | PR-S | A | 222,800 | 222,800 |
| 9 | (m) Federal aids; local aid | PR-F | C | 664,923,500 | 664,923,500 |
| 10 | (q) Grants for literacy and early | | | | |
| 11 | childhood development programs | SEG | S | -0- | -0- |
| 12 | (s) School library aids | SEG | C | 32,000,000 | 34,000,000 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,165,147,400 | 5,328,379,200 |
| | PROGRAM REVENUE | | | 674,931,000 | 674,931,000 |
| | FEDERAL | | | (664,923,500) | (664,923,500) |
| | SERVICE | | | (10,007,500) | (10,007,500) |
| | SEGREGATED REVENUE | | | 32,000,000 | 34,000,000 |
| | OTHER | | | (32,000,000) | (34,000,000) |
| | TOTAL-ALL SOURCES | | | 5,872,078,400 | 6,037,310,200 |
| 13 | (3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS | | | | |
| 14 | (b) Adult literacy grants | GPR | A | 62,400 | 62,400 |
| 15 | (c) Grants for national teacher | | | | |
| 16 | certification or master educator | | | | |
| 17 | licensure | GPR | S | 2,652,700 | 2,920,400 |
| 18 | (cm) Teach for America | GPR | B | 500,000 | 500,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (d) Elks and Easter Seals Center for | | | | |
| 2 | Respite and Recreation | GPR | A | 73,900 | 73,900 |
| 3 | (dn) Project Lead the Way Grants | GPR | A | -0- | -0- |
| 4 | (eg) Milwaukee Public Museum | GPR | A | 42,200 | 42,200 |
| 5 | (f) Interstate compact on educational | | | | |
| 6 | opportunity for military children | GPR | S | 900 | 900 |
| 7 | (fa) Very special arts | GPR | A | 63,300 | 63,300 |
| 8 | (fg) Special Olympics | GPR | A | 75,000 | 75,000 |
| 9 | (fz) Precollege scholarships | GPR | A | 1,931,500 | 1,931,500 |
| 10 | (ge) Special Olympics Wisconsin | PR | C | -0- | -0- |
| 11 | (mm) Federal funds; local assistance | PR-F | C | 1,300,000 | 1,300,000 |
| 12 | (ms) Federal funds; individuals and | | | | |
| 13 | organizations | PR-F | C | 56,644,900 | 56,644,900 |
| 14 | (q) Periodical and reference | | | | |
| 15 | information databases; Newslines | | | | |
| 16 | for the Blind | SEG | A | 2,589,900 | 2,596,500 |
| 17 | (qm) Aid to public library systems | SEG | A | 15,013,100 | 15,013,100 |
| 18 | (r) Library service contracts | SEG | A | 1,167,200 | 1,167,200 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,401,900 | 5,669,600 |
| | PROGRAM REVENUE | | | 57,944,900 | 57,944,900 |
| | FEDERAL | | | (57,944,900) | (57,944,900) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 18,770,200 | 18,776,800 |
| | OTHER | | | (18,770,200) | (18,776,800) |
| | TOTAL-ALL SOURCES | | | 82,117,000 | 82,391,300 |
| | 20.255 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,220,877,700 | 5,380,559,100 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|---|--------|------|---------------|---------------|
| | PROGRAM REVENUE | | | 819,489,200 | 820,552,200 |
| | FEDERAL | | | (773,911,000) | (773,622,100) |
| | OTHER | | | (22,506,400) | (23,858,300) |
| | SERVICE | | | (23,071,800) | (23,071,800) |
| | SEGREGATED REVENUE | | | 50,770,200 | 52,776,800 |
| | OTHER | | | (50,770,200) | (52,776,800) |
| | TOTAL-ALL SOURCES | | | 6,091,137,100 | 6,253,888,100 |
| 1 | 20.285 University of Wisconsin System | | | | |
| 2 | (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE | | | | |
| 3 | (a) General program operations | GPR | A | 927,011,300 | 951,984,200 |
| 4 | (d) Principal repayment and interest | GPR | S | 235,855,700 | 245,110,100 |
| 5 | (e) Incentive grants | GPR | B | 10,000,000 | 10,000,000 |
| 6 | (f) Translational imaging research | GPR | B | 3,750,000 | -0- |
| 7 | (fd) State laboratory of hygiene; general | | | | |
| 8 | program operations | GPR | A | 10,809,500 | 10,971,000 |
| 9 | (fj) Veterinary diagnostic laboratory | GPR | A | 5,183,300 | 5,271,300 |
| 10 | (gb) General program operations | PR | C | 2,156,634,100 | 2,156,634,100 |
| 11 | (ge) Gifts and nonfederal grants and | | | | |
| 12 | contracts | PR | C | 547,697,900 | 547,697,900 |
| 13 | (gj) Self-amortizing facilities principal | | | | |
| 14 | and interest | PR | S | 138,022,300 | 155,388,900 |
| 15 | (i) State laboratory of hygiene | PR | C | 21,871,300 | 21,871,300 |
| 16 | (ia) State laboratory of hygiene; drivers | PR-S | C | 1,619,200 | 1,619,200 |
| 17 | (je) Veterinary diagnostic laboratory; | | | | |
| 18 | fees | PR | C | 3,948,900 | 3,948,900 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (k) Funds transferred from other state | | | | |
| 2 | agencies | PR-S | C | 38,108,800 | 38,108,800 |
| 3 | (kg) Veterinary diagnostic laboratory; | | | | |
| 4 | state agencies | PR-S | C | 831,100 | 831,100 |
| 5 | (Li) General fund interest | PR | C | -0- | -0- |
| 6 | (m) Federal aid | PR-F | C | 1,841,917,800 | 1,841,917,800 |
| 7 | (mc) Veterinary diagnostic laboratory; | | | | |
| 8 | federal funds | PR-F | C | 1,675,900 | 1,675,900 |
| 9 | (q) Telecommunications services | SEG | A | 1,054,800 | 1,054,800 |
| 10 | (qe) Rural physician residency | | | | |
| 11 | assistance program | SEG | B | 750,000 | 750,000 |
| 12 | (qj) Physician and dentist and health | | | | |
| 13 | care provider loan assistance | | | | |
| 14 | programs; critical access hospital | | | | |
| 15 | assessment fund | SEG | B | 250,000 | 250,000 |
| 16 | (qm) Grants for forestry programs | SEG | A | 133,300 | 133,300 |
| 17 | (qr) Discovery farm grants | SEG | A | 248,400 | 248,400 |
| 18 | (r) Environmental education; | | | | |
| 19 | environmental assessments | SEG | C | 130,500 | 130,500 |
| 20 | (rc) Environmental education; forestry | SEG | A | 200,000 | 200,000 |
| 21 | (rm) Environmental program grants and | | | | |
| 22 | scholarships | SEG | C | 300,000 | 300,000 |
| 23 | (s) Wisconsin Bioenergy Initiative | SEG | A | 4,050,000 | 4,050,000 |
| 24 | (tb) Extension recycling education | SEG | A | 388,200 | 388,200 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (tm) Solid waste research and | | | | |
| 2 | experiments | SEG | A | 155,400 | 155,400 |
| 3 | (u) Trust fund income | SEG | C | 25,002,400 | 25,002,400 |
| 4 | (w) Trust fund operations | SEG | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,192,609,800 | 1,223,336,600 |
| | PROGRAM REVENUE | | | 4,752,327,300 | 4,769,693,900 |
| | FEDERAL | | | (1,843,593,700) | (1,843,593,700) |
| | OTHER | | | (2,868,174,500) | (2,885,541,100) |
| | SERVICE | | | (40,559,100) | (40,559,100) |
| | SEGREGATED REVENUE | | | 32,663,000 | 32,663,000 |
| | OTHER | | | (32,663,000) | (32,663,000) |
| | TOTAL-ALL SOURCES | | | 5,977,600,100 | 6,025,693,500 |
| 5 | (3) UNIVERSITY SYSTEM ADMINISTRATION | | | | |
| 6 | (a) General program operations | GPR | A | 7,537,200 | 7,670,400 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 7,537,200 | 7,670,400 |
| | TOTAL-ALL SOURCES | | | 7,537,200 | 7,670,400 |
| | 20.285 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,200,147,000 | 1,231,007,000 |
| | PROGRAM REVENUE | | | 4,752,327,300 | 4,769,693,900 |
| | FEDERAL | | | (1,843,593,700) | (1,843,593,700) |
| | OTHER | | | (2,868,174,500) | (2,885,541,100) |
| | SERVICE | | | (40,559,100) | (40,559,100) |
| | SEGREGATED REVENUE | | | 32,663,000 | 32,663,000 |
| | OTHER | | | (32,663,000) | (32,663,000) |
| | TOTAL-ALL SOURCES | | | 5,985,137,300 | 6,033,363,900 |
| 7 | 20.292 Technical College System Board | | | | |
| 8 | (1) TECHNICAL COLLEGE SYSTEM | | | | |
| 9 | (a) General program operations | GPR | A | 2,793,600 | 2,800,100 |
| 10 | (am) Fee remissions | GPR | A | 14,200 | 14,200 |
| 11 | (b) Displaced homemakers' program | GPR | A | 805,300 | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (c) Minority student participation and | | | | |
| 2 | retention grants | GPR | A | 583,300 | -0- |
| 3 | (ce) Basic skills grants | GPR | A | -0- | -0- |
| 4 | (ch) Health care education programs | GPR | A | 5,395,500 | -0- |
| 5 | (d) State aid for technical colleges; | | | | |
| 6 | statewide guide | GPR | A | 83,534,900 | 88,534,900 |
| 7 | (dc) Incentive grants | GPR | C | 6,418,300 | -0- |
| 8 | (dd) Farm training program tuition | | | | |
| 9 | grants | GPR | A | 141,800 | -0- |
| 10 | (de) Services for handicapped students; | | | | |
| 11 | local assistance | GPR | A | 378,200 | -0- |
| 12 | (dm) Aid for special collegiate transfer | | | | |
| 13 | programs | GPR | A | 1,063,000 | -0- |
| 14 | (e) Technical college instructor | | | | |
| 15 | occupational competency program | GPR | A | 67,400 | -0- |
| 16 | (ef) School-to-work programs for | | | | |
| 17 | children at risk | GPR | A | 282,100 | -0- |
| 18 | (eg) Faculty development grants | GPR | A | 786,700 | -0- |
| 19 | (eh) Training program grants | GPR | B | 3,970,000 | -0- |
| 20 | (em) Apprenticeship curriculum | | | | |
| 21 | development | GPR | A | 70,900 | -0- |
| 22 | (f) Grants to district boards | GPR | C | -0- | 21,874,200 |
| 23 | (fc) Driver education, local assistance | GPR | A | 304,400 | -0- |
| 24 | (fg) Chauffeur training grants | GPR | C | 189,100 | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (fm) Supplemental aid | GPR | A | 1,418,200 | -0- |
| 2 | (fp) Emergency medical technician - | | | | |
| 3 | basic training; state operations | GPR | A | -0- | -0- |
| 4 | (g) Text materials | PR | A | 115,500 | 115,500 |
| 5 | (ga) Auxiliary services | PR | C | 15,200 | 15,200 |
| 6 | (gm) Fire schools; state operations | PR | A | 413,900 | 414,800 |
| 7 | (gr) Fire schools; local assistance | PR | A | 600,000 | 600,000 |
| 8 | (h) Gifts and grants | PR | C | 20,600 | 20,600 |
| 9 | (hm) Truck driver training | PR-S | C | 150,000 | 150,000 |
| 10 | (i) Conferences | PR | C | 72,600 | 72,600 |
| 11 | (j) Personnel certification | PR | A | 231,300 | 232,200 |
| 12 | (k) Gifts and grants | PR | C | 30,200 | 30,200 |
| 13 | (ka) Interagency projects; local | | | | |
| 14 | assistance | PR-S | A | 2,000,000 | 2,000,000 |
| 15 | (kb) Interagency projects; state | | | | |
| 16 | operations | PR-S | A | 238,000 | 238,000 |
| 17 | (kd) Transfer of Indian gaming receipts; | | | | |
| 18 | work-based learning programs | PR-S | A | 594,000 | 594,000 |
| 19 | (km) Master logger apprenticeship | | | | |
| 20 | grants | PR-S | C | -0- | -0- |
| 21 | (kx) Interagency and intra-agency | | | | |
| 22 | programs | PR-S | C | 57,800 | 57,800 |
| 23 | (L) Services for district boards | PR | A | 45,500 | 45,500 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--|---------------|-------------|------------------|------------------|
| 1 | (m) Federal aid, state operations | PR-F | C | 3,200,100 | 3,201,700 |
| 2 | (n) Federal aid, local assistance | PR-F | C | 28,424,300 | 28,424,300 |
| 3 | (o) Federal aid, aids to individuals and | | | | |
| 4 | organizations | PR-F | C | 800,000 | 800,000 |
| 5 | (pz) Indirect cost reimbursements | PR-F | C | 196,000 | 196,000 |
| 6 | (q) Agricultural education consultant | GPR | A | 69,300 | 69,300 |

(1) PROGRAM TOTALS

| | | |
|-------------------------|--------------|--------------|
| GENERAL PURPOSE REVENUE | 108,286,200 | 113,292,700 |
| PROGRAM REVENUE | 37,205,000 | 37,208,400 |
| FEDERAL | (32,620,400) | (32,622,000) |
| OTHER | (1,544,800) | (1,546,600) |
| SERVICE | (3,039,800) | (3,039,800) |
| TOTAL-ALL SOURCES | 145,491,200 | 150,501,100 |

20.292 DEPARTMENT TOTALS

| | | |
|-------------------------|--------------|--------------|
| GENERAL PURPOSE REVENUE | 108,286,200 | 113,292,700 |
| PROGRAM REVENUE | 37,205,000 | 37,208,400 |
| FEDERAL | (32,620,400) | (32,622,000) |
| OTHER | (1,544,800) | (1,546,600) |
| SERVICE | (3,039,800) | (3,039,800) |
| TOTAL-ALL SOURCES | 145,491,200 | 150,501,100 |

Education**FUNCTIONAL AREA TOTALS**

| | | |
|-------------------------|-----------------|-----------------|
| GENERAL PURPOSE REVENUE | 6,704,510,300 | 6,904,633,400 |
| PROGRAM REVENUE | 5,628,103,300 | 5,646,745,200 |
| FEDERAL | (2,654,128,400) | (2,653,841,300) |
| OTHER | (2,903,695,500) | (2,922,622,900) |
| SERVICE | (70,279,400) | (70,281,000) |
| SEGREGATED REVENUE | 88,162,500 | 90,169,100 |
| FEDERAL | (-0-) | (-0-) |
| OTHER | (88,162,500) | (90,169,100) |
| SERVICE | (-0-) | (-0-) |
| LOCAL | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | 12,420,776,100 | 12,641,547,700 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-----------|-----------|
|-----------------------------|--------|------|-----------|-----------|

Environmental Resources

| | | | | |
|----|---|-------|---|-----------------------|
| 1 | 20.320 Environmental Improvement Program | | | |
| 2 | (1) CLEAN WATER FUND PROGRAM OPERATIONS | | | |
| 3 | (a) Environmental aids — clean water | | | |
| 4 | fund program | GPR | A | -0- -0- |
| 5 | (c) Principal repayment and | | | |
| 6 | interest — clean water fund | | | |
| 7 | program | GPR | S | 32,732,600 34,535,900 |
| 8 | (r) Clean water fund program | | | |
| 9 | repayment of revenue obligations | SEG | S | -0- -0- |
| 10 | (s) Clean water fund program financial | | | |
| 11 | assistance | SEG | S | -0- -0- |
| 12 | (sm) Land recycling loan program | | | |
| 13 | financial assistance | SEG | S | -0- -0- |
| 14 | (t) Principal repayment and | | | |
| 15 | interest — clean water fund | | | |
| 16 | program bonds | SEG | A | 8,000,000 8,000,000 |
| 17 | (u) Principal repayment and | | | |
| 18 | interest — clean water fund | | | |
| 19 | program revenue obligation | | | |
| 20 | repayment | SEG | C | -0- -0- |
| 21 | (x) Clean water fund program financial | | | |
| 22 | assistance; federal | SEG-F | C | -0- -0- |
| | (1) PROGRAM TOTALS | | | |
| | GENERAL PURPOSE REVENUE | | | 32,732,600 34,535,900 |
| | SEGREGATED REVENUE | | | 8,000,000 8,000,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|-------------------|-------------------|
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (8,000,000) | (8,000,000) |
| | TOTAL-ALL SOURCES | | | 40,732,600 | 42,535,900 |
| 1 | (2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS | | | | |
| 2 | (c) Principal repayment and | | | | |
| 3 | interest — safe drinking water loan | | | | |
| 4 | program | GPR | S | 5,244,600 | 5,407,300 |
| 5 | (s) Safe drinking water loan programs | | | | |
| 6 | financial assistance | SEG | S | -0- | -0- |
| 7 | (x) Safe drinking water loan programs | | | | |
| 8 | financial assistance; federal | SEG-F | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,244,600 | 5,407,300 |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 5,244,600 | 5,407,300 |
| 9 | (3) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM PROGRAM | | | | |
| 10 | (q) Private on-site wastewater | | | | |
| 11 | treatment system loans | SEG | C | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.320 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 37,977,200 | 39,943,200 |
| | SEGREGATED REVENUE | | | 8,000,000 | 8,000,000 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (8,000,000) | (8,000,000) |
| | TOTAL-ALL SOURCES | | | 45,977,200 | 47,943,200 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 | |
|----|--|---|-------------|------------------|------------------|-----------|
| 1 | 20.360 Lower Wisconsin State Riverway Board | | | | | |
| 2 | (1) | CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY | | | | |
| 3 | (g) | Gifts and grants | PR | C | -0- | -0- |
| 4 | (q) | General program operations — | | | | |
| 5 | | conservation fund | SEG | A | 208,700 | 208,800 |
| | | (1) PROGRAM TOTALS | | | | |
| | | PROGRAM REVENUE | | | -0- | -0- |
| | | OTHER | | | (-0-) | (-0-) |
| | | SEGREGATED REVENUE | | | 208,700 | 208,800 |
| | | OTHER | | | (208,700) | (208,800) |
| | | TOTAL-ALL SOURCES | | | 208,700 | 208,800 |
| | | 20.360 DEPARTMENT TOTALS | | | | |
| | | PROGRAM REVENUE | | | -0- | -0- |
| | | OTHER | | | (-0-) | (-0-) |
| | | SEGREGATED REVENUE | | | 208,700 | 208,800 |
| | | OTHER | | | (208,700) | (208,800) |
| | | TOTAL-ALL SOURCES | | | 208,700 | 208,800 |
| 6 | 20.370 Natural Resources, Department of | | | | | |
| 7 | (1) | LAND AND FORESTRY | | | | |
| 8 | (cq) | Forestry — reforestation | SEG | C | 100,500 | 100,500 |
| 9 | (cr) | Forestry — recording fees | SEG | C | 89,100 | 89,100 |
| 10 | (cs) | Forestry — forest fire emergencies | SEG | C | -0- | -0- |
| 11 | (ct) | Timber sales contracts - repair and | | | | |
| 12 | | reimbursement costs | SEG | C | -0- | -0- |
| 13 | (cu) | Forestry - forestry education | | | | |
| 14 | | curriculum | SEG | A | 350,000 | 350,000 |
| 15 | (cx) | Forestry-management plans | SEG | C | 316,800 | 316,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (cy) Forestry - cooperating foresters | | | | |
| 2 | and private contractors | SEG | C | -0- | -0- |
| 3 | (ea) Parks — general program | | | | |
| 4 | operations | GPR | A | 4,592,200 | 4,592,200 |
| 5 | (eq) Parks and forests - operation and | | | | |
| 6 | maintenance | SEG | S | -0- | -0- |
| 7 | (er) Parks and forests - campground | | | | |
| 8 | reservation fees | SEG | C | 1,250,000 | 1,250,000 |
| 9 | (es) Parks - interpretive programs | SEG | C | -0- | -0- |
| 10 | (fb) Endangered resources — general | | | | |
| 11 | program operations | GPR | A | -0- | -0- |
| 12 | (fc) Endangered resources — Wisconsin | | | | |
| 13 | stewardship program | GPR | A | -0- | -0- |
| 14 | (fd) Endangered resources — natural | | | | |
| 15 | heritage inventory program | GPR | A | 247,500 | 247,500 |
| 16 | (fe) Endangered resources — general | | | | |
| 17 | fund | GPR | S | 500,000 | 500,000 |
| 18 | (fs) Endangered resources — voluntary | | | | |
| 19 | payments; sales, leases, and fees | SEG | C | 1,328,200 | 1,328,200 |
| 20 | (ft) Endangered resources — | | | | |
| 21 | application fees | SEG | C | -0- | -0- |
| 22 | (gr) Endangered resources program — | | | | |
| 23 | gifts and grants; sale of | | | | |
| 24 | state-owned lands | SEG | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (gt) Habitat conservation plan fees | SEG | C | 9,900 | 9,900 |
| 2 | (hc) Indemnification agreements | GPR | S | -0- | -0- |
| 3 | (hk) Elk management | PR-S | A | 92,200 | 92,200 |
| 4 | (hq) Elk hunting fees | SEG | C | -0- | -0- |
| 5 | (hr) Pheasant restoration | SEG | C | 237,000 | 237,000 |
| 6 | (hs) Chronic wasting disease | | | | |
| 7 | management | SEG | A | -0- | -0- |
| 8 | (ht) Wild turkey restoration | SEG | C | 777,900 | 777,900 |
| 9 | (hu) Wetlands habitat improvement | SEG | C | 358,200 | 358,200 |
| 10 | (hv) Aquatic and terrestrial resources | | | | |
| 11 | inventory | SEG | A | 121,600 | 121,600 |
| 12 | (hw) Pheasant stocking and propagation | SEG | C | 353,600 | 353,600 |
| 13 | (hx) Bonus deer permit fees; chronic | | | | |
| 14 | wasting disease | SEG | C | -0- | -0- |
| 15 | (iu) Gravel pit reclamation | SEG | C | -0- | -0- |
| 16 | (iw) Utility terrain vehicle fees | SEG | C | 60,000 | 60,000 |
| 17 | (jr) Rental property and equipment — | | | | |
| 18 | maintenance and replacement | SEG | C | 517,600 | 517,600 |
| 19 | (kq) Taxes and assessments; | | | | |
| 20 | conservation fund | SEG | A | 297,000 | 297,000 |
| 21 | (Lk) Reintroduction of whooping cranes | PR-S | A | 75,200 | 75,200 |
| 22 | (Lq) Trapper education program | SEG | C | 48,600 | 48,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (Lr) Beaver control; fish and wildlife | | | | |
| 2 | account | SEG | C | 36,200 | 36,200 |
| 3 | (Ls) Control of wild animals | SEG | C | 282,000 | 282,000 |
| 4 | (Lt) Wildlife management | SEG | A | -0- | -0- |
| 5 | (Lu) Fish and wildlife habitat | SEG | S | -0- | -0- |
| 6 | (Lv) Deer management assistance | | | | |
| 7 | program | SEG | C | -0- | -0- |
| 8 | (ma) General program operations — | | | | |
| 9 | state funds | GPR | A | -0- | -0- |
| 10 | (mi) General program operations — | | | | |
| 11 | private and public sources | PR | C | 726,200 | 726,200 |
| 12 | (mk) General program operations — | | | | |
| 13 | service funds | PR-S | C | 920,300 | 920,300 |
| 14 | (mq) General program operations — | | | | |
| 15 | state snowmobile trails and areas | SEG | A | 211,200 | 211,200 |
| 16 | (mr) General program operations- state | | | | |
| 17 | utility terrain vehicle projects | SEG | A | 16,900 | 16,900 |
| 18 | (ms) General program operations — | | | | |
| 19 | state all-terrain vehicle projects | SEG | A | 310,500 | 310,500 |
| 20 | (mt) Land preservation and | | | | |
| 21 | management - endowment fund | SEG | S | -0- | -0- |
| 22 | (mu) General program operations — | | | | |
| 23 | state funds | SEG | A | -0- | -0- |
| 24 | Land program management | SEG | A | 1,092,200 | 1,092,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | Wildlife management | SEG | A | 12,451,300 | 12,451,300 |
| 2 | Southern forests | SEG | A | 5,281,700 | 5,287,700 |
| 3 | Parks and recreation | SEG | A | 11,946,400 | 11,974,300 |
| 4 | Endangered resources | SEG | A | 804,200 | 804,200 |
| 5 | Facilities and lands | SEG | A | 7,425,100 | 7,442,000 |
| 6 | NET APPROPRIATION | | | 39,000,900 | 39,051,700 |
| 7 | (mv) General program operations - state | | | | |
| 8 | funds; forestry | SEG | A | 50,325,800 | 50,325,800 |
| 9 | (my) General program operations — | | | | |
| 10 | federal funds | SEG-F | C | -0- | -0- |
| 11 | Wildlife management | SEG-F | C | 6,303,600 | 6,099,600 |
| 12 | Forestry | SEG-F | C | 1,484,300 | 1,484,300 |
| 13 | Southern forests | SEG-F | C | 127,200 | 127,200 |
| 14 | Parks and recreation | SEG-F | C | 835,700 | 835,700 |
| 15 | Endangered resources | SEG-F | C | 1,944,400 | 1,810,000 |
| 16 | Facilities and lands | SEG-F | C | 2,370,400 | 2,370,400 |
| 17 | NET APPROPRIATION | | | 13,065,600 | 12,727,200 |
| 18 | (mz) Forest fire emergencies — federal | | | | |
| 19 | funds | SEG-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,339,700 | 5,339,700 |
| | PROGRAM REVENUE | | | 1,813,900 | 1,813,900 |
| | OTHER | | | (726,200) | (726,200) |
| | SERVICE | | | (1,087,700) | (1,087,700) |
| | SEGREGATED REVENUE | | | 109,465,100 | 109,177,500 |
| | FEDERAL | | | (13,065,600) | (12,727,200) |
| | OTHER | | | (96,399,500) | (96,450,300) |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--------------------------------------|---------------|-------------|------------------|------------------|
| | TOTAL-ALL SOURCES | | | 116,618,700 | 116,331,100 |
| 1 | (2) AIR AND WASTE | | | | |
| 2 | (bg) Air management — stationary | | | | |
| 3 | sources | PR | A | 6,568,100 | 6,568,100 |
| 4 | (bh) Air management — state permit | | | | |
| 5 | sources | PR | A | 2,309,800 | 2,309,800 |
| 6 | (bi) Air management — asbestos | | | | |
| 7 | management | PR | C | 524,300 | 524,300 |
| 8 | (bq) Air management — vapor recovery | | | | |
| 9 | administration | SEG | A | 95,500 | 95,500 |
| 10 | (br) Air management — mobile sources | SEG | A | 1,358,000 | 1,358,000 |
| 11 | (cf) Air management — motor vehicle | | | | |
| 12 | emission inspection and | | | | |
| 13 | maintenance program, state funds | GPR | A | 45,300 | 45,300 |
| 14 | (cg) Air management — recovery of | | | | |
| 15 | ozone-depleting refrigerants | PR | A | 156,700 | 156,700 |
| 16 | (ch) Air management — emission | | | | |
| 17 | analysis | PR | C | -0- | -0- |
| 18 | (ci) Air management — permit review | | | | |
| 19 | and enforcement | PR | A | 2,250,800 | 2,250,800 |
| 20 | (cL) Air waste management — | | | | |
| 21 | incinerator operator certification | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (dg) Solid waste management — solid | | | | |
| 2 | and hazardous waste disposal | | | | |
| 3 | administration | PR | C | 2,576,300 | 2,576,300 |
| 4 | (dh) Solid waste | | | | |
| 5 | management-remediated property | PR | C | 875,500 | 875,500 |
| 6 | (dq) Solid waste management — waste | | | | |
| 7 | management fund | SEG | C | -0- | -0- |
| 8 | (dt) Solid waste management — closure | | | | |
| 9 | and long-term care | SEG | C | -0- | -0- |
| 10 | (du) Solid waste management - | | | | |
| 11 | site-specific remediation | SEG | C | -0- | -0- |
| 12 | (dv) Solid waste management — | | | | |
| 13 | environmental repair; spills; | | | | |
| 14 | abandoned containers | SEG | C | 2,292,700 | 2,292,700 |
| 15 | (dw) Solid waste management — | | | | |
| 16 | environmental repair; petroleum | | | | |
| 17 | spills; administration | SEG | A | 3,544,500 | 3,546,600 |
| 18 | (dy) Solid waste management — | | | | |
| 19 | corrective action; proofs of financial | | | | |
| 20 | responsibility | SEG | C | -0- | -0- |
| 21 | (dz) Solid waste management - | | | | |
| 22 | assessments and legal action | SEG | C | -0- | -0- |
| 23 | (eg) Solid waste facility siting board fee | PR | C | -0- | -0- |
| 24 | (eh) Solid waste management — source | | | | |
| 25 | reduction review | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ej) Petroleum storage remedial action | | | | |
| 2 | fees | PR | A | -0- | -0- |
| 3 | (eq) Solid waste management - dry | | | | |
| 4 | cleaner environmental response | SEG | A | 177,800 | 177,800 |
| 5 | (es) Petroleum inspection fund — | | | | |
| 6 | revenue obligation repayment | SEG | S | -0- | -0- |
| 7 | (eu) Petroleum storage environmental | | | | |
| 8 | remedial action; awards | SEG | B | 4,550,000 | 4,550,000 |
| 9 | (ew) Removal of underground petroleum | | | | |
| 10 | storage tanks | SEG | A | 100,000 | 100,000 |
| 11 | (fq) Indemnification agreements | SEG | S | -0- | -0- |
| 12 | (gh) Mining — mining regulation and | | | | |
| 13 | administration | PR | A | 76,300 | 76,300 |
| 14 | (gr) Solid waste management — mining | | | | |
| 15 | programs | SEG | C | -0- | -0- |
| 16 | (hq) Recycling; administration | SEG | A | 1,504,600 | 1,504,600 |
| 17 | (hr) Electronic waste recycling | SEG | C | 130,000 | 130,000 |
| 18 | (ma) General program operations — | | | | |
| 19 | state funds | GPR | A | 1,466,100 | 1,466,100 |
| 20 | (mi) General program operations — | | | | |
| 21 | private and public sources | PR | C | -0- | -0- |
| 22 | (mk) General program operations — | | | | |
| 23 | service funds | PR-S | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (mm) General program operations — | | | | |
| 2 | federal funds | PR-F | C | 7,608,300 | 7,608,300 |
| 3 | (mq) General program operations - | | | | |
| 4 | environmental fund | SEG | A | 3,658,700 | 3,658,700 |
| 5 | (mr) General program operations - | | | | |
| 6 | brownfields | SEG | A | 296,800 | 296,800 |
| 7 | (my) General program operations — | | | | |
| 8 | environmental fund; federal funds | SEG-F | C | 1,376,700 | 1,376,700 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,511,400 | 1,511,400 |
| | PROGRAM REVENUE | | | 22,946,100 | 22,946,100 |
| | FEDERAL | | | (7,608,300) | (7,608,300) |
| | OTHER | | | (15,337,800) | (15,337,800) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 19,085,300 | 19,087,400 |
| | FEDERAL | | | (1,376,700) | (1,376,700) |
| | OTHER | | | (17,708,600) | (17,710,700) |
| | TOTAL-ALL SOURCES | | | 43,542,800 | 43,544,900 |
| 9 | (3) ENFORCEMENT AND SCIENCE | | | | |
| 10 | (ad) Law enforcement - car killed deer; | | | | |
| 11 | general fund | GPR | A | 350,700 | 350,700 |
| 12 | (ak) Law enforcement - snowmobile | | | | |
| 13 | enforcement and safety training; | | | | |
| 14 | service funds | PR-S | A | 1,168,700 | 1,168,700 |
| 15 | (aq) Law enforcement — snowmobile | | | | |
| 16 | enforcement and safety training | SEG | A | 197,500 | 197,500 |
| 17 | (ar) Law enforcement — boat | | | | |
| 18 | enforcement and safety training | SEG | A | 2,887,800 | 2,887,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (as) Law enforcement — all-terrain | | | | |
| 2 | vehicle and utility terrain vehicle | | | | |
| 3 | enforcement | SEG | A | 1,233,700 | 1,233,700 |
| 4 | (at) Education and safety programs | SEG | C | 337,600 | 337,600 |
| 5 | (aw) Law enforcement — car kill deer | SEG | A | 350,700 | 350,700 |
| 6 | (ax) Law enforcement - water resources | | | | |
| 7 | enforcement | SEG | A | 186,000 | 186,000 |
| 8 | (bg) Enforcement — stationary sources | PR | A | 107,000 | 107,000 |
| 9 | (bL) Operator certification — fees | PR | A | 108,900 | 108,900 |
| 10 | (dg) Environmental impact — | | | | |
| 11 | consultant services; printing and | | | | |
| 12 | postage costs | PR | C | -0- | -0- |
| 13 | (dh) Environmental impact — power | | | | |
| 14 | projects | PR | C | 26,100 | 26,100 |
| 15 | (di) Environmental consulting costs — | | | | |
| 16 | federal power projects | PR | A | -0- | -0- |
| 17 | (fj) Environmental quality - laboratory | | | | |
| 18 | certification | PR | A | 765,200 | 765,200 |
| 19 | (is) Aquatic invasive species control; | | | | |
| 20 | voluntary contributions | SEG | C | 68,600 | 68,600 |
| 21 | (ma) General program operations — | | | | |
| 22 | state funds | GPR | A | 2,096,700 | 2,096,700 |
| 23 | (mi) General program operations — | | | | |
| 24 | private and public sources | PR | C | 345,400 | 345,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 | |
|----|--------------------------------------|---------------|-------------|------------------|------------------|--|
| 1 | (mk) General program operations — | | | | | |
| 2 | service funds | PR-S | C | 147,200 | 82,600 | |
| 3 | (mm) General program operations — | | | | | |
| 4 | federal funds | PR-F | C | 540,900 | 540,900 | |
| 5 | (mq) General program operations — | | | | | |
| 6 | environmental fund | SEG | A | 1,147,400 | 1,147,400 | |
| 7 | (mr) Recycling; enforcement and | | | | | |
| 8 | research | SEG | A | 273,400 | 273,400 | |
| 9 | (ms) General program operations - | | | | | |
| 10 | pollution prevention | SEG | A | 117,500 | 117,500 | |
| 11 | (mt) General program operations, | | | | | |
| 12 | nonpoint source — environmental | | | | | |
| 13 | fund | SEG | A | 423,000 | 423,000 | |
| 14 | (mu) General program operations — | | | | | |
| 15 | state funds | SEG | A | 19,675,300 | 19,675,300 | |
| 16 | (mw) Water resources - public health | SEG | A | 24,700 | 24,700 | |
| 17 | (my) General program operations — | | | | | |
| 18 | federal funds | SEG-F | C | 8,185,800 | 7,662,100 | |
| | (3) PROGRAM TOTALS | | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,447,400 | 2,447,400 | |
| | PROGRAM REVENUE | | | 3,209,400 | 3,144,800 | |
| | FEDERAL | | | (540,900) | (540,900) | |
| | OTHER | | | (1,352,600) | (1,352,600) | |
| | SERVICE | | | (1,315,900) | (1,251,300) | |
| | SEGREGATED REVENUE | | | 35,109,000 | 34,585,300 | |
| | FEDERAL | | | (8,185,800) | (7,662,100) | |
| | OTHER | | | (26,923,200) | (26,923,200) | |
| | TOTAL-ALL SOURCES | | | 40,765,800 | 40,177,500 | |

19 (4) WATER

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ac) Wisconsin River monitoring and | | | | |
| 2 | study | GPR | A | 150,000 | -0- |
| 3 | (af) Water resources - remedial action | GPR | C | 50,000 | 50,000 |
| 4 | (ag) Water resources - pollution credits | PR | C | -0- | -0- |
| 5 | (ah) Water resources - Great Lakes | | | | |
| 6 | protection fund | PR | C | 214,900 | 214,900 |
| 7 | (ai) Water resources — water use fees | PR | C | 776,800 | 776,800 |
| 8 | (aj) Water resources — ballast water | | | | |
| 9 | discharge permits | PR | C | 305,300 | 305,300 |
| 10 | (aq) Water resources management — | | | | |
| 11 | lake, river, and invasive species | | | | |
| 12 | management | SEG | A | 2,988,400 | 2,988,400 |
| 13 | (ar) Water resources - groundwater | | | | |
| 14 | management | SEG | B | 91,900 | 91,900 |
| 15 | (as) Water resources — trading water | | | | |
| 16 | pollution credits | SEG | C | -0- | -0- |
| 17 | (at) Watershed — nonpoint source | | | | |
| 18 | contracts | SEG | B | 997,600 | 997,600 |
| 19 | (au) Cooperative remedial action; | | | | |
| 20 | contributions | SEG | C | -0- | -0- |
| 21 | (av) Cooperative remedial action; | | | | |
| 22 | interest on contributions | SEG | S | -0- | -0- |
| 23 | (bg) Water regulation and zoning - | | | | |
| 24 | computer access fees | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (bh) Water regulation and zoning — | | | | |
| 2 | dam inspections and safety | | | | |
| 3 | administration; general fund | PR | A | -0- | -0- |
| 4 | (bi) Water regulation and zoning - fees | PR | C | 1,169,200 | 1,169,200 |
| 5 | (bj) Storm water management - fees | PR | A | 1,810,900 | 1,810,900 |
| 6 | (bL) Wastewater management - fees | PR | C | 141,000 | 141,000 |
| 7 | (bm) Wetland restoration — fees; | | | | |
| 8 | payments | PR | C | -0- | -0- |
| 9 | (br) Water regulation and zoning — | | | | |
| 10 | dam safety & wetland mapping; | | | | |
| 11 | conservation fund | SEG | A | 632,800 | 632,800 |
| 12 | (cg) Groundwater quantity | | | | |
| 13 | administration | PR | A | 498,100 | 498,100 |
| 14 | (ch) Groundwater quantity research | PR | B | 84,500 | 84,500 |
| 15 | (kk) Fishery resources for ceded | | | | |
| 16 | territories | PR-S | A | 150,600 | 150,600 |
| 17 | (kr) Commercial fish protection and | | | | |
| 18 | Great Lakes resource surcharges | SEG | C | 25,000 | 25,000 |
| 19 | (kt) Great Lakes vessel rental costs | SEG | C | -0- | -0- |
| 20 | (ku) Great Lakes trout and salmon | SEG | C | 1,607,000 | 1,607,000 |
| 21 | (kv) Trout habitat improvement | SEG | C | 1,393,100 | 1,393,100 |
| 22 | (kw) Sturgeon stock and habitat | SEG | C | 196,700 | 196,700 |
| 23 | (ky) Sturgeon stock and habitat - inland | | | | |
| 24 | waters | SEG | C | 58,300 | 58,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (ma) General program operations - state | | | | |
| 2 | funds | GPR | A | -0- | -0- |
| 3 | Watershed management | GPR | A | 5,321,200 | 5,321,200 |
| 4 | Fisheries management | GPR | A | 84,700 | 84,700 |
| 5 | Drinking water and groundwater | GPR | A | 2,303,600 | 2,303,600 |
| 6 | Water Quality | GPR | A | 5,622,200 | 5,622,200 |
| 7 | Water program management | GPR | A | 1,215,100 | 1,215,100 |
| 8 | NET APPROPRIATION | | | 14,546,800 | 14,546,800 |
| 9 | (mi) General program operations - | | | | |
| 10 | private and public sources | PR | C | 233,700 | 233,700 |
| 11 | (mk) General program operations — | | | | |
| 12 | service funds | PR-S | C | 506,400 | 506,400 |
| 13 | (mm) General program operations - | | | | |
| 14 | federal funds | PR-F | C | -0- | -0- |
| 15 | Watershed management | PR-F | C | 3,235,900 | 3,149,900 |
| 16 | Fisheries management | PR-F | C | 226,900 | 226,900 |
| 17 | Drinking water and groundwater | PR-F | C | 5,010,200 | 5,010,200 |
| 18 | Water Quality | PR-F | C | 8,486,600 | 8,137,400 |
| 19 | NET APPROPRIATION | | | 16,959,600 | 16,524,400 |
| 20 | (mq) General program operations - | | | | |
| 21 | environmental fund | SEG | A | -0- | -0- |
| 22 | Watershed management | SEG | A | 774,700 | 774,700 |
| 23 | Drinking water and groundwater | SEG | A | 2,240,900 | 2,240,900 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | Water Quality | SEG | A | 1,243,400 | 1,243,400 |
| 2 | NET APPROPRIATION | | | 4,259,000 | 4,259,000 |
| 3 | (mr) General program operations — | | | | |
| 4 | nonpoint source | SEG | A | 582,100 | 582,100 |
| 5 | (mt) General program | | | | |
| 6 | operations—environmental | | | | |
| 7 | improvement programs; state funds | SEG | A | 706,200 | 706,200 |
| 8 | (mu) General program operations - state | | | | |
| 9 | funds | SEG | A | 16,333,900 | 16,383,600 |
| 10 | (mx) General program operations - clean | | | | |
| 11 | water fund program; federal funds | SEG-F | C | 744,500 | 744,500 |
| 12 | (my) General program operations - | | | | |
| 13 | environmental fund - federal funds | SEG-F | C | -0- | -0- |
| 14 | (mz) General program operations - | | | | |
| 15 | federal funds | SEG-F | C | 5,712,700 | 5,712,700 |
| 16 | (nz) General program operations—safe | | | | |
| 17 | drinking water loan programs; | | | | |
| 18 | federal funds | SEG-F | C | 2,018,600 | 2,011,100 |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 14,746,800 | 14,596,800 |
| | PROGRAM REVENUE | | | 22,851,000 | 22,415,800 |
| | FEDERAL | | | (16,959,600) | (16,524,400) |
| | OTHER | | | (5,234,400) | (5,234,400) |
| | SERVICE | | | (657,000) | (657,000) |
| | SEGREGATED REVENUE | | | 38,347,800 | 38,390,000 |
| | FEDERAL | | | (8,475,800) | (8,468,300) |
| | OTHER | | | (29,872,000) | (29,921,700) |
| | TOTAL-ALL SOURCES | | | 75,945,600 | 75,402,600 |
| 19 | (5) CONSERVATION AIDS | | | | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (ac) Resource aids - Milwaukee Public | | | | |
| 2 | Museum | GPR | A | -0- | -0- |
| 3 | (ad) Resource aids — interpretive center | GPR | A | 22,800 | 22,800 |
| 4 | (aq) Resource aids - Canadian agencies | | | | |
| 5 | migratory waterfowl aids | SEG | C | 167,500 | 167,500 |
| 6 | (ar) Resource aids - county | | | | |
| 7 | conservation aids | SEG | C | 148,500 | 148,500 |
| 8 | (as) Recreation aids - fish, wildlife and | | | | |
| 9 | forestry recreation aids | SEG | C | 112,200 | 112,200 |
| 10 | (at) Ice age trail area grants | SEG | A | 74,200 | 74,200 |
| 11 | (au) Resource aids - Ducks Unlimited, | | | | |
| 12 | Inc., payments | SEG | C | -0- | -0- |
| 13 | (av) Resource aids - forest grants | SEG | B | 1,147,900 | 1,147,900 |
| 14 | (aw) Resource aids — nonprofit | | | | |
| 15 | conservation organizations | SEG | C | 222,400 | 222,400 |
| 16 | (ax) Resource aids - forestry | SEG | A | 148,500 | 148,500 |
| 17 | (ay) Resource aids - urban land | | | | |
| 18 | conservation | SEG | A | 74,200 | 74,200 |
| 19 | (az) Resource aids — urban forestry | | | | |
| 20 | grants | SEG | B | 524,600 | 524,600 |
| 21 | (bq) Resource aids - county forest loans; | | | | |
| 22 | severance share payments | SEG | C | 100,000 | 100,000 |
| 23 | (br) Resource aids - forest croplands | | | | |
| 24 | and managed forest land aids | SEG | A | 1,237,500 | 1,237,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (bs) Resource aids - county forest loans | SEG | A | 616,200 | 616,200 |
| 2 | (bt) Resource aids - county forest | | | | |
| 3 | project loans | SEG | C | 396,000 | 396,000 |
| 4 | (bu) Resource aids - county forest | | | | |
| 5 | project loans; severance share | | | | |
| 6 | payments | SEG | C | 350,000 | 350,000 |
| 7 | (bv) Resource aids — county forests, | | | | |
| 8 | forest croplands and managed | | | | |
| 9 | forest land aids | SEG | S | 1,416,400 | 1,416,400 |
| 10 | (bw) Resource aids — county sustainable | | | | |
| 11 | forestry and county forest adm. | | | | |
| 12 | grants | SEG | B | 1,576,900 | 1,576,900 |
| 13 | (bx) Resource aids - national forest | | | | |
| 14 | income aids | SEG-F | C | 782,200 | 782,200 |
| 15 | (by) Resource aids — fire suppression | | | | |
| 16 | grants | SEG | A | 170,000 | 170,000 |
| 17 | (bz) Resource aids - forestry outdoor | | | | |
| 18 | activity grants | SEG | C | -0- | -0- |
| 19 | (cb) Recreation aids - snowmobile trail | | | | |
| 20 | and area aids; general fund | GPR | A | -0- | -0- |
| 21 | (cq) Recreation aids - recreational | | | | |
| 22 | boating and other projects | SEG | C | 400,000 | 400,000 |
| 23 | (cr) Recreation aids - county | | | | |
| 24 | snowmobile trail and area aids | SEG | C | 2,475,400 | 2,475,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (cs) Recreation aids - snowmobile trail | | | | |
| 2 | areas | SEG | C | 4,478,100 | 4,782,100 |
| 3 | (ct) Recreation aids - all-terrain | | | | |
| 4 | vehicle project aids; gas tax | | | | |
| 5 | payment | SEG | C | 1,828,900 | 1,815,200 |
| 6 | (cu) Recreation aids — all-terrain | | | | |
| 7 | vehicle project aids | SEG | C | 1,670,000 | 1,670,000 |
| 8 | (cv) Recreation aids — all-terrain | | | | |
| 9 | vehicle landowner incentive | | | | |
| 10 | program | SEG | B | 405,900 | 405,900 |
| 11 | (cw) Recreation aids - supplemental | | | | |
| 12 | snowmobile trail aids | SEG | C | 800,000 | 800,000 |
| 13 | (cx) Recreation aids — all-terrain | | | | |
| 14 | vehicle safety program | SEG | A | 297,000 | 297,000 |
| 15 | (cy) Recreation and resource aids, | | | | |
| 16 | federal funds | SEG-F | C | 3,162,100 | 3,162,100 |
| 17 | (da) Aids in lieu of taxes - general fund | GPR | S | 8,350,700 | 8,956,000 |
| 18 | (dq) Aids in lieu of taxes - sum | | | | |
| 19 | sufficient | SEG | S | 780,000 | 780,000 |
| 20 | (dr) Aids in lieu of taxes - sum certain | SEG | A | 5,470,000 | 5,470,000 |
| 21 | (dx) Resource aids — payment in lieu of | | | | |
| 22 | taxes; federal | SEG-F | C | 440,000 | 440,000 |
| 23 | (ea) Enforcement aids — spearfishing | | | | |
| 24 | enforcement | GPR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (eq) Enforcement aids — boating | | | | |
| 2 | enforcement | SEG | A | 1,386,000 | 1,386,000 |
| 3 | (er) Enforcement aids — all-terrain | | | | |
| 4 | vehicle and utility terrain vehicle | | | | |
| 5 | enforcement | SEG | A | 495,000 | 495,000 |
| 6 | (es) Enforcement aids — snowmobiling | | | | |
| 7 | enforcement | SEG | A | 396,000 | 396,000 |
| 8 | (eu) Recreation aids- utility terrain | | | | |
| 9 | vehicle project aids | SEG | C | 95,600 | 95,600 |
| 10 | (ex) Enforcement aids — federal funds | SEG-F | C | -0- | -0- |
| 11 | (fq) Wildlife damage claims and | | | | |
| 12 | abatement | SEG | C | 3,300,000 | 3,300,000 |
| 13 | (fr) Wildlife abatement and control | | | | |
| 14 | grants | SEG | B | 24,700 | 24,700 |
| 15 | (fs) Venison processing | SEG | B | 594,000 | 594,000 |
| 16 | (ft) Venison processing; voluntary | | | | |
| 17 | contributions | SEG | C | 14,800 | 14,800 |
| 18 | (fv) Wolf depredation program | SEG | C | 200,000 | 200,000 |
| 19 | (fw) Resource Aids- Natural Resources | | | | |
| 20 | Foundation of Wisconsin payments | SEG | C | 20,000 | 20,000 |
| 21 | (gr) Recreation aids- utility terrain | | | | |
| 22 | vehicle project aids; gas tax | | | | |
| 23 | payment | SEG | C | 64,100 | 64,100 |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 8,373,500 | 8,978,800 |
| | SEGREGATED REVENUE | | | 38,062,800 | 38,353,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------|------|--------------|--------------|
| | FEDERAL | | | (4,384,300) | (4,384,300) |
| | OTHER | | | (33,678,500) | (33,968,800) |
| | TOTAL-ALL SOURCES | | | 46,436,300 | 47,331,900 |
| 1 | (6) ENVIRONMENTAL AIDS | | | | |
| 2 | (aa) Environmental aids; nonpoint | | | | |
| 3 | source | GPR | B | 200,000 | 200,000 |
| 4 | (ac) Lake Koshkonong study | GPR | A | -0- | -0- |
| 5 | (ar) Environmental aids - lake | | | | |
| 6 | protection | SEG | C | 2,452,600 | 2,452,600 |
| 7 | (as) Environmental aids — invasive | | | | |
| 8 | aquatic species and lake monitoring | SEG | B | 4,029,100 | 4,029,100 |
| 9 | (au) Environmental aids — river | | | | |
| 10 | protection; environmental fund | SEG | A | -0- | -0- |
| 11 | (av) Environmental aids - river | | | | |
| 12 | protection; conservation fund | SEG | A | 289,500 | 289,500 |
| 13 | (aw) Environmental aids - river | | | | |
| 14 | protection, nonprofit organization | | | | |
| 15 | contracts | SEG | C | 69,200 | 69,200 |
| 16 | (bj) Environmental aids — waste | | | | |
| 17 | reduction and recycling grants and | | | | |
| 18 | gifts | PR | C | -0- | -0- |
| 19 | (bk) Environmental aids — wastewater | | | | |
| 20 | and drinking water grant | PR-S | A | -0- | -0- |
| 21 | (bu) Financial assistance for responsible | | | | |
| 22 | units | SEG | A | 19,000,000 | 19,000,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (bw) Recycling consolidation grants | SEG | A | 1,000,000 | 1,000,000 |
| 2 | (ca) Environmental aids - scenic urban | | | | |
| 3 | waterways | GPR | C | -0- | -0- |
| 4 | (cm) Environmental aids - federal funds | PR-F | C | 800,000 | 800,000 |
| 5 | (cr) Environmental aids - compensation | | | | |
| 6 | for well contamination and | | | | |
| 7 | abandonment | SEG | C | 276,000 | 276,000 |
| 8 | (da) Environmental planning aids - | | | | |
| 9 | local water quality planning | GPR | A | 196,400 | 196,400 |
| 10 | (dm) Environmental planning aids - | | | | |
| 11 | federal funds | PR-F | C | 150,000 | 150,000 |
| 12 | (dq) Environmental aids — urban | | | | |
| 13 | nonpoint source | SEG | B | 1,313,200 | 1,313,200 |
| 14 | (ef) Brownfields revolving loan | | | | |
| 15 | repayments | PR | C | -0- | -0- |
| 16 | (eg) Groundwater mitigation and local | | | | |
| 17 | assistance | PR | C | 432,600 | 432,600 |
| 18 | (eh) Brownfields revolving loan funds | | | | |
| 19 | administered for other entity | PR | C | -0- | -0- |
| 20 | (em) Federal brownfields revolving loan | | | | |
| 21 | funds | PR-F | C | 1,000,000 | 1,000,000 |
| 22 | (eq) Environmental aids - dry cleaner | | | | |
| 23 | environmental response | SEG | B | 763,600 | 763,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (ev) Reimbursement for disposal of | | | | |
| 2 | contaminated sediment | SEG | A | -0- | -0- |
| | (6) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 396,400 | 396,400 |
| | PROGRAM REVENUE | | | 2,382,600 | 2,382,600 |
| | FEDERAL | | | (1,950,000) | (1,950,000) |
| | OTHER | | | (432,600) | (432,600) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 29,193,200 | 29,193,200 |
| | OTHER | | | (29,193,200) | (29,193,200) |
| | TOTAL-ALL SOURCES | | | 31,972,200 | 31,972,200 |
| 3 | (7) DEBT SERVICE AND DEVELOPMENT | | | | |
| 4 | (aa) Resource acquisition and | | | | |
| 5 | development - principal repayment | | | | |
| 6 | and interest | GPR | S | 78,262,500 | 81,058,100 |
| 7 | (ac) Principal repayment and interest - | | | | |
| 8 | recreational boating bonds | GPR | S | -0- | -0- |
| 9 | (ag) Land acquisition - principal | | | | |
| 10 | repayment and interest | PR | C | -0- | -0- |
| 11 | (aq) Resource acquisition and | | | | |
| 12 | development - principal repayment | | | | |
| 13 | and interest | SEG | S | 16,500 | 16,500 |
| 14 | (ar) Dam repair and removal - principal | | | | |
| 15 | repayment and interest | SEG | S | 533,000 | 543,600 |
| 16 | (at) Recreation development - principal | | | | |
| 17 | repayment and interest | SEG | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (au) State forest acquisition and | | | | |
| 2 | development — principal | | | | |
| 3 | repayment and interest | SEG | A | 13,500,000 | 13,500,000 |
| 4 | (bq) Principal repayment and interest - | | | | |
| 5 | remedial action | SEG | S | 3,486,600 | 3,385,300 |
| 6 | (br) Principal repayment and interest - | | | | |
| 7 | contaminated sediment | SEG | S | 1,485,700 | 1,786,400 |
| 8 | (cb) Principal repayment and interest - | | | | |
| 9 | pollution abatement bonds | GPR | S | 9,734,100 | 9,871,800 |
| 10 | (cc) Principal repayment and | | | | |
| 11 | interest — combined sewer | | | | |
| 12 | overflow; pollution abatement | | | | |
| 13 | bonds | GPR | S | 5,403,100 | 5,138,400 |
| 14 | (cd) Principal repayment and interest - | | | | |
| 15 | municipal clean drinking water | | | | |
| 16 | grants | GPR | S | 288,000 | 270,400 |
| 17 | (cg) Principal repayment and interest - | | | | |
| 18 | nonpoint repayments | PR | C | -0- | -0- |
| 19 | (cq) Principal repayment and | | | | |
| 20 | interest — nonpoint source grants | SEG | S | 7,981,400 | 7,965,700 |
| 21 | (cr) Principal repayment and | | | | |
| 22 | interest — nonpoint source | SEG | S | 1,302,400 | 1,525,000 |
| 23 | (cs) Principal repayment and | | | | |
| 24 | interest — urban nonpoint source | | | | |
| 25 | cost-sharing | SEG | S | 2,927,900 | 3,193,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ct) Principal and interest — pollution | | | | |
| 2 | abatement, environmental fund | SEG | A | 8,000,000 | 8,000,000 |
| 3 | (ea) Administrative facilities - principal | | | | |
| 4 | repayment and interest | GPR | S | 933,600 | 873,500 |
| 5 | (eq) Administrative facilities - principal | | | | |
| 6 | repayment and interest | SEG | S | 4,977,700 | 5,058,100 |
| 7 | (er) Administrative facilities — | | | | |
| 8 | principal repayment and interest; | | | | |
| 9 | environmental fund | SEG | S | 816,900 | 883,700 |
| 10 | (fa) Resource maintenance and | | | | |
| 11 | development - state funds | GPR | C | 755,600 | 755,600 |
| 12 | (fk) Resource acquisition and | | | | |
| 13 | development - service funds; | | | | |
| 14 | transportation moneys | PR-S | C | 990,000 | 990,000 |
| 15 | (fr) Resource acquisition and | | | | |
| 16 | development — boating access to | | | | |
| 17 | southeastern lakes | SEG | C | 92,400 | 92,400 |
| 18 | (fs) Resource acquisition and | | | | |
| 19 | development - state funds | SEG | C | 889,100 | 889,100 |
| 20 | (ft) Resource acquisition and | | | | |
| 21 | development - boating access | SEG | C | 184,800 | 184,800 |
| 22 | (fu) Resource acquisition and | | | | |
| 23 | development — nonmotorized | | | | |
| 24 | boating improvements | SEG | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (fw) Resource acquisition and | | | | |
| 2 | development — Mississippi and St. | | | | |
| 3 | Croix rivers management | SEG | C | 57,700 | 57,700 |
| 4 | (fy) Resource acquisition and | | | | |
| 5 | development — federal funds | SEG-F | C | 9,112,800 | 9,112,800 |
| 6 | (gg) Ice age trail - gifts and grants | PR | C | -0- | -0- |
| 7 | (gq) State trails - gifts and grants | SEG | C | -0- | -0- |
| 8 | (ha) Facilities acquisition, development | | | | |
| 9 | and maintenance | GPR | C | 144,400 | 144,400 |
| 10 | (hq) Facilities acquisition, development | | | | |
| 11 | and maintenance — conservation | | | | |
| 12 | fund | SEG | C | 372,400 | 372,400 |
| 13 | (jr) Rental property and equipment - | | | | |
| 14 | maintenance and replacement | SEG | C | 180,000 | 180,000 |
| 15 | (mc) Resource maintenance and | | | | |
| 16 | development - state park, forest, | | | | |
| 17 | and riverway roads | GPR | C | 2,000,000 | 2,000,000 |
| 18 | (mi) General program operations - | | | | |
| 19 | private and public sources | PR | C | -0- | -0- |
| 20 | (mk) General program operations - | | | | |
| 21 | service funds | PR-S | C | -0- | -0- |
| | (7) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 97,521,300 | 100,112,200 |
| | PROGRAM REVENUE | | | 990,000 | 990,000 |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (990,000) | (990,000) |
| | SEGREGATED REVENUE | | | 55,917,300 | 56,747,300 |
| | FEDERAL | | | (9,112,800) | (9,112,800) |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| | OTHER | | | (46,804,500) | (47,634,500) |
| | TOTAL-ALL SOURCES | | | 154,428,600 | 157,849,500 |
| 1 | (8) ADMINISTRATION AND TECHNOLOGY | | | | |
| 2 | (ir) Promotional activities and | | | | |
| 3 | publications | SEG | C | 82,200 | 82,200 |
| 4 | (iw) Statewide recycling administration | SEG | A | 413,000 | 420,100 |
| 5 | (ma) General program operations — | | | | |
| 6 | state funds | GPR | A | 2,505,500 | 2,528,600 |
| 7 | (mg) General program operations — | | | | |
| 8 | stationary sources | PR | A | -0- | -0- |
| 9 | (mi) General program operations — | | | | |
| 10 | private and public sources | PR | C | -0- | -0- |
| 11 | (mk) General program operations — | | | | |
| 12 | service funds | PR-S | C | 4,357,900 | 4,357,900 |
| 13 | (mq) General program operations — | | | | |
| 14 | mobile sources | SEG | A | 875,500 | 892,900 |
| 15 | (mr) General program operations - | | | | |
| 16 | environmental improvement fund | SEG | A | 348,900 | 355,600 |
| 17 | (mt) Equipment and services | SEG-S | C | -0- | -0- |
| 18 | (mu) General program operations — | | | | |
| 19 | state funds | SEG | A | 15,487,200 | 15,534,200 |
| 20 | (mv) General program operations — | | | | |
| 21 | environmental fund | SEG | A | 1,501,900 | 1,521,700 |
| 22 | (mz) Indirect cost reimbursements | SEG-F | C | 6,785,000 | 6,815,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ni) Geographic information systems, | | | | |
| 2 | general program operations - other | | | | |
| 3 | funds | PR | C | 32,700 | 32,700 |
| 4 | (nk) Geographic information systems, | | | | |
| 5 | general program operations — | | | | |
| 6 | service funds | PR-S | C | 1,419,200 | 1,419,200 |
| 7 | (zq) Gifts and donations | SEG | C | -0- | -0- |
| | (8) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,505,500 | 2,528,600 |
| | PROGRAM REVENUE | | | 5,809,800 | 5,809,800 |
| | OTHER | | | (32,700) | (32,700) |
| | SERVICE | | | (5,777,100) | (5,777,100) |
| | SEGREGATED REVENUE | | | 25,493,700 | 25,622,200 |
| | FEDERAL | | | (6,785,000) | (6,815,500) |
| | OTHER | | | (18,708,700) | (18,806,700) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 33,809,000 | 33,960,600 |
| 8 | (9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS | | | | |
| 9 | (eg) Gifts and grants; environmental | | | | |
| 10 | management systems | PR | C | -0- | -0- |
| 11 | (gb) Education programs - program fees | PR | B | 74,600 | 74,600 |
| 12 | (hk) Approval fees to Lac du Flambeau | | | | |
| 13 | band-service funds | PR-S | A | 84,500 | 84,500 |
| 14 | (hs) Approval fees from Lac du | | | | |
| 15 | Flambeau band | SEG | C | -0- | -0- |
| 16 | (ht) Approval fees to Lac du Flambeau | | | | |
| 17 | band | SEG | S | -0- | -0- |
| 18 | (hu) Handling and other fees | SEG | C | 152,500 | 152,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (hv) Fee amounts for statewide | | | | |
| 2 | automated issuing system | SEG | C | 2,863,100 | 2,863,100 |
| 3 | (hw) Utility terrain vehicle fees | SEG | C | -0- | -0- |
| 4 | (iq) Natural resources magazine | SEG | C | 928,100 | 928,100 |
| 5 | (is) Statewide recycling administration | SEG | A | 300,000 | 300,000 |
| 6 | (ma) General program operations - state | | | | |
| 7 | funds | GPR | A | 3,077,700 | 3,077,700 |
| 8 | (mh) General programs operations — | | | | |
| 9 | stationary sources | PR | A | 417,500 | 417,500 |
| 10 | (mi) General program operations — | | | | |
| 11 | private and public sources | PR | C | 78,700 | 78,700 |
| 12 | (mk) General program operations — | | | | |
| 13 | service funds | PR-S | C | 2,860,700 | 2,860,700 |
| 14 | (mm) General program operations - | | | | |
| 15 | federal funds | PR-F | C | 1,041,900 | 1,041,900 |
| 16 | (mq) General program operations - | | | | |
| 17 | mobile sources | SEG | A | 191,600 | 191,600 |
| 18 | (mt) Aids administration — | | | | |
| 19 | environmental improvement | | | | |
| 20 | programs; state funds | SEG | A | 1,185,000 | 1,185,000 |
| 21 | (mu) General program operations - state | | | | |
| 22 | funds | SEG | A | 9,650,800 | 9,650,800 |
| 23 | (mv) General program operations — | | | | |
| 24 | environmental fund | SEG | A | 1,175,800 | 1,209,400 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (mw) Aids administration - snowmobile | | | | |
| 2 | recreation | SEG | A | 190,400 | 190,400 |
| 3 | (mx) Aids administration - clean water | | | | |
| 4 | fund program; federal funds | SEG-F | C | 1,282,200 | 1,282,200 |
| 5 | (my) General program operations - | | | | |
| 6 | federal funds | SEG-F | C | 264,700 | 264,700 |
| 7 | (mz) Indirect cost reimbursements | SEG-F | C | 993,400 | 993,400 |
| 8 | (nq) Aids administration - dry cleaner | | | | |
| 9 | environmental response | SEG | A | 89,400 | 89,400 |
| 10 | (ny) Aids administration - safe drinking | | | | |
| 11 | water loan programs; federal funds | SEG-F | C | 170,100 | 170,100 |
| | (9) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 3,077,700 | 3,077,700 |
| | PROGRAM REVENUE | | | 4,557,900 | 4,557,900 |
| | FEDERAL | | | (1,041,900) | (1,041,900) |
| | OTHER | | | (570,800) | (570,800) |
| | SERVICE | | | (2,945,200) | (2,945,200) |
| | SEGREGATED REVENUE | | | 19,437,100 | 19,470,700 |
| | FEDERAL | | | (2,710,400) | (2,710,400) |
| | OTHER | | | (16,726,700) | (16,760,300) |
| | TOTAL-ALL SOURCES | | | 27,072,700 | 27,106,300 |
| | 20.370 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 135,919,700 | 138,989,000 |
| | PROGRAM REVENUE | | | 64,560,700 | 64,060,900 |
| | FEDERAL | | | (28,100,700) | (27,665,500) |
| | OTHER | | | (23,687,100) | (23,687,100) |
| | SERVICE | | | (12,772,900) | (12,708,300) |
| | SEGREGATED REVENUE | | | 370,111,300 | 370,626,700 |
| | FEDERAL | | | (54,096,400) | (53,257,300) |
| | OTHER | | | (316,014,900) | (317,369,400) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 570,591,700 | 573,676,600 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | 20.373 Fox River Navigational System Authority | | | | |
| 2 | (1) INITIAL COSTS | | | | |
| 3 | (g) Administration, operation, repair, | | | | |
| 4 | and rehabilitation | PR | C | -0- | -0- |
| 5 | (r) Establishment and operation | SEG | C | 125,400 | 125,400 |
| | (1) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 125,400 | 125,400 |
| | OTHER | | | (125,400) | (125,400) |
| | TOTAL-ALL SOURCES | | | 125,400 | 125,400 |
| | 20.373 DEPARTMENT TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 125,400 | 125,400 |
| | OTHER | | | (125,400) | (125,400) |
| | TOTAL-ALL SOURCES | | | 125,400 | 125,400 |
| 6 | 20.375 Lower Fox River Remediation Authority | | | | |
| 7 | (1) INITIAL COSTS | | | | |
| 8 | (a) Initial costs | GPR | B | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.375 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 9 | 20.380 Tourism, Department of | | | | |
| 10 | (1) TOURISM DEVELOPMENT AND PROMOTION | | | | |
| 11 | (a) General program operations | GPR | A | 2,706,700 | 2,710,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (b) Tourism marketing; general | | | | |
| 2 | purpose revenue | GPR | B | 1,827,100 | 1,827,100 |
| 3 | (g) Gifts, grants and proceeds | PR | C | 11,100 | 11,300 |
| 4 | (h) Tourism promotion; sale of surplus | | | | |
| 5 | property receipts | PR | C | -0- | -0- |
| 6 | (ig) Golf promotion | PR | C | -0- | -0- |
| 7 | (ir) Payments to the WPGA Junior | | | | |
| 8 | Foundation | PR | C | -0- | -0- |
| 9 | (j) Tourism promotion - private and | | | | |
| 10 | public sources | PR | C | 99,000 | 99,000 |
| 11 | (k) Sale of materials or services | PR-S | C | -0- | -0- |
| 12 | (ka) Sale of materials and services-local | | | | |
| 13 | assistance | PR-S | C | -0- | -0- |
| 14 | (kb) Sale of materials and | | | | |
| 15 | services-individuals and | | | | |
| 16 | organizations | PR-S | C | -0- | -0- |
| 17 | (kc) Marketing clearinghouse charges | PR-S | A | -0- | -0- |
| 18 | (kg) Tourism marketing; gaming | | | | |
| 19 | revenue | PR-S | B | 8,967,100 | 8,967,100 |
| 20 | (km) Grants for regional tourist | | | | |
| 21 | information centers | PR-S | A | 160,000 | 160,000 |
| 22 | (m) Federal aid, state operations | PR-F | C | -0- | -0- |
| 23 | (n) Federal aid, local assistance | PR-F | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (o) Federal aid, individuals and | | | | |
| 2 | organizations | PR-F | C | -0- | -0- |
| 3 | (q) Administrative | | | | |
| 4 | services-conservation fund | SEG | A | 12,100 | 12,100 |
| 5 | (w) Tourism marketing; transportation | | | | |
| 6 | fund | SEG | B | 1,591,300 | 1,591,300 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 4,533,800 | 4,537,200 |
| | PROGRAM REVENUE | | | 9,237,200 | 9,237,400 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (110,100) | (110,300) |
| | SERVICE | | | (9,127,100) | (9,127,100) |
| | SEGREGATED REVENUE | | | 1,603,400 | 1,603,400 |
| | OTHER | | | (1,603,400) | (1,603,400) |
| | TOTAL-ALL SOURCES | | | 15,374,400 | 15,378,000 |
| 7 | (2) KICKAPOO VALLEY RESERVE | | | | |
| 8 | (ip) Kickapoo reserve management | | | | |
| 9 | board; program services | PR | C | 156,900 | 156,900 |
| 10 | (ir) Kickapoo reserve management | | | | |
| 11 | board; gifts and grants | PR | C | -0- | -0- |
| 12 | (kc) Kickapoo valley reserve; law | | | | |
| 13 | enforcement services | PR-S | A | 66,400 | 66,400 |
| 14 | (ms) Kickapoo reserve management | | | | |
| 15 | board; federal aid | PR-F | C | -0- | -0- |
| 16 | (q) Kickapoo reserve management | | | | |
| 17 | board; general program operations | SEG | A | 414,600 | 414,600 |
| 18 | (r) Kickapoo valley reserve; aids in lieu | | | | |
| 19 | of taxes | SEG | S | 356,000 | 356,000 |

(2) PROGRAM TOTALS

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|---|--------|------|-----------|-----------|
| | PROGRAM REVENUE | | | 223,300 | 223,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (156,900) | (156,900) |
| | SERVICE | | | (66,400) | (66,400) |
| | SEGREGATED REVENUE | | | 770,600 | 770,600 |
| | OTHER | | | (770,600) | (770,600) |
| | TOTAL-ALL SOURCES | | | 993,900 | 993,900 |
| 1 | (3) SUPPORT OF ARTS PROJECTS | | | | |
| 2 | (a) General program operations | GPR | A | 312,600 | 312,600 |
| 3 | (b) State aid for the arts | GPR | A | 359,300 | 359,300 |
| 4 | (c) Portraits of governors | GPR | A | -0- | -0- |
| 5 | (d) Challenge grant program | GPR | A | -0- | -0- |
| 6 | (e) High Point fund | GPR | A | -0- | -0- |
| 7 | (f) Wisconsin regranting program | GPR | A | 116,700 | 116,700 |
| 8 | (g) Gifts and grants; state operations | PR | C | 20,000 | 20,000 |
| 9 | (h) Gifts and grants; aids to individuals | | | | |
| 10 | and organizations | PR | C | -0- | -0- |
| 11 | (j) Support of arts programs | PR | C | -0- | -0- |
| 12 | (km) State aid for the arts; Indian | | | | |
| 13 | gaming receipts | PR-S | A | 24,900 | 24,900 |
| 14 | (m) Federal grants; state operations | PR-F | C | 234,200 | 234,200 |
| 15 | (o) Federal grants; aids to individuals | | | | |
| 16 | and organizations | PR-F | C | 524,500 | 524,500 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 788,600 | 788,600 |
| | PROGRAM REVENUE | | | 803,600 | 803,600 |
| | FEDERAL | | | (758,700) | (758,700) |
| | OTHER | | | (20,000) | (20,000) |
| | SERVICE | | | (24,900) | (24,900) |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--------|------|-------------|-------------|
| TOTAL-ALL SOURCES | | | 1,592,200 | 1,592,200 |
| 20.380 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUE | | | 5,322,400 | 5,325,800 |
| PROGRAM REVENUE | | | 10,264,100 | 10,264,300 |
| FEDERAL | | | (758,700) | (758,700) |
| OTHER | | | (287,000) | (287,200) |
| SERVICE | | | (9,218,400) | (9,218,400) |
| SEGREGATED REVENUE | | | 2,374,000 | 2,374,000 |
| OTHER | | | (2,374,000) | (2,374,000) |
| TOTAL-ALL SOURCES | | | 17,960,500 | 17,964,100 |
| 1 20.395 Transportation, Department of | | | | |
| 2 (1) Aids | | | | |
| 3 (ar) Corrections of transportation aid | | | | |
| 4 payments | SEG | S | -0- | -0- |
| 5 (as) Transportation aids to counties, | | | | |
| 6 state funds | SEG | A | 94,615,600 | 94,615,600 |
| 7 (at) Transportation aids to | | | | |
| 8 municipalities, state funds | SEG | A | 308,904,300 | 308,904,300 |
| 9 (bq) Intercity bus assistance, state | | | | |
| 10 funds | SEG | C | -0- | -0- |
| 11 (br) Milwaukee urban area rail transit | | | | |
| 12 system planning study; state funds | SEG | A | -0- | -0- |
| 13 (bs) Transportation employment and | | | | |
| 14 mobility, state funds | SEG | C | 332,600 | 332,600 |
| 15 (bt) Urban rail transit system grants | SEG | C | -0- | -0- |
| 16 (bv) Transit and other | | | | |
| 17 transportation-related aids, local | | | | |
| 18 funds | SEG-L | C | 110,000 | 110,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (bx) Transit and other | | | | |
| 2 | transportation-related aids, federal | | | | |
| 3 | funds | SEG-F | C | 38,000,000 | 38,000,000 |
| 4 | (ck) Tribal elderly transportation grants | PR-S | A | 247,500 | 247,500 |
| 5 | (cq) Elderly and disabled capital aids, | | | | |
| 6 | state funds | SEG | C | 912,700 | 912,700 |
| 7 | (cr) Elderly and disabled county aids, | | | | |
| 8 | state funds | SEG | A | 13,623,400 | 13,623,400 |
| 9 | (cv) Elderly and disabled aids, local | | | | |
| 10 | funds | SEG-L | C | 605,500 | 605,500 |
| 11 | (cx) Elderly and disabled aids, federal | | | | |
| 12 | funds | SEG-F | C | 1,500,000 | 1,500,000 |
| 13 | (ex) Highway safety, local assistance, | | | | |
| 14 | federal funds | SEG-F | C | 1,700,000 | 1,700,000 |
| 15 | (fq) Connecting highways aids, state | | | | |
| 16 | funds | SEG | A | 12,063,500 | 12,063,500 |
| 17 | (fs) Disaster damage aids, state funds | SEG | S | 1,000,000 | 1,000,000 |
| 18 | (ft) Lift bridge aids, state funds | SEG | B | 2,659,200 | 2,659,200 |
| 19 | (fu) County forest road aids, state funds | SEG | A | 284,700 | 284,700 |
| 20 | (gq) Expressway policing aids, state | | | | |
| 21 | funds | SEG | A | 1,023,900 | 1,023,900 |
| 22 | (gt) Soo Locks improvements, state | | | | |
| 23 | funds | SEG | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (ha) Tier B transit operating aids, state | | | | |
| 2 | funds | GPR | A | -0- | 23,544,900 |
| 3 | (hb) Tier C transit operating aids, state | | | | |
| 4 | funds | GPR | A | -0- | 4,989,300 |
| 5 | (hc) Tier A-1 transit operating aids, | | | | |
| 6 | state funds | GPR | A | -0- | 61,724,900 |
| 7 | (hd) Tier A-2 transit operating aids, | | | | |
| 8 | state funds | GPR | A | -0- | 16,219,200 |
| 9 | (he) Tier A — 3 transit operating aids, | | | | |
| 10 | state funds | GPR | A | -0- | -0- |
| 11 | (hq) Paratransit aids | SEG | A | 2,500,000 | 2,500,000 |
| 12 | (hr) Tier B transit operating aids, state | | | | |
| 13 | funds | SEG | A | 23,336,600 | -0- |
| 14 | (hs) Tier C transit operating aids, state | | | | |
| 15 | funds | SEG | A | 5,197,600 | -0- |
| 16 | (ht) Tier A-1 transit operating aids, | | | | |
| 17 | state funds | SEG | A | 61,724,900 | -0- |
| 18 | (hu) Tier A-2 transit operating aids, | | | | |
| 19 | state funds | SEG | A | 16,219,200 | -0- |
| 20 | (hw) Tier A-3 transit operating aids, | | | | |
| 21 | state funds | SEG | A | -0- | -0- |
| 22 | (ig) Professional football stadium | | | | |
| 23 | maintenance and operating costs, | | | | |
| 24 | state funds | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (ih) Child abuse and neglect prevention, | | | | |
| 2 | state funds | PR | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | 106,478,300 |
| | PROGRAM REVENUE | | | 247,500 | 247,500 |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (247,500) | (247,500) |
| | SEGREGATED REVENUE | | | 586,313,700 | 479,835,400 |
| | FEDERAL | | | (41,200,000) | (41,200,000) |
| | OTHER | | | (544,398,200) | (437,919,900) |
| | LOCAL | | | (715,500) | (715,500) |
| | TOTAL-ALL SOURCES | | | 586,561,200 | 586,561,200 |
| 3 | (2) LOCAL TRANSPORTATION ASSISTANCE | | | | |
| 4 | (aq) Accelerated local bridge | | | | |
| 5 | improvement assistance, state | | | | |
| 6 | funds | SEG | C | -0- | -0- |
| 7 | (av) Accelerated local bridge | | | | |
| 8 | improvement assistance, local | | | | |
| 9 | funds | SEG-L | C | -0- | -0- |
| 10 | (ax) Accelerated local bridge | | | | |
| 11 | improvement assistance, federal | | | | |
| 12 | funds | SEG-F | C | -0- | -0- |
| 13 | (bq) Rail service assistance, state funds | SEG | C | 1,205,100 | 1,205,100 |
| 14 | (bu) Freight rail infrastructure | | | | |
| 15 | improvements, state funds | SEG | C | -0- | -0- |
| 16 | (bv) Rail service assistance, local funds | SEG-L | C | 500,000 | 500,000 |
| 17 | (bw) Freight rail assistance loan | | | | |
| 18 | repayments, local funds | SEG-L | C | 4,000,000 | 4,000,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (bx) Rail service assistance, federal | | | | |
| 2 | funds | SEG-F | C | 50,000 | 50,000 |
| 3 | (cq) Harbor assistance, state funds | SEG | C | 650,400 | 650,400 |
| 4 | (cr) Rail passenger service, state funds | SEG | C | 7,198,800 | 7,198,800 |
| 5 | (cs) Harbor assistance, federal funds | SEG-F | C | -0- | -0- |
| 6 | (ct) Passenger railroad station | | | | |
| 7 | improvement and commuter rail | | | | |
| 8 | transit system grants, state funds | SEG | B | -0- | -0- |
| 9 | (cu) Passenger railroad station | | | | |
| 10 | improvement and commuter rail | | | | |
| 11 | transit system grants, local funds | SEG-L | C | -0- | -0- |
| 12 | (cv) Rail passenger service, local funds | SEG-L | C | -0- | -0- |
| 13 | (cw) Harbor assistance, local funds | SEG-L | C | -0- | -0- |
| 14 | (cx) Rail passenger service, federal | | | | |
| 15 | funds | SEG-F | C | -0- | -0- |
| 16 | (dq) Aeronautics assistance, state funds | SEG | C | 13,086,100 | 13,086,100 |
| 17 | (ds) Aviation career education, state | | | | |
| 18 | funds | SEG | A | 178,800 | 178,800 |
| 19 | (dv) Aeronautics assistance, local funds | SEG-L | C | 42,000,000 | 42,000,000 |
| 20 | (dx) Aeronautics assistance, federal | | | | |
| 21 | funds | SEG-F | C | 73,939,900 | 73,939,900 |
| 22 | (eq) Highway and local bridge | | | | |
| 23 | improvement assistance, state | | | | |
| 24 | funds | SEG | C | 8,459,500 | 8,459,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ev) Local bridge improvement | | | | |
| 2 | assistance, local funds | SEG-L | C | 8,780,400 | 8,780,400 |
| 3 | (ex) Local bridge improvement | | | | |
| 4 | assistance, federal funds | SEG-F | C | 24,409,600 | 24,409,600 |
| 5 | (fb) Local roads for job preservation, | | | | |
| 6 | state funds | GPR | C | -0- | -0- |
| 7 | (fr) Local roads improvement program, | | | | |
| 8 | state funds | SEG | C | 16,197,000 | 16,197,000 |
| 9 | (ft) Local roads improvement program; | | | | |
| 10 | discretionary grants, state funds | SEG | C | 11,836,000 | 11,836,000 |
| 11 | (fv) Local transportation facility | | | | |
| 12 | improvement assistance, local | | | | |
| 13 | funds | SEG-L | C | 38,895,500 | 38,895,500 |
| 14 | (fx) Local transportation facility | | | | |
| 15 | improvement assistance, federal | | | | |
| 16 | funds | SEG-F | C | 72,238,000 | 72,238,000 |
| 17 | (fz) Local roads for job preservation, | | | | |
| 18 | federal funds | SEG-F | C | -0- | -0- |
| 19 | (gj) Railroad crossing protection | | | | |
| 20 | installation and maintenance, state | | | | |
| 21 | funds | SEG | C | -0- | -0- |
| 22 | (gq) Railroad crossing improvement and | | | | |
| 23 | protection maintenance, state funds | SEG | A | 2,112,000 | 2,112,000 |
| 24 | (gr) Railroad crossing improvement and | | | | |
| 25 | protection installation, state funds | SEG | C | 1,595,700 | 1,595,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (gs) Railroad crossing repair assistance, | | | | |
| 2 | state funds | SEG | C | 234,700 | 234,700 |
| 3 | (gv) Railroad crossing improvement, | | | | |
| 4 | local funds | SEG-L | C | -0- | -0- |
| 5 | (gx) Railroad crossing improvement, | | | | |
| 6 | federal funds | SEG-F | C | 3,291,800 | 3,291,800 |
| 7 | (hq) Multimodal transportation studies, | | | | |
| 8 | state funds | SEG | C | -0- | -0- |
| 9 | (hx) Multimodal transportation studies, | | | | |
| 10 | federal funds | SEG-F | C | -0- | -0- |
| 11 | (iq) Transportation facilities economic | | | | |
| 12 | assistance and development, state | | | | |
| 13 | funds | SEG | C | 3,402,600 | 3,402,600 |
| 14 | (iv) Transportation facilities economic | | | | |
| 15 | assistance and development, local | | | | |
| 16 | funds | SEG-L | C | 3,588,700 | 3,588,700 |
| 17 | (iw) Transportation facility | | | | |
| 18 | improvement loans, local funds | SEG-L | C | -0- | -0- |
| 19 | (ix) Transportation facilities economic | | | | |
| 20 | assistance and development, | | | | |
| 21 | federal funds | SEG-F | C | -0- | -0- |
| 22 | (js) Transportation alternatives | | | | |
| 23 | program, state funds | SEG | C | -0- | -0- |
| 24 | (jv) Transportation alternatives | | | | |
| 25 | program, local funds | SEG-L | C | 1,738,000 | 1,762,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|--------------------|---|---------------|-------------|------------------|------------------|
| 1 | (jx) Transportation alternatives | | | | |
| 2 | program, state funds | SEG-F | C | 6,951,800 | 7,049,300 |
| 3 | (kv) Congestion mitigation and air | | | | |
| 4 | quality improvement, local funds | SEG-L | C | 3,124,700 | 3,124,700 |
| 5 | (kx) Congestion mitigation and air | | | | |
| 6 | quality improvement, federal funds | SEG-F | C | 11,619,000 | 11,619,000 |
| 7 | (mq) Astronautics assistance, state funds | SEG | C | -0- | -0- |
| 8 | (mv) Astronautics assistance, local funds | SEG-L | C | -0- | -0- |
| 9 | (mx) Astronautics assistance, federal | | | | |
| 10 | funds | SEG-F | C | -0- | -0- |
| 11 | (ph) Transportation infrastructure | | | | |
| 12 | loans, gifts and grants | SEG | C | -0- | -0- |
| 13 | (pq) Transportation infrastructure | | | | |
| 14 | loans, state funds | SEG | C | 4,600 | 4,600 |
| 15 | (pu) Transportation infrastructure | | | | |
| 16 | loans, service funds | SEG-S | C | -0- | -0- |
| 17 | (pv) Transportation infrastructure | | | | |
| 18 | loans, local funds | SEG-L | C | -0- | -0- |
| 19 | (px) Transportation infrastructure | | | | |
| 20 | loans, federal funds | SEG-F | C | -0- | -0- |
| (2) PROGRAM TOTALS | | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | SEGREGATED REVENUE | | | 361,288,700 | 361,410,500 |
| | FEDERAL | | | (192,500,100) | (192,597,600) |
| | OTHER | | | (66,161,300) | (66,161,300) |
| | SERVICE | | | (-0-) | (-0-) |
| | LOCAL | | | (102,627,300) | (102,651,600) |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| | TOTAL-ALL SOURCES | | | 361,288,700 | 361,410,500 |
| 1 | (3) STATE HIGHWAY FACILITIES | | | | |
| 2 | (aq) Southeast Wisconsin freeway | | | | |
| 3 | megaprojects, state funds | SEG | C | 44,696,900 | 8,196,900 |
| 4 | (av) Southeast Wisconsin freeway | | | | |
| 5 | megaprojects, local funds | SEG-L | C | -0- | -0- |
| 6 | (ax) Southeast Wisconsin freeway | | | | |
| 7 | megaprojects, federal funds | SEG-F | C | 95,053,100 | 95,053,100 |
| 8 | (bq) Major highway development, state | | | | |
| 9 | funds | SEG | C | 87,267,700 | 87,267,700 |
| 10 | (br) Major highway development, | | | | |
| 11 | service funds | SEG-S | C | 202,316,000 | 202,316,000 |
| 12 | (bv) Major highway development, local | | | | |
| 13 | funds | SEG-L | C | -0- | -0- |
| 14 | (bx) Major highway development, | | | | |
| 15 | federal funds | SEG-F | C | 78,263,500 | 78,263,500 |
| 16 | (ck) West Canal Street reconstruction | | | | |
| 17 | and extension, service funds | PR-S | C | -0- | -0- |
| 18 | (cq) State highway rehabilitation, state | | | | |
| 19 | funds | SEG | C | 439,323,600 | 414,323,600 |
| 20 | (cr) Southeast Wisconsin freeway | | | | |
| 21 | rehabilitation, state funds | SEG | C | -0- | -0- |
| 22 | (ct) Owner controlled insurance | | | | |
| 23 | program, service funds | SEG-S | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (cv) State highway rehabilitation, local | | | | |
| 2 | funds | SEG-L | C | 2,000,000 | 2,000,000 |
| 3 | (cw) Southeast Wisconsin freeway | | | | |
| 4 | rehabilitation, local funds | SEG-L | C | -0- | -0- |
| 5 | (cx) State highway rehabilitation, | | | | |
| 6 | federal funds | SEG-F | C | 376,232,200 | 401,232,200 |
| 7 | (cy) Southeast Wisconsin freeway | | | | |
| 8 | rehabilitation, federal funds | SEG-F | C | -0- | -0- |
| 9 | (dq) Major interstate bridge | | | | |
| 10 | construction, state funds | SEG | C | -0- | -0- |
| 11 | (dr) High — cost state highway bridge | | | | |
| 12 | projects, state funds | SEG | C | 11,000,000 | -0- |
| 13 | (dv) Major interstate bridge | | | | |
| 14 | construction, local funds | SEG-L | C | -0- | -0- |
| 15 | (dw) High — cost state highway bridge | | | | |
| 16 | projects, local funds | SEG-L | C | -0- | -0- |
| 17 | (dx) Major interstate bridge | | | | |
| 18 | construction, federal funds | SEG-F | C | -0- | -0- |
| 19 | (dy) High — cost state highway bridge | | | | |
| 20 | projects, federal funds | SEG-F | C | 25,000,000 | -0- |
| 21 | (eg) Supplement from sponsorship and | | | | |
| 22 | partnership agreements, state | | | | |
| 23 | funds | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (eq) Highway system management and | | | | |
| 2 | operations, state funds | SEG | C | 82,881,000 | 82,881,000 |
| 3 | (er) State-owned lift bridge operations | | | | |
| 4 | and maintenance, state funds | SEG | A | 2,210,100 | 2,210,100 |
| 5 | (es) Routine maintenance activities, | | | | |
| 6 | state funds | SEG | C | 125,000,000 | 170,000,000 |
| 7 | (ev) Highway system management and | | | | |
| 8 | operations, local funds | SEG-L | C | 1,900,000 | 1,900,000 |
| 9 | (ew) Routine maintenance activities, | | | | |
| 10 | local funds | SEG-L | C | -0- | -0- |
| 11 | (ex) Highway system management and | | | | |
| 12 | operations, federal funds | SEG-F | C | 1,102,500 | 1,102,500 |
| 13 | (ey) Routine maintenance activities, | | | | |
| 14 | federal funds | SEG-F | C | -0- | -0- |
| 15 | (iq) Administration and planning, state | | | | |
| 16 | funds | SEG | A | 14,167,700 | 14,167,700 |
| 17 | (ir) Disadvantaged business | | | | |
| 18 | mobilization assistance, state funds | SEG | C | -0- | -0- |
| 19 | (iv) Administration and planning, local | | | | |
| 20 | funds | SEG-L | C | -0- | -0- |
| 21 | (ix) Administration and planning, | | | | |
| 22 | federal funds | SEG-F | C | 3,764,000 | 3,764,000 |
| 23 | (jg) Surveying reference station system | PR | C | -0- | 470,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------------------|-------------|------------------|------------------|
| 1 | (jh) Utility facilities within highway | | | | |
| 2 | rights-of-way, state funds | PR | C | -0- | -0- |
| 3 | (jj) Damage claims | PR | C | 2,553,400 | 2,553,400 |
| 4 | (js) Telecommunications services, | | | | |
| 5 | service funds | SEG-S | C | -0- | -0- |
| | | (3) PROGRAM TOTALS | | | |
| | PROGRAM REVENUE | | | 2,553,400 | 3,023,400 |
| | OTHER | | | (2,553,400) | (3,023,400) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 1,592,178,300 | 1,564,678,300 |
| | FEDERAL | | | (579,415,300) | (579,415,300) |
| | OTHER | | | (806,547,000) | (779,047,000) |
| | SERVICE | | | (202,316,000) | (202,316,000) |
| | LOCAL | | | (3,900,000) | (3,900,000) |
| | TOTAL-ALL SOURCES | | | 1,594,731,700 | 1,567,701,700 |
| 6 | (4) GENERAL TRANSPORTATION OPERATIONS | | | | |
| 7 | (aq) Departmental management and | | | | |
| 8 | operations, state funds | SEG | A | 62,388,100 | 63,034,400 |
| 9 | (ar) Minor construction projects, state | | | | |
| 10 | funds | SEG | C | -0- | -0- |
| 11 | (at) Capital building projects, service | | | | |
| 12 | funds | SEG-S | C | 5,940,000 | 5,940,000 |
| 13 | (av) Departmental management and | | | | |
| 14 | operations, local funds | SEG-L | C | 369,000 | 369,000 |
| 15 | (ax) Departmental management and | | | | |
| 16 | operations, federal funds | SEG-F | C | 14,289,900 | 14,289,900 |
| 17 | (ch) Gifts and grants | SEG | C | -0- | -0- |
| 18 | (dq) Demand management | SEG | A | 349,800 | 349,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|--------------------|-------------|------------------|------------------|
| 1 | (eq) Data processing services, service | | | | |
| 2 | funds | SEG-S | C | 15,015,400 | 15,015,400 |
| 3 | (er) Fleet operations, service funds | SEG-S | C | 12,036,600 | 12,036,600 |
| 4 | (es) Other department services, | | | | |
| 5 | operations, service funds | SEG-S | C | 5,201,400 | 5,201,400 |
| 6 | (et) Equipment acquisition | SEG | A | -0- | -0- |
| 7 | (ew) Operating budget supplements, | | | | |
| 8 | state funds | SEG | C | -0- | -0- |
| | | (4) PROGRAM TOTALS | | | |
| | SEGREGATED REVENUE | | | 115,590,200 | 116,236,500 |
| | FEDERAL | | | (14,289,900) | (14,289,900) |
| | OTHER | | | (62,737,900) | (63,384,200) |
| | SERVICE | | | (38,193,400) | (38,193,400) |
| | LOCAL | | | (369,000) | (369,000) |
| | TOTAL-ALL SOURCES | | | 115,590,200 | 116,236,500 |
| 9 | (5) MOTOR VEHICLE SERVICES AND ENFORCEMENT | | | | |
| 10 | (cg) Convenience fees, state funds | PR | C | -0- | -0- |
| 11 | (ch) Repaired salvage vehicle | | | | |
| 12 | examinations, state funds | PR | C | -0- | -0- |
| 13 | (ci) Breath screening instruments, | | | | |
| 14 | state funds | PR-S | C | 299,200 | 299,200 |
| 15 | (cj) Vehicle registration, special group | | | | |
| 16 | plates, state funds | PR | C | -0- | -0- |
| 17 | (cL) Football plate licensing fees, state | | | | |
| 18 | funds | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (cq) Vehicle registration, inspection and | | | | |
| 2 | maintenance, driver licensing and | | | | |
| 3 | aircraft registration, state funds | SEG | A | 72,177,000 | 72,162,000 |
| 4 | (cx) Vehicle registration and driver | | | | |
| 5 | licensing, federal funds | SEG-F | C | 276,500 | 260,500 |
| 6 | (dg) Escort, security and traffic | | | | |
| 7 | enforcement services, state funds | PR | C | 157,600 | 157,600 |
| 8 | (dh) Traffic academy tuition payments, | | | | |
| 9 | state funds | PR | C | 474,800 | 474,800 |
| 10 | (dk) Public safety radio management, | | | | |
| 11 | service funds | PR-S | C | 182,500 | 182,500 |
| 12 | (dL) Public safety radio management, | | | | |
| 13 | state funds | PR | C | 22,000 | 22,000 |
| 14 | (dq) Vehicle inspection, traffic | | | | |
| 15 | enforcement and radio | | | | |
| 16 | management, state funds | SEG | A | 61,142,100 | 61,306,000 |
| 17 | (dr) Transportation safety, state funds | SEG | A | 1,553,100 | 1,553,100 |
| 18 | (ds) Chemical testing training and | | | | |
| 19 | services, state funds | SEG | A | 1,249,400 | 1,249,400 |
| 20 | (dx) Vehicle inspection and traffic | | | | |
| 21 | enforcement, federal funds | SEG-F | C | 8,694,500 | 8,547,400 |
| 22 | (dy) Transportation safety, federal funds | SEG-F | C | 3,945,400 | 3,945,400 |
| 23 | (eg) Payments to the Wisconsin Lions | | | | |
| 24 | Foundation | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------------------|-------------|------------------|------------------|
| 1 | (eh) Motorcycle safety program | | | | |
| 2 | supplement, state funds | PR | C | -0- | -0- |
| 3 | (ej) Baseball plate licensing fees, state | | | | |
| 4 | funds | PR | C | -0- | -0- |
| 5 | (ek) Safe-ride grant program; state | | | | |
| 6 | funds | PR-S | C | -0- | -0- |
| 7 | (hq) Motor vehicle emission inspection | | | | |
| 8 | and maintenance program; | | | | |
| 9 | contractor costs and equipment | | | | |
| 10 | grants; state funds | SEG | A | 3,193,300 | 3,193,300 |
| 11 | (hx) Motor vehicle emission inspection | | | | |
| 12 | and maintenance programs, federal | | | | |
| 13 | funds | SEG-F | C | -0- | -0- |
| 14 | (iv) Municipal and county registration | | | | |
| 15 | fee, local funds | SEG-L | C | -0- | -0- |
| 16 | (jr) Pretrial intoxicated driver | | | | |
| 17 | intervention grants, state funds | SEG | A | 731,600 | 731,600 |
| | | (5) PROGRAM TOTALS | | | |
| | PROGRAM REVENUE | | | 1,136,100 | 1,136,100 |
| | OTHER | | | (654,400) | (654,400) |
| | SERVICE | | | (481,700) | (481,700) |
| | SEGREGATED REVENUE | | | 152,962,900 | 152,948,700 |
| | FEDERAL | | | (12,916,400) | (12,753,300) |
| | OTHER | | | (140,046,500) | (140,195,400) |
| | LOCAL | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 154,099,000 | 154,084,800 |
| 18 | (6) DEBT SERVICES | | | | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (af) Principal repayment and interest, | | | | |
| 2 | local roads for job preservation | | | | |
| 3 | program, major highway and | | | | |
| 4 | rehabilitation projects, southeast | | | | |
| 5 | megaprojects, state funds | GPR | S | 177,301,000 | 144,171,300 |
| 6 | (aq) Principal repayment and interest, | | | | |
| 7 | transportation facilities, state | | | | |
| 8 | highway rehabilitation, major | | | | |
| 9 | highway projects, state funds | SEG | S | 29,844,200 | 30,960,800 |
| 10 | (ar) Principal repayment and interest, | | | | |
| 11 | buildings, state funds | SEG | S | 25,200 | 25,900 |
| 12 | (au) Principal repayment and interest, | | | | |
| 13 | southeast rehabilitation projects, | | | | |
| 14 | southeast megaprojects, and | | | | |
| 15 | high — cost bridge projects, state | | | | |
| 16 | funds | SEG | S | 47,939,100 | 67,360,200 |
| | (6) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 177,301,000 | 144,171,300 |
| | SEGREGATED REVENUE | | | 77,808,500 | 98,346,900 |
| | OTHER | | | (77,808,500) | (98,346,900) |
| | TOTAL-ALL SOURCES | | | 255,109,500 | 242,518,200 |
| 17 | (9) GENERAL PROVISIONS | | | | |
| 18 | (qd) Freeway land disposal | | | | |
| 19 | reimbursement clearing account | SEG | C | -0- | -0- |
| 20 | (qh) Highways, bridges and local | | | | |
| 21 | transportation assistance clearing | | | | |
| 22 | account | SEG | C | -0- | -0- |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|-------------------------------------|--------|------|-----------------|-----------------|
| 1 | (qj) Highways, bridges and local | | | | |
| 2 | transportation assistance clearing | | | | |
| 3 | account, federally funded positions | SEG-F | C | -0- | -0- |
| 4 | (qn) Motor vehicle financial | | | | |
| 5 | responsibility | SEG | C | -0- | -0- |
| 6 | (th) Temporary funding of projects | | | | |
| 7 | financed by revenue bonds | SEG | S | -0- | -0- |
| | (9) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.395 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 177,301,000 | 250,649,600 |
| | PROGRAM REVENUE | | | 3,937,000 | 4,407,000 |
| | OTHER | | | (3,207,800) | (3,677,800) |
| | SERVICE | | | (729,200) | (729,200) |
| | SEGREGATED REVENUE | | | 2,886,142,300 | 2,773,456,300 |
| | FEDERAL | | | (840,321,700) | (840,256,100) |
| | OTHER | | | (1,697,699,400) | (1,585,054,700) |
| | SERVICE | | | (240,509,400) | (240,509,400) |
| | LOCAL | | | (107,611,800) | (107,636,100) |
| | TOTAL-ALL SOURCES | | | 3,067,380,300 | 3,028,512,900 |
| | Environmental Resources | | | | |
| | FUNCTIONAL AREA TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 356,520,300 | 434,907,600 |
| | PROGRAM REVENUE | | | 78,761,800 | 78,732,200 |
| | FEDERAL | | | (28,859,400) | (28,424,200) |
| | OTHER | | | (27,181,900) | (27,652,100) |
| | SERVICE | | | (22,720,500) | (22,655,900) |
| | SEGREGATED REVENUE | | | 3,266,961,700 | 3,154,791,200 |
| | FEDERAL | | | (894,418,100) | (893,513,400) |
| | OTHER | | | (2,024,422,400) | (1,913,132,300) |
| | SERVICE | | | (240,509,400) | (240,509,400) |
| | LOCAL | | | (107,611,800) | (107,636,100) |
| | TOTAL-ALL SOURCES | | | 3,702,243,800 | 3,668,431,000 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-----------|-----------|
|-----------------------------|--------|------|-----------|-----------|

Human Resources

| | | | | | |
|----|--|-----|---|-------------|-------------|
| 1 | 20.410 Corrections, Department of | | | | |
| 2 | (1) ADULT CORRECTIONAL SERVICES | | | | |
| 3 | (a) General program operations | GPR | A | 708,494,500 | 707,080,000 |
| 4 | (aa) Institutional repair and | | | | |
| 5 | maintenance | GPR | A | 4,194,800 | 4,194,800 |
| 6 | (ab) Corrections contracts and | | | | |
| 7 | agreements | GPR | A | 12,153,800 | 15,726,900 |
| 8 | (b) Services for community corrections | GPR | A | 140,648,000 | 142,494,000 |
| 9 | (bd) Services for drunken driving | | | | |
| 10 | offenders | GPR | A | 6,269,000 | 6,368,600 |
| 11 | (bm) Pharmacological treatment for | | | | |
| 12 | certain child sex offenders | GPR | A | 58,900 | 58,900 |
| 13 | (bn) Reimbursing counties for probation, | | | | |
| 14 | extended supervision and parole | | | | |
| 15 | holds | GPR | A | 4,885,700 | 4,885,700 |
| 16 | (c) Reimbursement claims of counties | | | | |
| 17 | containing state prisons | GPR | S | 70,000 | 70,000 |
| 18 | (cw) Mother-young child care program | GPR | A | 198,000 | 198,000 |
| 19 | (d) Purchased services for offenders | GPR | A | 31,187,600 | 31,190,000 |
| 20 | (ds) Becky Young community | | | | |
| 21 | corrections; recidivism reduction | | | | |
| 22 | community services | GPR | A | 10,202,500 | 10,202,500 |
| 23 | (e) Principal repayment and interest | GPR | S | 95,680,700 | 90,165,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ec) Prison industries principal, interest | | | | |
| 2 | and rebates | GPR | S | -0- | -0- |
| 3 | (ed) Correctional facilities rental | GPR | A | -0- | -0- |
| 4 | (ef) Lease rental payments | GPR | S | -0- | -0- |
| 5 | (f) Energy costs; energy-related | | | | |
| 6 | assessments | GPR | A | 31,023,000 | 32,086,800 |
| 7 | (gb) Drug testing | PR | C | -0- | -0- |
| 8 | (gc) Sex offender honesty testing | PR | C | 340,800 | 340,800 |
| 9 | (gd) Sex offender management | PR | A | 819,000 | 819,000 |
| 10 | (gf) Probation, parole, and extended | | | | |
| 11 | supervision | PR | A | 11,757,700 | 11,757,700 |
| 12 | (gh) Supervision of persons on lifetime | | | | |
| 13 | supervision | PR | A | -0- | -0- |
| 14 | (gi) General operations | PR | A | 3,815,700 | 3,815,700 |
| 15 | (gk) Global positioning system tracking | | | | |
| 16 | devices for certain sex offenders | PR | C | 139,100 | 152,000 |
| 17 | (gL) Global positioning system tracking | | | | |
| 18 | devices for certain violators of | | | | |
| 19 | restraining orders | PR | C | 13,500 | 96,600 |
| 20 | (gm) Sale of fuel and water service | PR | A | -0- | -0- |
| 21 | (gr) Home detention services; | | | | |
| 22 | supervision | PR | A | 373,600 | 373,900 |
| 23 | (gt) Telephone company commissions | PR | A | 904,600 | 904,600 |
| 24 | (h) Administration of restitution | PR | A | 752,300 | 753,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (hm) Private business employment of | | | | |
| 2 | inmates and residents | PR | A | -0- | -0- |
| 3 | (i) Gifts and grants | PR | C | 33,400 | 33,400 |
| 4 | (jz) Operations and maintenance | PR | C | 472,800 | 484,600 |
| 5 | (kc) Correctional institution enterprises; | | | | |
| 6 | inmate activities and employment | PR-S | C | 2,820,500 | 2,820,500 |
| 7 | (kd) Victim notification | PR-S | A | 682,300 | 682,300 |
| 8 | (ke) American Indian reintegration | | | | |
| 9 | program | PR-S | A | 50,000 | 50,000 |
| 10 | (kf) Correctional farms | PR-S | A | 6,139,800 | 6,121,100 |
| 11 | (kh) Victim services and programs | PR-S | A | 276,500 | 276,500 |
| 12 | (kk) Institutional operations and | | | | |
| 13 | charges | PR-S | A | 13,127,300 | 13,111,800 |
| 14 | (km) Prison industries | PR-S | A | 17,518,000 | 17,633,000 |
| 15 | (ko) Prison industries principal | | | | |
| 16 | repayment, interest and rebates | PR-S | S | 90,900 | 214,000 |
| 17 | (kp) Correctional officer training | PR-S | A | 2,322,600 | 2,322,600 |
| 18 | (kx) Interagency and intra-agency | | | | |
| 19 | programs | PR-S | C | 2,546,500 | 2,546,500 |
| 20 | (ky) Interagency and intra-agency aids | PR-S | C | 1,427,700 | 1,427,700 |
| 21 | (kz) Interagency and intra-agency local | | | | |
| 22 | assistance | PR-S | C | -0- | -0- |
| 23 | (m) Federal project operations | PR-F | C | 2,473,100 | 2,473,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (n) Federal program operations | PR-F | C | 86,800 | 86,800 |
| 2 | (qm) Computer recycling | SEG | A | 255,500 | 255,500 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,045,066,500 | 1,044,721,200 |
| | PROGRAM REVENUE | | | 68,984,500 | 69,297,500 |
| | FEDERAL | | | (2,559,900) | (2,559,900) |
| | OTHER | | | (19,422,500) | (19,531,600) |
| | SERVICE | | | (47,002,100) | (47,206,000) |
| | SEGREGATED REVENUE | | | 255,500 | 255,500 |
| | OTHER | | | (255,500) | (255,500) |
| | TOTAL-ALL SOURCES | | | 1,114,306,500 | 1,114,274,200 |
| 3 | (2) PAROLE COMMISSION | | | | |
| 4 | (a) General program operations | GPR | A | 1,098,600 | 1,098,600 |
| 5 | (kx) Interagency and intra-agency | | | | |
| 6 | programs | PR-S | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,098,600 | 1,098,600 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 1,098,600 | 1,098,600 |
| 7 | (3) JUVENILE CORRECTIONAL SERVICES | | | | |
| 8 | (a) General program operations | GPR | A | 2,287,400 | 2,287,700 |
| 9 | (ba) Mendota juvenile treatment center | GPR | A | 1,365,500 | 1,365,500 |
| 10 | (c) Reimbursement claims of counties | | | | |
| 11 | containing juvenile correctional | | | | |
| 12 | facilities | GPR | A | 18,000 | 18,000 |
| 13 | (cd) Community youth and family aids | GPR | A | 88,506,900 | 88,506,900 |
| 14 | (cg) Serious juvenile offenders | GPR | B | 14,647,600 | 14,555,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (dm) Interstate compact for juveniles | | | | |
| 2 | assessments | GPR | A | -0- | -0- |
| 3 | (e) Principal repayment and interest | GPR | S | 6,701,800 | 6,546,200 |
| 4 | (f) Community intervention program | GPR | A | 3,712,500 | 3,712,500 |
| 5 | (g) Legal service collections | PR | C | -0- | -0- |
| 6 | (gg) Collection remittances to local units | | | | |
| 7 | of government | PR | C | -0- | -0- |
| 8 | (hm) Juvenile correctional services | PR | A | 30,837,500 | 30,861,500 |
| 9 | (ho) Juvenile alternate care services | PR | A | 6,100,000 | 6,169,700 |
| 10 | (hr) Juvenile corrective sanctions | | | | |
| 11 | program | PR | A | 4,521,700 | 4,524,100 |
| 12 | (i) Gifts and grants | PR | C | 7,700 | 7,700 |
| 13 | (jr) Institutional operations and | | | | |
| 14 | charges | PR | A | 216,200 | 216,200 |
| 15 | (jv) Secure detention services | PR | C | 200,000 | 200,000 |
| 16 | (ko) Interagency programs; community | | | | |
| 17 | youth and family aids | PR-S | C | 2,449,200 | 2,449,200 |
| 18 | (kp) Indian juvenile placements | PR-S | A | 75,000 | 75,000 |
| 19 | (kx) Interagency and intra-agency | | | | |
| 20 | programs | PR-S | C | 971,700 | 971,700 |
| 21 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 22 | (kz) Interagency and intra-agency local | | | | |
| 23 | assistance | PR-S | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--|---------------|-------------|------------------|------------------|
| 1 | (m) Federal project operations | PR-F | C | -0- | -0- |
| 2 | (n) Federal program operations | PR-F | C | 30,000 | 30,000 |
| 3 | (q) Girls school benevolent trust fund | SEG | C | -0- | -0- |

(3) PROGRAM TOTALS

| | | |
|-------------------------|--------------|--------------|
| GENERAL PURPOSE REVENUE | 117,239,700 | 116,992,000 |
| PROGRAM REVENUE | 45,409,000 | 45,505,100 |
| FEDERAL | (30,000) | (30,000) |
| OTHER | (41,883,100) | (41,979,200) |
| SERVICE | (3,495,900) | (3,495,900) |
| SEGREGATED REVENUE | -0- | -0- |
| OTHER | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | 162,648,700 | 162,497,100 |

20.410 DEPARTMENT TOTALS

| | | |
|-------------------------|---------------|---------------|
| GENERAL PURPOSE REVENUE | 1,163,404,800 | 1,162,811,800 |
| PROGRAM REVENUE | 114,393,500 | 114,802,600 |
| FEDERAL | (2,589,900) | (2,589,900) |
| OTHER | (61,305,600) | (61,510,800) |
| SERVICE | (50,498,000) | (50,701,900) |
| SEGREGATED REVENUE | 255,500 | 255,500 |
| OTHER | (255,500) | (255,500) |
| TOTAL-ALL SOURCES | 1,278,053,800 | 1,277,869,900 |

4 20.425 Employment Relations Commission

| | | | | | |
|---|---|-----|---|-----------|-----------|
| 5 | (1) LABOR RELATIONS | | | | |
| 6 | (a) General program operations | GPR | A | 1,797,400 | 1,381,000 |
| 7 | (i) Fees, collective bargaining training, | | | | |
| 8 | publications, and appeals | PR | A | 185,100 | 103,300 |

(1) PROGRAM TOTALS

| | | |
|-------------------------|-----------|-----------|
| GENERAL PURPOSE REVENUE | 1,797,400 | 1,381,000 |
| PROGRAM REVENUE | 185,100 | 103,300 |
| OTHER | (185,100) | (103,300) |
| TOTAL-ALL SOURCES | 1,982,500 | 1,484,300 |

20.425 DEPARTMENT TOTALS

| | | |
|-------------------------|-----------|-----------|
| GENERAL PURPOSE REVENUE | 1,797,400 | 1,381,000 |
| PROGRAM REVENUE | 185,100 | 103,300 |
| OTHER | (185,100) | (103,300) |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-----------|-----------|
| TOTAL-ALL SOURCES | | | 1,982,500 | 1,484,300 |

1 20.432 Board on Aging and Long-Term Care

2 (1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED

| | | | | | |
|---------------|-------------------------------------|------|---|-----------|-----------|
| 3 (a) | General program operations | GPR | A | 1,126,300 | 1,126,300 |
| 4 (i) | Gifts and grants | PR | C | -0- | -0- |
| 5 (k) | Contracts with other state agencies | PR-S | C | 1,232,600 | 1,234,200 |
| 6 (kb) | Insurance and other information, | | | | |
| 7 | counseling and assistance | PR-S | A | 492,800 | 468,800 |
| 8 (m) | Federal aid | PR-F | C | -0- | -0- |

(1) PROGRAM TOTALS

| | | |
|-------------------------|-------------|-------------|
| GENERAL PURPOSE REVENUE | 1,126,300 | 1,126,300 |
| PROGRAM REVENUE | 1,725,400 | 1,703,000 |
| FEDERAL | (-0-) | (-0-) |
| OTHER | (-0-) | (-0-) |
| SERVICE | (1,725,400) | (1,703,000) |
| TOTAL-ALL SOURCES | 2,851,700 | 2,829,300 |

20.432 DEPARTMENT TOTALS

| | | |
|-------------------------|-------------|-------------|
| GENERAL PURPOSE REVENUE | 1,126,300 | 1,126,300 |
| PROGRAM REVENUE | 1,725,400 | 1,703,000 |
| FEDERAL | (-0-) | (-0-) |
| OTHER | (-0-) | (-0-) |
| SERVICE | (1,725,400) | (1,703,000) |
| TOTAL-ALL SOURCES | 2,851,700 | 2,829,300 |

9 20.433 Child Abuse and Neglect Prevention Board

10 (1) PREVENTION OF CHILD ABUSE AND NEGLECT

| | | | | | |
|---------------|----------------------------|-----|---|---------|---------|
| 11 (b) | Grants to organizations | GPR | A | 996,700 | 996,700 |
| 12 (g) | General program operations | PR | A | 425,800 | 426,500 |
| 13 (h) | Grants to organizations | PR | C | 915,200 | 915,200 |
| 14 (i) | Gifts and grants | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (jb) Fees for administrative services | PR | C | 15,000 | 15,000 |
| 2 | (k) Interagency programs | PR-S | C | -0- | -0- |
| 3 | (m) Federal project operations | PR-F | C | 184,700 | 184,900 |
| 4 | (ma) Federal project aids | PR-F | C | 450,000 | 450,000 |
| 5 | (q) Children's trust fund; gifts and | | | | |
| 6 | grants | SEG | C | 15,000 | 15,000 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 996,700 | 996,700 |
| | PROGRAM REVENUE | | | 1,990,700 | 1,991,600 |
| | FEDERAL | | | (634,700) | (634,900) |
| | OTHER | | | (1,356,000) | (1,356,700) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 15,000 | 15,000 |
| | OTHER | | | (15,000) | (15,000) |
| | TOTAL-ALL SOURCES | | | 3,002,400 | 3,003,300 |
| | 20.433 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 996,700 | 996,700 |
| | PROGRAM REVENUE | | | 1,990,700 | 1,991,600 |
| | FEDERAL | | | (634,700) | (634,900) |
| | OTHER | | | (1,356,000) | (1,356,700) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 15,000 | 15,000 |
| | OTHER | | | (15,000) | (15,000) |
| | TOTAL-ALL SOURCES | | | 3,002,400 | 3,003,300 |
| 7 | 20.435 Health Services, Department of | | | | |
| 8 | (1) PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY | | | | |
| 9 | (a) General program operations | GPR | A | 4,143,200 | 4,143,200 |
| 10 | (am) Services, reimbursement, and | | | | |
| 11 | payment related to human | | | | |
| 12 | immunodeficiency virus | GPR | A | 5,747,900 | 10,787,200 |
| 13 | (b) General aids and local assistance | GPR | A | 543,600 | 543,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (c) Public health emergency | | | | |
| 2 | quarantine costs | GPR | S | -0- | -0- |
| 3 | (cb) Well-woman program | GPR | A | 2,228,200 | 2,228,200 |
| 4 | (cc) Cancer control and prevention | GPR | A | 333,900 | 333,900 |
| 5 | (ce) Primary health for homeless | | | | |
| 6 | individuals | GPR | C | -0- | -0- |
| 7 | (ch) Emergency medical services; aids | GPR | A | 1,960,200 | 1,960,200 |
| 8 | (cm) Immunization | GPR | S | -0- | -0- |
| 9 | (de) Dental services | GPR | A | 2,974,300 | 2,974,300 |
| 10 | (dg) Clinic aids | GPR | B | 66,800 | 66,800 |
| 11 | (dk) Low-income dental clinics | GPR | A | 850,000 | 850,000 |
| 12 | (dm) Rural health dental clinics | GPR | A | 895,500 | 895,500 |
| 13 | (dn) Food distribution grants | GPR | A | 288,000 | 288,000 |
| 14 | (ds) Statewide poison control program | GPR | A | 382,500 | 382,500 |
| 15 | (e) Public health dispensaries and | | | | |
| 16 | drugs | GPR | B | 661,000 | 661,000 |
| 17 | (ed) Radon aids | GPR | A | 26,700 | 26,700 |
| 18 | (ef) Lead-poisoning or lead-exposure | | | | |
| 19 | services | GPR | A | 894,700 | 894,700 |
| 20 | (eg) Pregnancy counseling | GPR | A | 69,100 | 69,100 |
| 21 | (em) Supplemental food program for | | | | |
| 22 | women, infants and children | | | | |
| 23 | benefits | GPR | C | 161,400 | 161,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (eu) Reducing fetal and infant mortality | | | | |
| 2 | and morbidity | GPR | B | 222,700 | 222,700 |
| 3 | (ev) Pregnancy outreach and infant | | | | |
| 4 | health | GPR | A | 188,200 | 188,200 |
| 5 | (f) Women's health block grant | GPR | A | 1,742,000 | 1,742,000 |
| 6 | (fh) Community health services | GPR | A | 5,490,000 | 5,490,000 |
| 7 | (fj) Grants to establish graduate | | | | |
| 8 | medical training programs | GPR | A | 2,000,000 | 2,000,000 |
| 9 | (fm) Tobacco use control | GPR | C | 5,315,000 | 5,315,000 |
| 10 | (fn) Health care information | | | | |
| 11 | organization | GPR | A | 2,500,000 | 2,500,000 |
| 12 | (g) Payments to Donate Life Wisconsin | PR | C | -0- | -0- |
| 13 | (gi) Payments to the Wisconsin | | | | |
| 14 | Women's Health Foundation | PR | C | -0- | -0- |
| 15 | (gm) Licensing, review and certifying | | | | |
| 16 | activities; fees; supplies and | | | | |
| 17 | services | PR | A | 15,551,100 | 15,551,100 |
| 18 | (gp) Cancer information | PR | C | 18,000 | 18,000 |
| 19 | (gr) Supplemental food program for | | | | |
| 20 | women, infants and children | | | | |
| 21 | administration | PR | C | 84,000 | 84,000 |
| 22 | (hg) General program operations; health | | | | |
| 23 | care information | PR | A | 1,591,800 | 1,591,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (hi) Compilations and special reports; | | | | |
| 2 | health care information | PR | C | -0- | -0- |
| 3 | (i) Gifts and grants | PR | C | 17,701,400 | 21,156,900 |
| 4 | (ja) Congenital disorders; diagnosis, | | | | |
| 5 | special dietary treatment and | | | | |
| 6 | counseling | PR | A | 2,944,000 | 3,179,500 |
| 7 | (jb) Congenital disorders; operations | PR | A | 320,800 | 325,800 |
| 8 | (jd) Fees for administrative services | PR | C | 112,500 | 112,500 |
| 9 | (kb) Minority health | PR-S | A | 133,600 | 133,600 |
| 10 | (ke) American Indian health projects | PR-S | A | 106,900 | 106,900 |
| 11 | (kf) American Indian diabetes | | | | |
| 12 | prevention and control | PR-S | A | 22,500 | 22,500 |
| 13 | (kx) Interagency and intra-agency | | | | |
| 14 | programs | PR-S | C | 2,721,200 | 2,721,200 |
| 15 | (ky) Interagency and intra-agency aids | PR-S | C | 914,700 | 914,700 |
| 16 | (kz) Interagency and intra-agency local | | | | |
| 17 | assistance | PR-S | C | -0- | -0- |
| 18 | (m) Federal project operations | PR-F | C | 25,419,900 | 25,564,600 |
| 19 | (ma) Federal project aids | PR-F | C | 54,520,400 | 56,365,500 |
| 20 | (mc) Federal block grant operations | PR-F | C | 5,314,300 | 5,314,300 |
| 21 | (md) Federal block grant aids | PR-F | C | 6,835,800 | 6,835,800 |
| 22 | (n) Federal program operations | PR-F | C | 5,225,100 | 5,225,100 |
| 23 | (na) Federal program aids | PR-F | C | 93,000,000 | 93,000,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (q) Groundwater and air quality | | | | |
| 2 | standards | SEG | A | 323,700 | 324,000 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 39,684,900 | 44,724,200 |
| | PROGRAM REVENUE | | | 232,538,000 | 238,223,700 |
| | FEDERAL | | | (190,315,500) | (192,305,300) |
| | OTHER | | | (38,323,600) | (42,019,500) |
| | SERVICE | | | (3,898,900) | (3,898,900) |
| | SEGREGATED REVENUE | | | 323,700 | 324,000 |
| | OTHER | | | (323,700) | (324,000) |
| | TOTAL-ALL SOURCES | | | 272,546,600 | 283,271,900 |
| 3 | (2) MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES; FACILITIES | | | | |
| 4 | (a) General program operations | GPR | A | 77,190,400 | 80,162,600 |
| 5 | (aa) Institutional repair and | | | | |
| 6 | maintenance | GPR | A | 715,200 | 715,200 |
| 7 | (bj) Competency examinations and | | | | |
| 8 | treatment, and conditional release, | | | | |
| 9 | supervised release, and community | | | | |
| 10 | supervision services | GPR | B | 10,209,500 | 10,905,600 |
| 11 | (bm) Secure mental health units or | | | | |
| 12 | facilities | GPR | A | 99,129,300 | 102,259,600 |
| 13 | (ee) Principal repayment and interest | GPR | S | 23,559,800 | 23,523,800 |
| 14 | (ef) Lease rental payments | GPR | S | -0- | -0- |
| 15 | (f) Energy costs; energy-related | | | | |
| 16 | assessments | GPR | A | 8,010,000 | 8,238,800 |
| 17 | (g) Alternative services of institutes | | | | |
| 18 | and centers | PR | C | 9,966,100 | 9,997,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (gk) Institutional operations and | | | | |
| 2 | charges | PR | A | 149,651,300 | 151,706,900 |
| 3 | (gL) Extended intensive treatment | | | | |
| 4 | surcharge | PR | C | 500,000 | 500,000 |
| 5 | (gs) Sex offender honesty testing | PR | C | -0- | -0- |
| 6 | (i) Gifts and grants | PR | C | 187,600 | 187,600 |
| 7 | (km) Indian mental health placement | PR-S | A | 250,000 | 250,000 |
| 8 | (kx) Interagency and intra-agency | | | | |
| 9 | programs | PR-S | C | 8,543,600 | 8,543,600 |
| 10 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 11 | (kz) Interagency and intra-agency local | | | | |
| 12 | assistance | PR-S | C | -0- | -0- |
| 13 | (m) Federal project operations | PR-F | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 218,814,200 | 225,805,600 |
| | PROGRAM REVENUE | | | 169,098,600 | 171,185,600 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (160,305,000) | (162,392,000) |
| | SERVICE | | | (8,793,600) | (8,793,600) |
| | TOTAL-ALL SOURCES | | | 387,912,800 | 396,991,200 |
| 14 | (4) HEALTH CARE ACCESS AND ACCOUNTABILITY | | | | |
| 15 | (a) General program operations | GPR | A | 35,056,800 | 34,404,100 |
| 16 | (b) Medical Assistance program | | | | |
| 17 | benefits | GPR | B | 2,177,022,300 | 2,365,165,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (bm) Medical Assistance, food stamps, | | | | |
| 2 | and Badger Care administration; | | | | |
| 3 | contract costs, insurer reports, and | | | | |
| 4 | resource centers | GPR | B | 46,333,100 | 46,717,800 |
| 5 | (bn) Income maintenance | GPR | B | 26,678,900 | 42,322,600 |
| 6 | (br) Cemetery, funeral, and burial | | | | |
| 7 | expenses program | GPR | B | 9,868,900 | 10,298,700 |
| 8 | (bt) Relief block grants to counties | GPR | A | -0- | -0- |
| 9 | (bv) Prescription drug assistance for | | | | |
| 10 | elderly; aids | GPR | B | 20,683,800 | 21,572,900 |
| 11 | (e) Disease aids | GPR | B | 4,883,800 | 5,273,000 |
| 12 | (ed) State supplement to federal | | | | |
| 13 | supplemental security income | | | | |
| 14 | program | GPR | S | 149,190,200 | 151,607,400 |
| 15 | (g) Family care benefit; cost sharing | PR | C | -0- | -0- |
| 16 | (gm) Medical assistance; provider | | | | |
| 17 | refunds and collections | PR | C | 356,476,300 | 379,101,100 |
| 18 | (gr) Income maintenance; county | | | | |
| 19 | payments | PR | C | -0- | -0- |
| 20 | (h) BadgerCare Plus Childless Adults | | | | |
| 21 | Program; intergovernmental | | | | |
| 22 | transfer | PR | C | -0- | -0- |
| 23 | (hm) BadgerCare Plus Basic Plan; | | | | |
| 24 | benefits and administration | PR | C | 2,101,100 | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (i) Gifts, grants, and payments; health | | | | |
| 2 | care financing | PR | C | 3,115,800 | 3,115,800 |
| 3 | (iL) Medical assistance provider | | | | |
| 4 | assessments | PR | C | -0- | -0- |
| 5 | (im) Medical assistance; correct | | | | |
| 6 | payment recovery; collections; other | | | | |
| 7 | recoveries | PR | C | 127,655,400 | 128,229,600 |
| 8 | (in) Community options program; | | | | |
| 9 | family care; recovery of costs | | | | |
| 10 | administration | PR | A | 195,300 | 195,300 |
| 11 | (j) Prescription drug assistance for | | | | |
| 12 | elderly; manufacturer rebates | PR | C | 54,272,000 | 56,410,300 |
| 13 | (jb) Prescription drug assistance for | | | | |
| 14 | elderly; enrollment fees | PR | C | 2,764,500 | 2,764,500 |
| 15 | (je) Disease aids; drug manufacturer | | | | |
| 16 | rebates | PR | C | 600,000 | 610,000 |
| 17 | (jt) Care management organization, | | | | |
| 18 | insolvency assistance | PR | C | -0- | -0- |
| 19 | (jw) BadgerCare Plus and hospital | | | | |
| 20 | assessment | PR | C | 5,530,200 | 5,530,200 |
| 21 | (jz) Medical Assistance and Badger | | | | |
| 22 | Care cost sharing, and employer | | | | |
| 23 | penalty assessments | PR | C | 29,935,200 | 17,125,600 |
| 24 | (kb) Relief block grants to tribal | | | | |
| 25 | governing bodies | PR-S | A | 712,800 | 712,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (kt) Medical assistance outreach and | | | | |
| 2 | reimbursements for tribes | PR-S | B | 961,700 | 961,700 |
| 3 | (kv) Care management organization; | | | | |
| 4 | oversight | PR-S | C | -0- | -0- |
| 5 | (kx) Interagency and intra-agency | | | | |
| 6 | programs | PR-S | C | 4,820,500 | 4,820,500 |
| 7 | (ky) Interagency and intra-agency aids | PR-S | C | 51,523,500 | 51,583,800 |
| 8 | (kz) Interagency and intra-agency local | | | | |
| 9 | assistance | PR-S | C | 1,145,300 | 1,145,300 |
| 10 | (L) Fraud and error reduction | PR | C | 779,600 | 779,600 |
| 11 | (m) Federal project operations | PR-F | C | 1,754,600 | 1,754,600 |
| 12 | (ma) Federal project aids | PR-F | C | 2,700,000 | 2,700,000 |
| 13 | (md) Federal block grant aids | PR-F | C | -0- | -0- |
| 14 | (n) Federal program operations | PR-F | C | 62,557,500 | 62,470,100 |
| 15 | (na) Federal program aids | PR-F | C | 12,485,000 | 12,485,000 |
| 16 | (nn) Federal aid; income maintenance | PR-F | C | 46,089,400 | 63,931,400 |
| 17 | (o) Federal aid; medical assistance | PR-F | C | 4,326,923,700 | 4,571,938,300 |
| 18 | (p) Federal aid; Badger Care health | | | | |
| 19 | care program | PR-F | C | -0- | -0- |
| 20 | (pa) Federal aid; Medical Assistance and | | | | |
| 21 | food stamps contracts | | | | |
| 22 | administration | PR-F | C | 125,460,500 | 119,194,200 |
| 23 | (pg) Federal aid; prescription drug | | | | |
| 24 | assistance for elderly | PR-F | C | 18,041,200 | 18,645,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (w) Medical Assistance trust fund | SEG | B | 393,408,500 | 389,802,900 |
| 2 | (wm) Medical assistance trust fund; | | | | |
| 3 | nursing homes | SEG | S | -0- | -0- |
| 4 | (wp) Medical Assistance trust fund; | | | | |
| 5 | county reimbursement | SEG | S | -0- | -0- |
| 6 | (x) Badger Care health care program; | | | | |
| 7 | Medical Assistance trust fund | SEG | C | -0- | -0- |
| 8 | (xc) Hospital assessment fund; hospital | | | | |
| 9 | payments | SEG | A | 414,507,300 | 414,507,300 |
| 10 | (xe) Critical access hospital assessment | | | | |
| 11 | fund; hospital payments | SEG | C | 7,321,100 | 10,579,500 |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,469,717,800 | 2,677,362,300 |
| | PROGRAM REVENUE | | | 5,238,601,100 | 5,506,205,000 |
| | FEDERAL | | | (4,596,011,900) | (4,853,118,900) |
| | OTHER | | | (583,425,400) | (593,862,000) |
| | SERVICE | | | (59,163,800) | (59,224,100) |
| | SEGREGATED REVENUE | | | 815,236,900 | 814,889,700 |
| | OTHER | | | (815,236,900) | (814,889,700) |
| | TOTAL-ALL SOURCES | | | 8,523,555,800 | 8,998,457,000 |
| 12 | (5) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES | | | | |
| 13 | (a) General program operations | GPR | A | 2,054,700 | 2,090,900 |
| 14 | (bc) Grants for community programs | GPR | A | 5,340,100 | 6,540,100 |
| 15 | (be) Mental health treatment services | GPR | A | 9,565,200 | 9,565,200 |
| 16 | (bf) Brighter futures initiative | GPR | A | 865,000 | 865,000 |
| 17 | (bL) Community support programs and | | | | |
| 18 | psychosocial services | GPR | A | 3,757,500 | 3,757,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (co) Initiatives for coordinated services | GPR | A | 1,367,200 | 2,599,100 |
| 2 | (da) Reimbursements to local units of | | | | |
| 3 | government | GPR | S | 346,800 | 346,800 |
| 4 | (gb) Alcohol and drug abuse initiatives | PR | C | 652,800 | 652,800 |
| 5 | (gg) Collection remittances to local units | | | | |
| 6 | of government | PR | C | 4,400 | 4,400 |
| 7 | (hx) Services related to drivers, receipts | PR | A | -0- | -0- |
| 8 | (hy) Services for drivers, local assistance | PR | A | 1,000,000 | 1,000,000 |
| 9 | (i) Gifts and grants | PR | C | 274,000 | 274,000 |
| 10 | (jb) Fees for administrative services | PR | C | 23,900 | 23,900 |
| 11 | (kc) Severely emotionally disturbed | | | | |
| 12 | children | PR-S | C | 724,500 | 724,500 |
| 13 | (kg) Compulsive gambling awareness | | | | |
| 14 | campaigns | PR-S | A | 396,000 | 396,000 |
| 15 | (kL) Indian aids | PR-S | A | 242,000 | 242,000 |
| 16 | (km) Indian drug abuse prevention and | | | | |
| 17 | education | PR-S | A | 445,500 | 445,500 |
| 18 | (kx) Interagency and intra-agency | | | | |
| 19 | programs | PR-S | C | 2,894,400 | 2,894,400 |
| 20 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 21 | (kz) Interagency and intra-agency local | | | | |
| 22 | assistance | PR-S | C | -0- | -0- |
| 23 | (m) Federal project operations | PR-F | C | 147,200 | 136,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ma) Federal project aids | PR-F | C | 3,735,300 | 937,300 |
| 2 | (mb) Federal project local assistance | PR-F | C | -0- | -0- |
| 3 | (mc) Federal block grant operations | PR-F | C | 3,043,200 | 3,043,200 |
| 4 | (md) Federal block grant aids | PR-F | C | 11,372,800 | 11,372,800 |
| 5 | (me) Federal block grant local assistance | PR-F | C | 9,408,000 | 9,408,000 |
| 6 | (n) Federal program operations | PR-F | C | 739,500 | 739,500 |
| 7 | (na) Federal program aids | PR-F | C | -0- | -0- |
| 8 | (nL) Federal program local assistance | PR-F | C | -0- | -0- |
| 9 | (o) Federal aid; community aids | PR-F | C | 12,249,200 | 12,249,200 |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 23,296,500 | 25,764,600 |
| | PROGRAM REVENUE | | | 47,352,700 | 44,543,900 |
| | FEDERAL | | | (40,695,200) | (37,886,400) |
| | OTHER | | | (1,955,100) | (1,955,100) |
| | SERVICE | | | (4,702,400) | (4,702,400) |
| | TOTAL-ALL SOURCES | | | 70,649,200 | 70,308,500 |
| 10 | (6) QUALITY ASSURANCE SERVICES PLANNING, REGULATION AND DELIVERY | | | | |
| 11 | (a) General program operations | GPR | A | 5,341,900 | 5,341,900 |
| 12 | (dm) Nursing home monitoring and | | | | |
| 13 | receivership supplement | GPR | S | -0- | -0- |
| 14 | (g) Nursing facility resident protection | PR | C | 220,300 | 220,300 |
| 15 | (ga) Community-based residential | | | | |
| 16 | facility monitoring and receivership | | | | |
| 17 | operations | PR | C | -0- | -0- |
| 18 | (i) Gifts and grants | PR | C | -0- | -0- |
| 19 | (jb) Fees for administrative services | PR | C | 183,800 | 183,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (jm) Licensing and support services | PR | A | 5,182,400 | 5,182,400 |
| 2 | (k) Nursing home monitoring and | | | | |
| 3 | receivership operations | PR | C | -0- | -0- |
| 4 | (kx) Interagency and intra-agency | | | | |
| 5 | programs | PR-S | C | -0- | -0- |
| 6 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 7 | (kz) Interagency and intra-agency local | | | | |
| 8 | assistance | PR-S | C | -0- | -0- |
| 9 | (m) Federal project operations | PR-F | C | -0- | -0- |
| 10 | (mc) Federal block grant operations | PR-F | C | -0- | -0- |
| 11 | (n) Federal program operations | PR-F | C | 15,236,200 | 15,236,200 |
| 12 | (na) Federal program aids | PR-F | C | -0- | -0- |
| 13 | (nL) Federal program local assistance | PR-F | C | -0- | -0- |
| | (6) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,341,900 | 5,341,900 |
| | PROGRAM REVENUE | | | 20,822,700 | 20,822,700 |
| | FEDERAL | | | (15,236,200) | (15,236,200) |
| | OTHER | | | (5,586,500) | (5,586,500) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 26,164,600 | 26,164,600 |
| 14 | (7) LONG-TERM CARE SERVICES ADMINISTRATION AND DELIVERY | | | | |
| 15 | (a) General program operations | GPR | A | 13,769,100 | 13,779,600 |
| 16 | (b) Community aids and medical | | | | |
| 17 | assistance payments | GPR | A | 189,270,000 | 202,639,300 |
| 18 | (bc) Grants for community programs | GPR | A | 131,200 | 131,200 |
| 19 | (bd) Long-term care programs | GPR | A | 87,809,700 | 87,809,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (bg) Alzheimer's disease; training and | | | | |
| 2 | information grants | GPR | A | 131,400 | 131,400 |
| 3 | (bm) Purchased services for clients | GPR | A | 93,900 | 93,900 |
| 4 | (br) Respite care | GPR | A | 225,000 | 225,000 |
| 5 | (bt) Early intervention services for | | | | |
| 6 | infants and toddlers with | | | | |
| 7 | disabilities | GPR | C | 5,789,000 | 5,789,000 |
| 8 | (c) Independent living centers | GPR | A | 983,500 | 983,500 |
| 9 | (cg) Guardianship grant program | GPR | A | 100,000 | 100,000 |
| 10 | (d) Interpreter services and | | | | |
| 11 | telecommunication aid for the | | | | |
| 12 | hearing impaired | GPR | A | 178,200 | 178,200 |
| 13 | (da) Reimbursements to local units of | | | | |
| 14 | government | GPR | S | 53,200 | 53,200 |
| 15 | (dh) Programs for senior citizens; elder | | | | |
| 16 | abuse services; benefit specialist | | | | |
| 17 | program | GPR | A | 15,175,500 | 15,175,500 |
| 18 | (g) Long-term care; county | | | | |
| 19 | contributions | PR | C | 38,073,800 | 36,041,900 |
| 20 | (gc) Disabled children's long-term | | | | |
| 21 | support waivers; state operations | PR | A | -0- | -0- |
| 22 | (gm) Health services regulation | PR | A | 18,900 | 18,900 |
| 23 | (h) Disabled children's long-term | | | | |
| 24 | support waivers | PR | C | 653,300 | 653,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (hc) Administration of the birth to 3 | | | | |
| 2 | waiver program and the disabled | | | | |
| 3 | children's long-term support | | | | |
| 4 | program | PR | C | 12,165,500 | 12,165,500 |
| 5 | (hs) Interpreter services for hearing | | | | |
| 6 | impaired | PR | A | 39,900 | 39,900 |
| 7 | (i) Gifts and grants | PR | C | 136,000 | 136,000 |
| 8 | (im) Community options prog; fmly care | | | | |
| 9 | benft; recvry of costs; brth to 3 vv | | | | |
| 10 | admn | PR | C | 371,800 | 371,800 |
| 11 | (jb) Fees for administrative services | PR | C | 30,000 | 30,000 |
| 12 | (kn) Elderly nutrition; home-delivered | | | | |
| 13 | and congregate meals | PR-S | A | 445,500 | 445,500 |
| 14 | (kx) Interagency and intra-agency | | | | |
| 15 | programs | PR-S | C | 1,803,100 | 1,803,100 |
| 16 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 17 | (kz) Interagency and intra-agency local | | | | |
| 18 | assistance | PR-S | C | 1,257,800 | 1,257,800 |
| 19 | (m) Federal project operations | PR-F | C | 4,192,600 | 4,192,600 |
| 20 | (ma) Federal project aids | PR-F | C | 5,800,000 | 5,800,000 |
| 21 | (mb) Federal project local assistance | PR-F | C | -0- | -0- |
| 22 | (mc) Federal block grant operations | PR-F | C | 666,700 | 666,700 |
| 23 | (md) Federal block grant aids | PR-F | C | 877,400 | 873,700 |
| 24 | (me) Federal block grant local assistance | PR-F | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (n) Federal program operations | PR-F | C | 15,512,300 | 15,522,800 |
| 2 | (na) Federal program aids | PR-F | C | 27,875,700 | 27,875,700 |
| 3 | (nl) Federal program local assistance | PR-F | C | 7,560,000 | 7,560,000 |
| 4 | (o) Federal aid; community aids | PR-F | C | 37,214,000 | 37,124,200 |
| | (7) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 313,709,700 | 327,089,500 |
| | PROGRAM REVENUE | | | 154,694,300 | 152,579,400 |
| | FEDERAL | | | (99,698,700) | (99,615,700) |
| | OTHER | | | (51,489,200) | (49,457,300) |
| | SERVICE | | | (3,506,400) | (3,506,400) |
| | TOTAL-ALL SOURCES | | | 468,404,000 | 479,668,900 |
| 5 | (8) GENERAL ADMINISTRATION | | | | |
| 6 | (a) General program operations | GPR | A | 12,843,500 | 13,081,600 |
| 7 | (b) Inspector general; general | | | | |
| 8 | operations | GPR | A | 4,532,600 | 4,532,600 |
| 9 | (c) Inspector general; local assistance | GPR | A | 250,000 | 250,000 |
| 10 | (i) Gifts and grants | PR | C | 10,000 | 10,000 |
| 11 | (k) Administrative and support | | | | |
| 12 | services | PR-S | A | 28,828,400 | 28,866,400 |
| 13 | (kw) Inspector general; interagency and | | | | |
| 14 | intra-agency programs | PR-S | C | 289,400 | 289,400 |
| 15 | (kx) Interagency and intra-agency | | | | |
| 16 | programs | PR-S | C | 41,800 | 41,800 |
| 17 | (ky) Interagency and intra-agency aids | PR-S | C | 2,000,000 | 2,000,000 |
| 18 | (kz) Interagency and intra-agency local | | | | |
| 19 | assistance | PR-S | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (m) Federal project operations | PR-F | C | -0- | -0- |
| 2 | (ma) Federal project aids | PR-F | C | -0- | -0- |
| 3 | (mb) Income augmentation services | | | | |
| 4 | receipts | PR-F | C | 6,634,700 | 6,634,700 |
| 5 | (mc) Federal block grant operations | PR-F | C | 1,100,200 | 1,116,700 |
| 6 | (mm) Reimbursements from federal | | | | |
| 7 | government | PR-F | C | -0- | -0- |
| 8 | (n) Federal program operations | PR-F | C | 2,519,800 | 2,521,000 |
| 9 | (o) Inspector general; federal program | | | | |
| 10 | local assistance | PR-F | C | 250,000 | 250,000 |
| 11 | (p) Inspector general; federal program | | | | |
| 12 | operations | PR-F | C | 7,291,200 | 7,291,200 |
| 13 | (pz) Indirect cost reimbursements | PR-F | C | 2,572,000 | 2,634,200 |

(8) PROGRAM TOTALS

| | | |
|-------------------------|--------------|--------------|
| GENERAL PURPOSE REVENUE | 17,626,100 | 17,864,200 |
| PROGRAM REVENUE | 51,537,500 | 51,655,400 |
| FEDERAL | (20,367,900) | (20,447,800) |
| OTHER | (10,000) | (10,000) |
| SERVICE | (31,159,600) | (31,197,600) |
| TOTAL-ALL SOURCES | 69,163,600 | 69,519,600 |

20.435 DEPARTMENT TOTALS

| | | |
|-------------------------|-----------------|-----------------|
| GENERAL PURPOSE REVENUE | 3,088,191,100 | 3,323,952,300 |
| PROGRAM REVENUE | 5,914,644,900 | 6,185,215,700 |
| FEDERAL | (4,962,325,400) | (5,218,610,300) |
| OTHER | (841,094,800) | (855,282,400) |
| SERVICE | (111,224,700) | (111,323,000) |
| SEGREGATED REVENUE | 815,560,600 | 815,213,700 |
| OTHER | (815,560,600) | (815,213,700) |
| TOTAL-ALL SOURCES | 9,818,396,600 | 10,324,381,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | 20.437 Children and Families, Department of | | | | |
| 2 | (1) CHILDREN AND FAMILY SERVICES | | | | |
| 3 | (a) General program operations | GPR | A | 9,663,500 | 9,762,600 |
| 4 | (ab) Child abuse and neglect prevention | | | | |
| 5 | grants | GPR | A | 985,700 | 985,700 |
| 6 | (ac) Child abuse and neglect prevention | | | | |
| 7 | technical assistance | GPR | A | -0- | -0- |
| 8 | (b) Children and family aids payments | GPR | A | 29,392,100 | 30,251,900 |
| 9 | (bc) Grants for children's community | | | | |
| 10 | programs | GPR | A | 625,200 | 625,200 |
| 11 | (bd) Tribal family services grants | GPR | A | 1,271,900 | 1,271,900 |
| 12 | (cd) Domestic abuse grants | GPR | A | 6,684,600 | 6,684,600 |
| 13 | (cf) Foster and family-operated group | | | | |
| 14 | home parent insurance and liability | GPR | A | 59,400 | 59,400 |
| 15 | (cw) Milwaukee child welfare services; | | | | |
| 16 | general program operations | GPR | A | 15,725,300 | 15,475,200 |
| 17 | (cx) Child welfare services; aids | GPR | A | 54,084,500 | 59,018,500 |
| 18 | (d) Interstate Compact for the | | | | |
| 19 | Placement of Children assessments | GPR | A | -0- | -0- |
| 20 | (da) Child Welfare Program | | | | |
| 21 | Enhancement Plan; aids | GPR | A | 1,796,500 | 1,796,500 |
| 22 | (dd) State foster care, guardianship, and | | | | |
| 23 | adoption services | GPR | A | 56,254,900 | 57,402,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (dg) State adoption information | | | | |
| 2 | exchange and state adoption center | GPR | A | 169,600 | 169,600 |
| 3 | (eg) Brighter futures initiative | GPR | A | 864,900 | 864,900 |
| 4 | (f) Second-chance homes | GPR | A | -0- | -0- |
| 5 | (gg) Collection remittances to local units | | | | |
| 6 | of government | PR | C | -0- | -0- |
| 7 | (gx) Milwaukee child welfare services; | | | | |
| 8 | collections | PR | C | 6,474,100 | 3,474,100 |
| 9 | (hh) Domestic abuse surcharge grants | PR | C | 773,200 | 773,200 |
| 10 | (i) Gifts and grants | PR | C | 221,200 | 5,000 |
| 11 | (j) Statewide automated child welfare | | | | |
| 12 | information system receipts | PR | C | 581,300 | 581,300 |
| 13 | (jb) Fees for administrative services | PR | C | 78,000 | 78,000 |
| 14 | (jj) Searches for birth parents and | | | | |
| 15 | adoption record information; | | | | |
| 16 | foreign adoptions | PR | A | 85,500 | 85,500 |
| 17 | (jm) Licensing activities | PR | C | 90,400 | 90,400 |
| 18 | (kb) Interagency aids; brighter futures | | | | |
| 19 | initiative | PR-S | C | 865,000 | 865,000 |
| 20 | (km) Interagency and intra-agency aids; | | | | |
| 21 | children and family aids; local | | | | |
| 22 | assistance | PR-S | C | 8,407,200 | 8,389,400 |
| 23 | (kw) Interagency and intra-agency aids; | | | | |
| 24 | Milwaukee child welfare services | PR-S | A | 21,569,500 | 20,101,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (kx) Interagency and intra-agency | | | | |
| 2 | programs | PR-S | C | 4,388,600 | 3,879,200 |
| 3 | (ky) Interagency and intra-agency aids | PR-S | C | 3,290,100 | 3,290,100 |
| 4 | (kz) Interagency and intra-agency aids; | | | | |
| 5 | tribal placements and | | | | |
| 6 | guardianships | PR-S | A | 395,000 | 395,000 |
| 7 | (m) Federal project operations | PR-F | C | 1,054,200 | 942,200 |
| 8 | (ma) Federal project aids | PR-F | C | 3,241,700 | 3,241,700 |
| 9 | (mb) Federal project local assistance | PR-F | C | -0- | -0- |
| 10 | (mc) Federal block grant operations | PR-F | C | -0- | -0- |
| 11 | (md) Federal block grant aids | PR-F | C | -0- | -0- |
| 12 | (me) Federal block grant local assistance | PR-F | C | -0- | -0- |
| 13 | (mw) Federal aid; Milwaukee child | | | | |
| 14 | welfare services general program | | | | |
| 15 | operations | PR-F | C | 2,525,200 | 2,558,300 |
| 16 | (mx) Federal aid; Milwaukee child | | | | |
| 17 | welfare services aids | PR-F | C | 14,202,600 | 14,314,300 |
| 18 | (n) Federal program operations | PR-F | C | 10,316,000 | 10,320,500 |
| 19 | (na) Federal program aids | PR-F | C | 7,134,800 | 7,134,800 |
| 20 | (nL) Federal program local assistance | PR-F | C | 10,024,500 | 10,024,500 |
| 21 | (o) Federal aid; children and family | | | | |
| 22 | aids | PR-F | C | 29,761,600 | 30,061,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|--------|------|---------------|---------------|
| 1 | (pd) Federal aid; state foster care, | | | | |
| 2 | guardianship, and adoption | | | | |
| 3 | services | PR-F | C | 49,026,000 | 50,075,200 |
| 4 | (pm) Federal aid; adoption incentive | | | | |
| 5 | payments | PR-F | C | 136,000 | 136,000 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 177,578,100 | 184,368,600 |
| | PROGRAM REVENUE | | | 174,641,700 | 170,816,600 |
| | FEDERAL | | | (127,422,600) | (128,809,100) |
| | OTHER | | | (8,303,700) | (5,087,500) |
| | SERVICE | | | (38,915,400) | (36,920,000) |
| | TOTAL-ALL SOURCES | | | 352,219,800 | 355,185,200 |
| 6 | (2) ECONOMIC SUPPORT | | | | |
| 7 | (a) General program operations | GPR | A | 4,357,200 | 4,378,100 |
| 8 | (bc) Child support local assistance | GPR | C | 4,250,000 | 4,250,000 |
| 9 | (cm) Wisconsin works child care | GPR | A | 28,849,400 | 28,849,400 |
| 10 | (dz) Temporary Assistance for Needy | | | | |
| 11 | Families programs; maintenance of | | | | |
| 12 | effort | GPR | A | 131,077,000 | 131,077,000 |
| 13 | (e) Incentive payments for identifying | | | | |
| 14 | children with health insurance | GPR | A | 300,000 | 300,000 |
| 15 | (f) Emergency Shelter of the Fox | | | | |
| 16 | Valley | GPR | A | 50,000 | 50,000 |
| 17 | (fr) Skills enhancement grants | GPR | A | 250,000 | 250,000 |
| 18 | (i) Gifts and grants | PR | C | 2,500 | 2,500 |
| 19 | (ja) Child support state operations - | | | | |
| 20 | fees and reimbursements | PR | C | 15,908,000 | 16,023,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (jb) Fees for administrative services | PR | C | 725,000 | 725,000 |
| 2 | (jL) Job access loan repayments | PR | C | 610,200 | 610,200 |
| 3 | (jn) Child care licensing and | | | | |
| 4 | certification activities | PR | C | 1,703,700 | 1,703,700 |
| 5 | (k) Child support transfers | PR-S | C | 7,571,300 | 7,027,800 |
| 6 | (kp) Delinquent support, maintenance, | | | | |
| 7 | and fee payments | PR-S | C | -0- | -0- |
| 8 | (kx) Interagency and intra-agency | | | | |
| 9 | programs | PR-S | C | 1,340,200 | 1,340,200 |
| 10 | (L) Public assistance overpayment | | | | |
| 11 | recovery, fraud investigation, and | | | | |
| 12 | error reduction | PR | C | 200,000 | 160,600 |
| 13 | (ma) Federal project activities and | | | | |
| 14 | administration | PR-F | C | 6,287,200 | 5,675,300 |
| 15 | (mc) Federal block grant operations | PR-F | A | 40,285,000 | 42,481,100 |
| 16 | (md) Federal block grant aids | PR-F | A | 388,120,800 | 382,704,500 |
| 17 | (me) Child care and temporary | | | | |
| 18 | assistance overpayment recovery | PR-F | C | 4,286,600 | 4,286,600 |
| 19 | (mg) Community services block grant; | | | | |
| 20 | federal funds | PR-F | C | 8,219,500 | 8,219,500 |
| 21 | (mm) Reimbursements from federal | | | | |
| 22 | government | PR-F | C | -0- | -0- |
| 23 | (n) Child support state operations; | | | | |
| 24 | federal funds | PR-F | C | 14,409,000 | 14,300,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (nL) Child support local assistance; | | | | |
| 2 | federal funds | PR-F | C | 65,954,500 | 66,896,500 |
| 3 | (om) Refugee assistance; federal funds | PR-F | C | 4,533,300 | 4,533,300 |
| 4 | (pz) Income augmentation services | | | | |
| 5 | receipts | PR-F | C | -0- | -0- |
| 6 | (q) Centralized support receipt and | | | | |
| 7 | disbursement; interest | SEG | S | 100,000 | 100,000 |
| 8 | (qm) Child support state operations and | | | | |
| 9 | reimbursement for claims and | | | | |
| 10 | expenses; unclaimed payments | SEG | S | 100,000 | 100,000 |
| 11 | (s) Economic support - public benefits | SEG | A | 9,139,700 | 9,139,700 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 169,133,600 | 169,154,500 |
| | PROGRAM REVENUE | | | 560,156,800 | 556,690,700 |
| | FEDERAL | | | (532,095,900) | (529,097,500) |
| | OTHER | | | (19,149,400) | (19,225,200) |
| | SERVICE | | | (8,911,500) | (8,368,000) |
| | SEGREGATED REVENUE | | | 9,339,700 | 9,339,700 |
| | OTHER | | | (9,339,700) | (9,339,700) |
| | TOTAL-ALL SOURCES | | | 738,630,100 | 735,184,900 |
| 12 | (3) GENERAL ADMINISTRATION | | | | |
| 13 | (a) General program operations | GPR | A | 1,469,800 | 1,469,800 |
| 14 | (i) Gifts and grants | PR | C | -0- | -0- |
| 15 | (jb) Fees for administrative services | PR | C | -0- | -0- |
| 16 | (k) Administrative and support | | | | |
| 17 | services | PR-S | A | 22,874,600 | 23,034,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (kp) Interagency and intra-agency aids; | | | | |
| 2 | income augmentation services | | | | |
| 3 | receipts | PR-S | C | 427,100 | 427,100 |
| 4 | (kx) Interagency and intra-agency | | | | |
| 5 | programs | PR-S | C | 7,344,700 | 7,192,800 |
| 6 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 7 | (kz) Interagency and intra-agency local | | | | |
| 8 | assistance | PR-S | C | -0- | -0- |
| 9 | (mc) Federal block grant operations | PR-F | C | -0- | -0- |
| 10 | (md) Federal block grant aids | PR-F | C | -0- | -0- |
| 11 | (mf) Federal economic stimulus funds | PR-F | C | -0- | -0- |
| 12 | (mm) Reimbursements from federal | | | | |
| 13 | government | PR-F | C | -0- | -0- |
| 14 | (n) Federal project activities | PR-F | C | -0- | -0- |
| 15 | (pz) Indirect cost reimbursements | PR-F | C | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,469,800 | 1,469,800 |
| | PROGRAM REVENUE | | | 30,646,400 | 30,654,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (30,646,400) | (30,654,300) |
| | TOTAL-ALL SOURCES | | | 32,116,200 | 32,124,100 |
| | 20.437 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 348,181,500 | 354,992,900 |
| | PROGRAM REVENUE | | | 765,444,900 | 758,161,600 |
| | FEDERAL | | | (659,518,500) | (657,906,600) |
| | OTHER | | | (27,453,100) | (24,312,700) |
| | SERVICE | | | (78,473,300) | (75,942,300) |
| | SEGREGATED REVENUE | | | 9,339,700 | 9,339,700 |
| | OTHER | | | (9,339,700) | (9,339,700) |
| | TOTAL-ALL SOURCES | | | 1,122,966,100 | 1,122,494,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|--------|------|-------------|-------------|
| 1 | 20.438 Board for People with Developmental Disabilities | | | | |
| 2 | (1) DEVELOPMENTAL DISABILITIES | | | | |
| 3 | (a) General program operations | GPR | A | 59,100 | 59,100 |
| 4 | (h) Program services | PR | C | -0- | -0- |
| 5 | (i) Gifts and grants | PR | C | -0- | -0- |
| 6 | (mc) Federal project operations | PR-F | C | 802,200 | 802,200 |
| 7 | (md) Federal project aids | PR-F | C | 543,600 | 543,600 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 59,100 | 59,100 |
| | PROGRAM REVENUE | | | 1,345,800 | 1,345,800 |
| | FEDERAL | | | (1,345,800) | (1,345,800) |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 1,404,900 | 1,404,900 |
| | 20.438 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 59,100 | 59,100 |
| | PROGRAM REVENUE | | | 1,345,800 | 1,345,800 |
| | FEDERAL | | | (1,345,800) | (1,345,800) |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 1,404,900 | 1,404,900 |
| 8 | 20.440 Health and Educational Facilities Authority | | | | |
| 9 | (1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES | | | | |
| 10 | (a) General program operations | GPR | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 11 | (2) RURAL HOSPITAL LOAN GUARANTEE | | | | |
| 12 | (a) Rural assistance loan fund | GPR | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|--------|------|-----------|-----------|
| | 20.440 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 1 | 20.445 Workforce Development, Department of | | | | |
| 2 | (1) WORKFORCE DEVELOPMENT | | | | |
| 3 | (a) General program operations | GPR | A | 6,175,200 | 8,038,600 |
| 4 | (aa) Special death benefit | GPR | S | 525,000 | 525,000 |
| 5 | (cr) State supplement to employment | | | | |
| 6 | opportunity demonstration projects | GPR | A | 200,600 | 200,600 |
| 7 | (e) Local youth apprenticeship grants | GPR | A | 1,733,700 | 1,733,700 |
| 8 | (em) Youth apprenticeship training | | | | |
| 9 | grants | GPR | A | -0- | -0- |
| 10 | (f) Death and disability benefit | | | | |
| 11 | payments; public insurrections | GPR | S | -0- | -0- |
| 12 | (fg) Employment transit aids, state | | | | |
| 13 | funds | GPR | A | 464,800 | 464,800 |
| 14 | (fm) Youth summer jobs programs | GPR | A | 422,400 | 422,400 |
| 15 | (g) Gifts and grants | PR | C | 286,800 | -0- |
| 16 | (ga) Auxiliary services | PR | C | 379,800 | 379,800 |
| 17 | (gb) Local agreements | PR | C | 261,500 | 261,500 |
| 18 | (gc) Unemployment administration | PR | C | -0- | -0- |
| 19 | (gd) Unemployment interest and | | | | |
| 20 | penalty payments | PR | C | 2,045,600 | 2,054,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (gg) Unemployment information | | | | |
| 2 | technology systems; interest and | | | | |
| 3 | penalties | PR | C | -0- | -0- |
| 4 | (gh) Unemployment information | | | | |
| 5 | technology systems; assessments | PR | C | -0- | -0- |
| 6 | (gk) Child labor permit system; fees | PR | A | 376,100 | 376,100 |
| 7 | (ka) Interagency and intra-agency | | | | |
| 8 | agreements | PR-S | C | 36,840,800 | 36,840,800 |
| 9 | (kc) Administrative services | PR-S | A | 34,174,900 | 34,213,400 |
| 10 | (km) Nursing workforce survey and | | | | |
| 11 | grants | PR-S | C | 155,600 | 155,600 |
| 12 | (m) Workforce investment and | | | | |
| 13 | assistance; federal moneys | PR-F | C | 69,147,500 | 70,305,600 |
| 14 | (n) Employment assistance and | | | | |
| 15 | unemployment insurance | | | | |
| 16 | administration; federal moneys | PR-F | C | 57,897,800 | 57,900,800 |
| 17 | (na) Employment security buildings and | | | | |
| 18 | equipment | PR-F | C | -0- | -0- |
| 19 | (nb) Unemployment administration; | | | | |
| 20 | information technology systems | PR-F | C | -0- | -0- |
| 21 | (nd) Unemployment administration; | | | | |
| 22 | apprenticeship and other | | | | |
| 23 | employment services | PR-F | A | 4,140,000 | 3,248,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (ne) Unemployment insurance | | | | |
| 2 | administration and bank service | | | | |
| 3 | costs | PR-F | C | 100,000 | -0- |
| 4 | (o) Equal rights; federal moneys | PR-F | C | 811,400 | 811,400 |
| 5 | (p) Worker's compensation; federal | | | | |
| 6 | moneys | PR-F | C | -0- | -0- |
| 7 | (pz) Indirect cost reimbursements | PR-F | C | 176,500 | 25,300 |
| 8 | (ra) Worker's compensation operations | | | | |
| 9 | fund; administration | SEG | A | 12,252,800 | 12,282,500 |
| 10 | (rb) Worker's compensation operations | | | | |
| 11 | fund; contracts | SEG | C | 93,900 | 93,900 |
| 12 | (rp) Worker's compensation operations | | | | |
| 13 | fund; uninsured employers | | | | |
| 14 | program; administration | SEG | A | 1,088,200 | 1,088,200 |
| 15 | (s) Self-insured employers liability | | | | |
| 16 | fund | SEG | C | -0- | -0- |
| 17 | (sm) Uninsured employers fund; | | | | |
| 18 | payments | SEG | S | 5,500,000 | 5,500,000 |
| 19 | (t) Work injury supplemental benefit | | | | |
| 20 | fund | SEG | C | 10,629,900 | 10,629,900 |
| 21 | (u) Unemployment interest payments | | | | |
| 22 | and transfers | SEG | S | 37,000,000 | 37,000,000 |
| 23 | (v) Unemployment program integrity | SEG | S | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 9,521,700 | 11,385,100 |
| | PROGRAM REVENUE | | | 206,794,300 | 206,573,200 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--|--------|------|---------------|---------------|
| | FEDERAL | | | (132,273,200) | (132,291,700) |
| | OTHER | | | (3,349,800) | (3,071,700) |
| | SERVICE | | | (71,171,300) | (71,209,800) |
| | SEGREGATED REVENUE | | | 66,564,800 | 66,594,500 |
| | OTHER | | | (66,564,800) | (66,594,500) |
| | TOTAL-ALL SOURCES | | | 282,880,800 | 284,552,800 |
| 1 | (2) REVIEW COMMISSION | | | | |
| 2 | (a) General program operations, review | | | | |
| 3 | commission | GPR | A | 237,600 | 237,600 |
| 4 | (m) Federal moneys | PR-F | C | 170,900 | 170,900 |
| 5 | (n) Unemployment administration; | | | | |
| 6 | federal moneys | PR-F | C | 2,107,000 | 2,107,000 |
| 7 | (ra) Worker's compensation operations | | | | |
| 8 | fund; worker's compensation | | | | |
| 9 | activities | SEG | A | 672,700 | 672,700 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 237,600 | 237,600 |
| | PROGRAM REVENUE | | | 2,277,900 | 2,277,900 |
| | FEDERAL | | | (2,277,900) | (2,277,900) |
| | SEGREGATED REVENUE | | | 672,700 | 672,700 |
| | OTHER | | | (672,700) | (672,700) |
| | TOTAL-ALL SOURCES | | | 3,188,200 | 3,188,200 |
| 10 | (5) VOCATIONAL REHABILITATION SERVICES | | | | |
| 11 | (a) General program operations; | | | | |
| 12 | purchased services for clients | GPR | C | 15,001,100 | 15,391,000 |
| 13 | (gg) Contractual services | PR | C | -0- | -0- |
| 14 | (gp) Contractual aids | PR | C | -0- | -0- |
| 15 | (h) Enterprises and services for blind | | | | |
| 16 | and visually impaired | PR | C | 149,100 | 149,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---------------------------------|---|---------------|-------------|------------------|------------------|
| 1 | (he) Supervised business enterprise | PR | C | 125,000 | 125,000 |
| 2 | (i) Gifts and grants | PR | C | 1,000 | 1,000 |
| 3 | (kg) Vocational rehabilitation services | | | | |
| 4 | for tribes | PR-S | A | 314,900 | 314,900 |
| 5 | (kx) Interagency and intra-agency | | | | |
| 6 | programs | PR-S | C | -0- | -0- |
| 7 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 8 | (kz) Interagency and intra-agency local | | | | |
| 9 | assistance | PR-S | C | -0- | -0- |
| 10 | (m) Federal project operations | PR-F | C | 50,000 | 50,000 |
| 11 | (ma) Federal project aids | PR-F | C | -0- | -0- |
| 12 | (n) Federal program aids and | | | | |
| 13 | operations | PR-F | C | 59,048,700 | 60,489,300 |
| 14 | (nL) Federal program local assistance | PR-F | C | -0- | -0- |
| (5) PROGRAM TOTALS | | | | | |
| | GENERAL PURPOSE REVENUE | | | 15,001,100 | 15,391,000 |
| | PROGRAM REVENUE | | | 59,688,700 | 61,129,300 |
| | FEDERAL | | | (59,098,700) | (60,539,300) |
| | OTHER | | | (275,100) | (275,100) |
| | SERVICE | | | (314,900) | (314,900) |
| | TOTAL-ALL SOURCES | | | 74,689,800 | 76,520,300 |
| 20.445 DEPARTMENT TOTALS | | | | | |
| | GENERAL PURPOSE REVENUE | | | 24,760,400 | 27,013,700 |
| | PROGRAM REVENUE | | | 268,760,900 | 269,980,400 |
| | FEDERAL | | | (193,649,800) | (195,108,900) |
| | OTHER | | | (3,624,900) | (3,346,800) |
| | SERVICE | | | (71,486,200) | (71,524,700) |
| | SEGREGATED REVENUE | | | 67,237,500 | 67,267,200 |
| | OTHER | | | (67,237,500) | (67,267,200) |
| | TOTAL-ALL SOURCES | | | 360,758,800 | 364,261,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | 20.455 Justice, Department of | | | | |
| 2 | (1) LEGAL SERVICES | | | | |
| 3 | (a) General program operations | GPR | A | 12,886,400 | 13,023,700 |
| 4 | (d) Legal expenses | GPR | B | 737,200 | 737,200 |
| 5 | (gh) Investigation and prosecution | PR | C | -0- | -0- |
| 6 | (gs) Delinquent obligation collection | PR | C | -0- | -0- |
| 7 | (hm) Restitution | PR | C | -0- | -0- |
| 8 | (k) Environment litigation project | PR-S | C | 582,500 | 582,500 |
| 9 | (km) Interagency and intra-agency | | | | |
| 10 | assistance | PR-S | A | 1,219,200 | 1,222,200 |
| 11 | (m) Federal aid | PR-F | C | 1,187,900 | 1,191,400 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 13,623,600 | 13,760,900 |
| | PROGRAM REVENUE | | | 2,989,600 | 2,996,100 |
| | FEDERAL | | | (1,187,900) | (1,191,400) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (1,801,700) | (1,804,700) |
| | TOTAL-ALL SOURCES | | | 16,613,200 | 16,757,000 |
| 12 | (2) LAW ENFORCEMENT SERVICES | | | | |
| 13 | (a) General program operations | GPR | A | 19,627,500 | 19,756,700 |
| 14 | (am) Officer training reimbursement | GPR | S | 63,300 | 63,300 |
| 15 | (b) Investigations and operations | GPR | A | -0- | -0- |
| 16 | (c) Crime laboratory equipment | GPR | B | -0- | -0- |
| 17 | (cr) Youth diversion | GPR | A | 321,000 | 321,000 |
| 18 | (dg) Weed and seed and law | | | | |
| 19 | enforcement technology | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (em) Alternatives to prosecution and | | | | |
| 2 | incarceration for persons who use | | | | |
| 3 | alcohol or other drugs; | | | | |
| 4 | presentencing assessments | GPR | A | -0- | -0- |
| 5 | (g) Gaming law enforcement; racing | | | | |
| 6 | revenues | PR | A | -0- | -0- |
| 7 | (gb) Gifts and grants | PR | C | -0- | -0- |
| 8 | (gc) Gaming law enforcement; Indian | | | | |
| 9 | gaming | PR | A | 156,400 | 156,500 |
| 10 | (gm) Criminal history searches; | | | | |
| 11 | fingerprint identification | PR | C | 4,520,300 | 4,549,600 |
| 12 | (gp) Crime information alerts | PR | C | 68,900 | 68,900 |
| 13 | (gr) Handgun purchaser record check; | | | | |
| 14 | checks for licenses or certifications | | | | |
| 15 | to carry concealed weapons | PR | C | 1,776,500 | 1,262,500 |
| 16 | (h) Terminal charges | PR | A | 2,344,600 | 2,344,800 |
| 17 | (hm) Public safety interoperable | | | | |
| 18 | communication system; general | | | | |
| 19 | usage fees | PR | A | -0- | -0- |
| 20 | (i) Penalty surcharge, receipts | PR | A | -0- | -0- |
| 21 | (j) Law enforcement training fund, | | | | |
| 22 | local assistance | PR-S | A | 4,364,800 | 4,364,800 |
| 23 | (ja) Law enforcement training fund, | | | | |
| 24 | state operations | PR-S | A | 3,011,300 | 3,015,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (jb) Crime laboratory equipment and | | | | |
| 2 | supplies | PR-S | A | 308,100 | 558,100 |
| 3 | (k) Interagency and intra-agency | | | | |
| 4 | assistance | PR-S | C | 645,600 | 648,100 |
| 5 | (ka) Public safety interoperable | | | | |
| 6 | communication system; state fees | PR-S | A | -0- | -0- |
| 7 | (kb) Law enforcement officer | | | | |
| 8 | supplement grants | PR-S | A | 1,224,900 | 1,224,900 |
| 9 | (kc) Transaction information | | | | |
| 10 | management of enforcement system | PR-S | A | 724,200 | 724,300 |
| 11 | (kd) Drug law enforcement, crime | | | | |
| 12 | laboratories, and genetic evidence | | | | |
| 13 | activities | PR-S | A | 7,759,200 | 7,778,000 |
| 14 | (ke) Drug enforcement intelligence | | | | |
| 15 | operations | PR-S | A | 1,678,100 | 1,680,500 |
| 16 | (kg) Interagency and intra-agency | | | | |
| 17 | assistance; fingerprint | | | | |
| 18 | identification | PR-S | A | -0- | -0- |
| 19 | (ki) Interoperable communications | | | | |
| 20 | system | PR-S | A | 1,019,700 | 1,019,700 |
| 21 | (kj) Youth diversion program | PR-S | A | 672,400 | 672,400 |
| 22 | (km) Lottery background investigations | PR-S | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (kn) Alternatives to prosecution and | | | | |
| 2 | incarceration for persons who use | | | | |
| 3 | alcohol or other drugs; justice | | | | |
| 4 | information fee | PR-S | A | 1,078,400 | 1,078,400 |
| 5 | (ko) Wisconsin justice information | | | | |
| 6 | sharing program | PR-S | A | 661,700 | 661,700 |
| 7 | (kp) Drug crimes enforcement; local | | | | |
| 8 | grants | PR-S | A | 717,900 | 717,900 |
| 9 | (kq) County law enforcement services | PR-S | A | 490,000 | 490,000 |
| 10 | (kt) County-tribal programs, local | | | | |
| 11 | assistance | PR-S | A | 631,200 | 631,200 |
| 12 | (ku) County-tribal programs, state | | | | |
| 13 | operations | PR-S | A | 70,100 | 70,100 |
| 14 | (kv) Grants for substance abuse | | | | |
| 15 | treatment programs for criminal | | | | |
| 16 | offenders | PR | C | 7,500 | 7,500 |
| 17 | (kw) Tribal law enforcement assistance | PR-S | A | 695,000 | 695,000 |
| 18 | (ky) Law enforcement programs and | | | | |
| 19 | youth diversion — administration | PR-S | A | 161,100 | 161,100 |
| 20 | (Lm) Crime laboratories; | | | | |
| 21 | deoxyribonucleic acid analysis | PR | C | 2,882,600 | 4,387,400 |
| 22 | (m) Federal aid, state operations | PR-F | C | 2,661,100 | 2,603,100 |
| 23 | (n) Federal aid, local assistance | PR-F | C | 11,655,000 | 11,655,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (r) Gaming law enforcement; lottery | | | | |
| 2 | revenues | SEG | A | 388,900 | 389,500 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 20,011,800 | 20,141,000 |
| | PROGRAM REVENUE | | | 51,986,600 | 53,226,700 |
| | FEDERAL | | | (14,316,100) | (14,258,100) |
| | OTHER | | | (11,756,800) | (12,777,200) |
| | SERVICE | | | (25,913,700) | (26,191,400) |
| | SEGREGATED REVENUE | | | 388,900 | 389,500 |
| | OTHER | | | (388,900) | (389,500) |
| | TOTAL-ALL SOURCES | | | 72,387,300 | 73,757,200 |
| 3 | (3) ADMINISTRATIVE SERVICES | | | | |
| 4 | (a) General program operations | GPR | A | 5,231,500 | 5,243,300 |
| 5 | (g) Gifts, grants and proceeds | PR | C | -0- | -0- |
| 6 | (k) Interagency and intra-agency | | | | |
| 7 | assistance | PR-S | A | -0- | -0- |
| 8 | (m) Federal aid, state operations | PR-F | C | -0- | -0- |
| 9 | (pz) Indirect cost reimbursements | PR-F | C | 225,400 | 226,200 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,231,500 | 5,243,300 |
| | PROGRAM REVENUE | | | 225,400 | 226,200 |
| | FEDERAL | | | (225,400) | (226,200) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 5,456,900 | 5,469,500 |
| 10 | (5) VICTIMS AND WITNESSES | | | | |
| 11 | (a) General program operations | GPR | A | 998,800 | 999,800 |
| 12 | (b) Awards for victims of crimes | GPR | A | 2,388,100 | 2,388,100 |
| 13 | (br) Global positioning system tracking | GPR | A | 1,000,000 | 2,000,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (d) Reimbursement for forensic | | | | |
| 2 | examinations | GPR | S | 300,000 | 300,000 |
| 3 | (e) Sexual assault victim services | GPR | A | 2,033,200 | 2,033,200 |
| 4 | (g) Crime victim and witness | | | | |
| 5 | assistance surcharge, general | | | | |
| 6 | services | PR | A | 6,750,500 | 6,750,800 |
| 7 | (gj) General operations; child | | | | |
| 8 | pornography surcharge | PR | C | -0- | -0- |
| 9 | (h) Crime victim compensation services | PR | A | 52,000 | 52,100 |
| 10 | (hh) Crime victim restitution | PR | C | 267,300 | 267,300 |
| 11 | (i) Victim compensation, inmate | | | | |
| 12 | payments | PR | C | 9,900 | 10,000 |
| 13 | (k) Interagency and intra-agency | | | | |
| 14 | assistance; reimbursement to | | | | |
| 15 | counties | PR-S | A | 520,200 | 520,300 |
| 16 | (ke) Child advocacy centers | PR-S | A | 238,100 | 238,100 |
| 17 | (kp) Reimbursement to counties for | | | | |
| 18 | victim-witness services | PR-S | A | 748,900 | 748,900 |
| 19 | (m) Federal aid; victim compensation | PR-F | C | 823,900 | 823,900 |
| 20 | (ma) Federal aid, state operations | | | | |
| 21 | relating to crime victim services | PR-F | C | 1,107,900 | 1,108,000 |
| 22 | (mh) Federal aid; victim assistance | PR-F | C | 7,229,600 | 7,230,500 |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 6,720,100 | 7,721,100 |
| | PROGRAM REVENUE | | | 17,748,300 | 17,749,900 |
| | FEDERAL | | | (9,161,400) | (9,162,400) |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|--------------|--------------|
| OTHER | | | (7,079,700) | (7,080,200) |
| SERVICE | | | (1,507,200) | (1,507,300) |
| TOTAL-ALL SOURCES | | | 24,468,400 | 25,471,000 |
| 20.455 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUE | | | 45,587,000 | 46,866,300 |
| PROGRAM REVENUE | | | 72,949,900 | 74,198,900 |
| FEDERAL | | | (24,890,800) | (24,838,100) |
| OTHER | | | (18,836,500) | (19,857,400) |
| SERVICE | | | (29,222,600) | (29,503,400) |
| SEGREGATED REVENUE | | | 388,900 | 389,500 |
| OTHER | | | (388,900) | (389,500) |
| TOTAL-ALL SOURCES | | | 118,925,800 | 121,454,700 |

1 20.465 Military Affairs, Department of

| | | | | | | |
|-----------|------|----------------------------------|------|---|------------|------------|
| 2 | (1) | NATIONAL GUARD OPERATIONS | | | | |
| 3 | (a) | General program operations | GPR | A | 5,654,700 | 5,654,700 |
| 4 | (b) | Repair and maintenance | GPR | A | 806,900 | 806,900 |
| 5 | (c) | Public emergencies | GPR | S | 40,000 | 40,000 |
| 6 | (d) | Principal repayment and interest | GPR | S | 6,390,300 | 6,429,300 |
| 7 | (e) | State flags | GPR | A | 400 | 400 |
| 8 | (f) | Energy costs; energy-related | | | | |
| 9 | | assessments | GPR | A | 2,692,600 | 2,773,100 |
| 10 | (g) | Military property | PR | A | 1,074,500 | 769,500 |
| 11 | (h) | Intergovernmental services | PR | A | 2,300 | 2,300 |
| 12 | (i) | Distance learning centers | PR | C | -0- | -0- |
| 13 | (k) | Armory store operations | PR-S | A | 98,200 | 98,200 |
| 14 | (km) | Agency services | PR-S | A | 60,800 | 60,800 |
| 15 | (Li) | Gifts and grants | PR | C | 75,000 | 75,000 |
| 16 | (m) | Federal aid | PR-F | C | 30,054,700 | 30,054,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (pz) Indirect cost reimbursements | PR-F | C | 479,100 | 479,100 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 15,584,900 | 15,704,400 |
| | PROGRAM REVENUE | | | 31,844,600 | 31,539,600 |
| | FEDERAL | | | (30,533,800) | (30,533,800) |
| | OTHER | | | (1,151,800) | (846,800) |
| | SERVICE | | | (159,000) | (159,000) |
| | TOTAL-ALL SOURCES | | | 47,429,500 | 47,244,000 |
| 2 | (2) GUARD MEMBERS' BENEFITS | | | | |
| 3 | (a) Tuition grants | GPR | S | 3,500,000 | 3,500,000 |
| 4 | (r) Military family relief | SEG | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 3,500,000 | 3,500,000 |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 3,500,000 | 3,500,000 |
| 5 | (3) EMERGENCY MANAGEMENT SERVICES | | | | |
| 6 | (a) General program operations | GPR | A | 798,900 | 798,900 |
| 7 | (am) Worker's compensation for local | | | | |
| 8 | unit of government volunteers | GPR | S | 16,300 | 16,300 |
| 9 | (b) State disaster assistance | GPR | A | -0- | -0- |
| 10 | (dd) Regional emergency response | | | | |
| 11 | teams | GPR | A | 1,247,400 | 1,247,400 |
| 12 | (dp) Emergency response equipment | GPR | A | 417,000 | 417,000 |
| 13 | (dr) Emergency response supplement | GPR | C | -0- | -0- |
| 14 | (dt) Emergency response training | GPR | B | 57,900 | 57,900 |
| 15 | (e) Disaster recovery aid; public health | | | | |
| 16 | emergency quarantine costs | GPR | S | 2,500,000 | 2,500,000 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (f) Civil air patrol aids | GPR | A | 16,900 | 16,900 |
| 2 | (g) Program services | PR | A | 2,605,300 | 2,629,800 |
| 3 | (h) Interstate emergency assistance | PR | A | -0- | -0- |
| 4 | (i) Emergency planning and reporting; | | | | |
| 5 | administration | PR | A | 971,100 | 971,100 |
| 6 | (j) Division of emergency | | | | |
| 7 | management; gifts and grants | PR | C | -0- | -0- |
| 8 | (jm) Division of emergency | | | | |
| 9 | management; emergency planning | | | | |
| 10 | grants | PR | C | 1,043,800 | 1,043,800 |
| 11 | (jt) Regional emergency response | | | | |
| 12 | reimbursement | PR | C | -0- | -0- |
| 13 | (m) Federal aid, state operations | PR-F | C | 4,473,700 | 4,454,100 |
| 14 | (mb) Federal aid, homeland security | PR-F | C | 16,852,200 | 16,852,200 |
| 15 | (n) Federal aid, local assistance | PR-F | C | 12,800,000 | 12,800,000 |
| 16 | (o) Federal aid, individuals and | | | | |
| 17 | organizations | PR-F | C | 1,926,400 | 1,926,400 |
| 18 | (r) Division of emergency | | | | |
| 19 | management; petroleum inspection | | | | |
| 20 | fund | SEG | A | 462,100 | 462,100 |
| 21 | (s) State disaster assistance; | | | | |
| 22 | petroleum inspection fund | SEG | C | 1,500,000 | 1,500,000 |
| 23 | (t) Emergency response training - | | | | |
| 24 | environmental fund | SEG | B | 7,600 | 7,600 |

ASSEMBLY BILL 40

SECTION 200

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-----------|-----------|
|-----------------------------|--------|------|-----------|-----------|

(3) PROGRAM TOTALS

| | | | | |
|-------------------------|--|--|--------------|--------------|
| GENERAL PURPOSE REVENUE | | | 5,054,400 | 5,054,400 |
| PROGRAM REVENUE | | | 40,672,500 | 40,677,400 |
| FEDERAL | | | (36,052,300) | (36,032,700) |
| OTHER | | | (4,620,200) | (4,644,700) |
| SEGREGATED REVENUE | | | 1,969,700 | 1,969,700 |
| OTHER | | | (1,969,700) | (1,969,700) |
| TOTAL-ALL SOURCES | | | 47,696,600 | 47,701,500 |

1 (4) NATIONAL GUARD YOUTH PROGRAMS

| | | | | |
|------------------------|----|---|-----|-----|
| 2 (h) Gifts and grants | PR | C | -0- | -0- |
|------------------------|----|---|-----|-----|

3 (ka) Challenge academy program; public

| | | | | |
|---------------------|------|---|-----------|-----------|
| 4 instruction funds | PR-S | C | 1,054,500 | 1,054,500 |
|---------------------|------|---|-----------|-----------|

| | | | | |
|-------------------|------|---|-----------|-----------|
| 5 (m) Federal aid | PR-F | C | 3,163,500 | 3,163,500 |
|-------------------|------|---|-----------|-----------|

(4) PROGRAM TOTALS

| | | | | |
|-------------------|--|--|-------------|-------------|
| PROGRAM REVENUE | | | 4,218,000 | 4,218,000 |
| FEDERAL | | | (3,163,500) | (3,163,500) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (1,054,500) | (1,054,500) |
| TOTAL-ALL SOURCES | | | 4,218,000 | 4,218,000 |

20.465 DEPARTMENT TOTALS

| | | | | |
|-------------------------|--|--|--------------|--------------|
| GENERAL PURPOSE REVENUE | | | 24,139,300 | 24,258,800 |
| PROGRAM REVENUE | | | 76,735,100 | 76,435,000 |
| FEDERAL | | | (69,749,600) | (69,730,000) |
| OTHER | | | (5,772,000) | (5,491,500) |
| SERVICE | | | (1,213,500) | (1,213,500) |
| SEGREGATED REVENUE | | | 1,969,700 | 1,969,700 |
| OTHER | | | (1,969,700) | (1,969,700) |
| TOTAL-ALL SOURCES | | | 102,844,100 | 102,663,500 |

6 **20.475 District Attorneys**

7 (1) DISTRICT ATTORNEYS

| | | | | |
|------------------------------------|-----|---|------------|------------|
| 8 (d) Salaries and fringe benefits | GPR | A | 41,391,300 | 41,391,300 |
|------------------------------------|-----|---|------------|------------|

| | | | | |
|---------------------------|-----|---|---------|-----------|
| 9 (em) Salary adjustments | GPR | A | 948,900 | 3,457,600 |
|---------------------------|-----|---|---------|-----------|

| | | | | |
|-------------------------|----|---|-----------|-----------|
| 10 (h) Gifts and grants | PR | C | 2,965,700 | 2,965,700 |
|-------------------------|----|---|-----------|-----------|

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (i) Other employees | PR | A | 350,500 | 354,000 |
| 2 | (k) Interagency and intra-agency | | | | |
| 3 | assistance | PR-S | C | -0- | -0- |
| 4 | (km) Deoxyribonucleic acid evidence | | | | |
| 5 | activities | PR-S | A | 146,600 | 146,600 |
| 6 | (m) Federal aid | PR-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 42,340,200 | 44,848,900 |
| | PROGRAM REVENUE | | | 3,462,800 | 3,466,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (3,316,200) | (3,319,700) |
| | SERVICE | | | (146,600) | (146,600) |
| | TOTAL-ALL SOURCES | | | 45,803,000 | 48,315,200 |
| | 20.475 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 42,340,200 | 44,848,900 |
| | PROGRAM REVENUE | | | 3,462,800 | 3,466,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (3,316,200) | (3,319,700) |
| | SERVICE | | | (146,600) | (146,600) |
| | TOTAL-ALL SOURCES | | | 45,803,000 | 48,315,200 |
| 7 | 20.485 Veterans Affairs, Department of | | | | |
| 8 | (1) VETERANS | | | | |
| 9 | (a) Aids to indigent veterans | GPR | A | 178,200 | 178,200 |
| 10 | (b) General fund supplement to | | | | |
| 11 | institutional operations | GPR | B | -0- | -0- |
| 12 | (d) Cemetery maintenance and | | | | |
| 13 | beautification | GPR | A | 23,200 | 23,200 |
| 14 | (e) Lease rental payments | GPR | S | -0- | -0- |
| 15 | (f) Principal repayment and interest | GPR | S | 1,648,400 | 1,632,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|--------------------|--|---------------|-------------|------------------|------------------|
| 1 | (g) Home exchange | PR | A | 261,600 | 261,600 |
| 2 | (h) Gifts and bequests | PR | C | 239,600 | 239,600 |
| 3 | (hm) Gifts and grants | PR | C | -0- | -0- |
| 4 | (i) State-owned housing maintenance | PR | C | 59,700 | 59,700 |
| 5 | (kg) Grants to counties | PR-S | A | 76,200 | 76,200 |
| 6 | (kx) Interagency and intra-agency | | | | |
| 7 | programs | PR-S | C | -0- | -0- |
| 8 | (ky) Interagency and intra-agency aids | PR-S | C | -0- | -0- |
| 9 | (kz) Interagency and intra-agency local | | | | |
| 10 | assistance | PR-S | C | -0- | -0- |
| 11 | (m) Federal aid; care at veterans homes | PR-F | C | 3,106,000 | 3,106,000 |
| 12 | (mj) Federal aid; geriatric unit | PR-F | C | -0- | -0- |
| 13 | (mn) Federal projects | PR-F | C | 66,200 | 66,200 |
| 14 | (r) Institutional operations | SEG | A | 100,705,600 | 102,888,800 |
| 15 | (rg) Self-amortizing facilities; principal | | | | |
| 16 | repayment and interest | SEG | S | 1,660,900 | 1,902,500 |
| 17 | (rm) Veterans home cemetery operations | SEG | C | 48,800 | 48,800 |
| 18 | (t) Veterans homes member accounts | SEG | C | -0- | -0- |
| 19 | (u) Rentals; improvements; equipment; | | | | |
| 20 | land acquisition | SEG | A | -0- | -0- |
| (1) PROGRAM TOTALS | | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,849,800 | 1,833,500 |
| | PROGRAM REVENUE | | | 3,809,300 | 3,809,300 |
| | FEDERAL | | | (3,172,200) | (3,172,200) |
| | OTHER | | | (560,900) | (560,900) |
| | SERVICE | | | (76,200) | (76,200) |
| | SEGREGATED REVENUE | | | 102,415,300 | 104,840,100 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|---|--------|------|---------------|---------------|
| OTHER | | | | (102,415,300) | (104,840,100) |
| TOTAL-ALL SOURCES | | | | 108,074,400 | 110,482,900 |
| 1 | (2) LOANS AND AIDS TO VETERANS | | | | |
| 2 | (a) General program operations; loans | | | | |
| 3 | and aids | GPR | A | -0- | -0- |
| 4 | (b) Housing vouchers for homeless | | | | |
| 5 | veterans | GPR | A | -0- | -0- |
| 6 | (d) Veterans memorials at the | | | | |
| 7 | Highground | GPR | C | -0- | -0- |
| 8 | (db) General fund supplement to | | | | |
| 9 | veterans trust fund | GPR | A | -0- | -0- |
| 10 | (dm) Military funeral honors | GPR | S | 304,500 | 304,500 |
| 11 | (e) Korean War memorial grant | GPR | A | -0- | -0- |
| 12 | (g) Consumer reporting agency fees | PR | C | -0- | -0- |
| 13 | (h) Public and private receipts | PR | C | 18,200 | 18,200 |
| 14 | (kg) American Indian services | | | | |
| 15 | coordinator | PR-S | A | 86,900 | 86,900 |
| 16 | (km) American Indian grants and tribal | | | | |
| 17 | college tuition reimbursements | PR-S | A | 466,200 | 466,200 |
| 18 | (m) Federal payments; veterans | | | | |
| 19 | assistance | PR-F | C | 514,100 | 514,100 |
| 20 | (rm) Veterans assistance programs; fish | | | | |
| 21 | and game vouchers | SEG | B | 329,400 | 329,400 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (rp) Veterans assistance program | | | | |
| 2 | receipts | SEG | C | 115,500 | 115,500 |
| 3 | (s) Transportation payment | SEG | A | 200,000 | 200,000 |
| 4 | (tf) Veterans tuition reimbursement | | | | |
| 5 | program | SEG | B | 1,403,100 | 1,403,100 |
| 6 | (tj) Retraining assistance program | SEG | A | 210,000 | 210,000 |
| 7 | (tm) Facilities | SEG | C | -0- | -0- |
| 8 | (u) Administration of loans and aids to | | | | |
| 9 | veterans | SEG | A | 5,456,100 | 8,710,400 |
| 10 | (vm) Assistance to needy veterans and | | | | |
| 11 | veteran start-up businesses | SEG | A | 1,470,000 | 970,000 |
| 12 | (vw) Payments to veterans organizations | | | | |
| 13 | for claims service; grants for the | | | | |
| 14 | operation of Camp American | | | | |
| 15 | Legion; grants to American Indian | | | | |
| 16 | tribes and bands | SEG | A | 448,600 | 448,600 |
| 17 | (vx) County grants | SEG | A | 342,400 | 342,400 |
| 18 | (vy) American Indian services | | | | |
| 19 | coordinator | SEG | A | -0- | -0- |
| 20 | (w) Home for needy veterans | SEG | C | 10,000 | 10,000 |
| 21 | (x) Federal per diem payments | SEG-F | C | 1,461,400 | 1,461,400 |
| 22 | (yg) Acquisition of 1981 revenue bond | | | | |
| 23 | mortgages | SEG | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (yn) Veterans trust fund loans and | | | | |
| 2 | expenses | SEG | B | 3,050,000 | 3,050,000 |
| 3 | (yo) Debt payment | SEG | S | -0- | -0- |
| 4 | (z) Gifts | SEG | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 304,500 | 304,500 |
| | PROGRAM REVENUE | | | 1,085,400 | 1,085,400 |
| | FEDERAL | | | (514,100) | (514,100) |
| | OTHER | | | (18,200) | (18,200) |
| | SERVICE | | | (553,100) | (553,100) |
| | SEGREGATED REVENUE | | | 14,496,500 | 17,250,800 |
| | FEDERAL | | | (1,461,400) | (1,461,400) |
| | OTHER | | | (13,035,100) | (15,789,400) |
| | TOTAL-ALL SOURCES | | | 15,886,400 | 18,640,700 |
| 5 | (3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS | | | | |
| 6 | (b) Self insurance | GPR | S | -0- | -0- |
| 7 | (e) General program deficiency | GPR | S | -0- | -0- |
| 8 | (q) Foreclosure loss payments | SEG | C | 801,000 | 801,000 |
| 9 | (r) Funded reserves | SEG | C | 50,000 | 50,000 |
| 10 | (rm) Other reserves | SEG | C | -0- | -0- |
| 11 | (s) General program operations | SEG | A | 3,527,500 | 288,500 |
| 12 | (sm) County grants | SEG | A | 342,400 | 342,400 |
| 13 | (t) Debt service | SEG | C | 8,435,900 | 6,906,600 |
| 14 | (v) Revenue obligation repayment | SEG | C | -0- | -0- |
| 15 | (wd) Loan-servicing administration | SEG | A | -0- | -0- |
| 16 | (wg) Escrow payments, recoveries, and | | | | |
| 17 | refunds | SEG | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--------------------------------------|--------------------|-------------|------------------|------------------|
| 1 | (wp) Loan-servicing rights | SEG | B | -0- | -0- |
| | | (3) PROGRAM TOTALS | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | SEGREGATED REVENUE | | | 13,156,800 | 8,388,500 |
| | OTHER | | | (13,156,800) | (8,388,500) |
| | TOTAL-ALL SOURCES | | | 13,156,800 | 8,388,500 |
| 2 | (4) VETERANS MEMORIAL CEMETERIES | | | | |
| 3 | (g) Cemetery operations | PR | A | 228,300 | 228,300 |
| 4 | (h) Gifts, grants and bequests | PR | C | -0- | -0- |
| 5 | (m) Federal aid; cemetery operations | | | | |
| 6 | and burials | PR-F | C | 753,500 | 806,100 |
| 7 | (q) Cemetery administration and | | | | |
| 8 | maintenance | SEG | A | 522,100 | 522,100 |
| 9 | (qm) Repayment of principal and | | | | |
| 10 | interest | SEG | S | 81,200 | 87,000 |
| 11 | (r) Cemetery energy costs; | | | | |
| 12 | energy-related assessments | SEG | A | 106,300 | 106,300 |
| | | (4) PROGRAM TOTALS | | | |
| | PROGRAM REVENUE | | | 981,800 | 1,034,400 |
| | FEDERAL | | | (753,500) | (806,100) |
| | OTHER | | | (228,300) | (228,300) |
| | SEGREGATED REVENUE | | | 709,600 | 715,400 |
| | OTHER | | | (709,600) | (715,400) |
| | TOTAL-ALL SOURCES | | | 1,691,400 | 1,749,800 |
| 13 | (5) WISCONSIN VETERANS MUSEUM | | | | |
| 14 | (c) Operation of Wisconsin Veterans | | | | |
| 15 | Museum | GPR | A | 248,500 | 248,500 |
| 16 | (mn) Federal projects; museum | | | | |
| 17 | acquisitions and operations | PR-F | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (tm) Museum facilities | SEG | C | 52,800 | 52,800 |
| 2 | (v) Museum sales receipts | SEG | C | 170,700 | 170,700 |
| 3 | (vo) Veterans of World War I | SEG | A | 2,500 | 2,500 |
| 4 | (wd) Operation of Wisconsin Veterans | | | | |
| 5 | Museum | SEG | A | 2,401,700 | 2,393,300 |
| 6 | (zm) Museum gifts and bequests | SEG | C | -0- | -0- |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 248,500 | 248,500 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 2,627,700 | 2,619,300 |
| | OTHER | | | (2,627,700) | (2,619,300) |
| | TOTAL-ALL SOURCES | | | 2,876,200 | 2,867,800 |
| | 20.485 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,402,800 | 2,386,500 |
| | PROGRAM REVENUE | | | 5,876,500 | 5,929,100 |
| | FEDERAL | | | (4,439,800) | (4,492,400) |
| | OTHER | | | (807,400) | (807,400) |
| | SERVICE | | | (629,300) | (629,300) |
| | SEGREGATED REVENUE | | | 133,405,900 | 133,814,100 |
| | FEDERAL | | | (1,461,400) | (1,461,400) |
| | OTHER | | | (131,944,500) | (132,352,700) |
| | TOTAL-ALL SOURCES | | | 141,685,200 | 142,129,700 |
| 7 | 20.490 Wisconsin Housing and Economic Development Authority | | | | |
| 8 | (1) FACILITATION OF CONSTRUCTION | | | | |
| 9 | (a) Capital reserve fund deficiency | GPR | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 10 | (2) HOUSING REHABILITATION LOAN PROGRAM | | | | |
| 11 | (a) General program operations | GPR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (q) Loan loss reserve fund | SEG | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 2 | (3) HOMEOWNERSHIP MORTGAGE ASSISTANCE | | | | |
| 3 | (a) Homeowner eviction lien protection | | | | |
| 4 | program | GPR | C | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 5 | (4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE | | | | |
| 6 | (g) Disadvantaged business | | | | |
| 7 | mobilization loan guarantee | PR | C | -0- | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 8 | (5) WISCONSIN DEVELOPMENT LOAN GUARANTEES | | | | |
| 9 | (a) Wisconsin development reserve | | | | |
| 10 | fund | GPR | C | 2,500,000 | -0- |
| 11 | (q) Environmental fund transfer to | | | | |
| 12 | Wisconsin development reserve | | | | |
| 13 | fund | SEG | C | -0- | -0- |
| 14 | (r) Agrichemical management fund | | | | |
| 15 | transfer to Wisconsin development | | | | |
| 16 | reserve fund | SEG | C | -0- | -0- |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--|---------------|-------------|------------------|------------------|
| 1 | (s) Petroleum inspection fund transfer | | | | |
| 2 | to Wisconsin development reserve | | | | |
| 3 | fund | SEG | A | -0- | -0- |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,500,000 | -0- |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 2,500,000 | -0- |
| | 20.490 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,500,000 | -0- |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 2,500,000 | -0- |
| | Human Resources | | | | |
| | FUNCTIONAL AREA TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 4,745,486,600 | 4,990,694,300 |
| | PROGRAM REVENUE | | | 7,227,515,500 | 7,493,333,300 |
| | FEDERAL | | | (5,919,144,300) | (6,175,256,900) |
| | OTHER | | | (963,751,600) | (975,388,700) |
| | SERVICE | | | (344,619,600) | (342,687,700) |
| | SEGREGATED REVENUE | | | 1,028,172,800 | 1,028,264,400 |
| | FEDERAL | | | (1,461,400) | (1,461,400) |
| | OTHER | | | (1,026,711,400) | (1,026,803,000) |
| | SERVICE | | | (-0-) | (-0-) |
| | LOCAL | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 13,001,174,900 | 13,512,292,000 |

General Executive Functions4 **20.505 Administration, Department of**

5 (1) SUPERVISION AND MANAGEMENT

6 (a) General program operations GPR A 7,354,900 7,305,700

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|-------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (b) Midwest interstate low-level | | | | |
| 2 | radioactive waste compact; loan | | | | |
| 3 | from general fund | GPR | C | -0- | -0- |
| 4 | (bq) Appropriation obligations | | | | |
| 5 | repayment; tobacco settlement | | | | |
| 6 | revenues | GPR | A | 93,693,400 | 113,262,000 |
| 7 | (br) Appropriation obligations | | | | |
| 8 | repayment; unfunded liabilities | | | | |
| 9 | under the Wisconsin Retirement | | | | |
| 10 | System | GPR | A | 306,297,900 | 279,865,100 |
| 11 | (cg) Relocation assistance | GPR | A | 94,500 | 94,500 |
| 12 | (cm) Comprehensive planning grants; | | | | |
| 13 | general purpose revenue | GPR | A | -0- | -0- |
| 14 | (cn) Comprehensive planning; | | | | |
| 15 | administrative support | GPR | A | -0- | -0- |
| 16 | (d) Special counsel | GPR | S | 611,900 | 611,900 |
| 17 | (f) Capital investment program | GPR | A | 25,000,000 | -0- |
| 18 | (fo) Federal resource acquisition | | | | |
| 19 | support grants | GPR | A | 92,500 | 92,500 |
| 20 | (fp) Enterprise resource planning | | | | |
| 21 | system; general purpose revenue | GPR | A | -0- | 1,000,000 |
| 22 | (g) Midwest interstate low-level | | | | |
| 23 | radioactive waste compact; | | | | |
| 24 | membership and costs | PR | A | 4,100 | 4,100 |
| 25 | (gc) Processing services | PR | A | 176,800 | 176,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ge) High-voltage transmission line | | | | |
| 2 | annual impact fee distributions | PR | C | -0- | -0- |
| 3 | (gr) Disabled veteran-owned, | | | | |
| 4 | woman-owned, and minority | | | | |
| 5 | business certification fees | PR | C | 31,500 | 31,500 |
| 6 | (gs) High-voltage transmission line | | | | |
| 7 | environmental impact fee | | | | |
| 8 | distributions | PR | C | -0- | -0- |
| 9 | (id) Justice information fee receipts | PR | C | -0- | -0- |
| 10 | (ie) Land | PR | C | 2,549,600 | 2,549,600 |
| 11 | (if) Comprehensive planning grants; | | | | |
| 12 | program revenue | PR | A | -0- | -0- |
| 13 | (im) Services to nonstate governmental | | | | |
| 14 | units; entity contract | PR | A | 1,671,900 | 1,671,900 |
| 15 | (ir) Relay service | PR | A | 4,014,600 | 4,014,600 |
| 16 | (is) Information technology and | | | | |
| 17 | communications services; nonstate | | | | |
| 18 | entities | PR | C | 23,356,800 | 23,356,800 |
| 19 | (it) Appropriation obligations; | | | | |
| 20 | agreements and ancillary | | | | |
| 21 | arrangements | PR | C | -0- | -0- |
| 22 | (iu) Plat and proposed incorporation | | | | |
| 23 | and annexation review | PR | C | 357,400 | 367,000 |
| 24 | (iv) Enterprise resource planning | | | | |
| 25 | system; nonstate entities | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (j) Gifts, grants, and bequests | PR | C | -0- | -0- |
| 2 | (ka) Materials and services to state | | | | |
| 3 | agencies and certain districts | PR-S | A | 7,388,300 | 7,388,300 |
| 4 | (kb) Transportation, records, and | | | | |
| 5 | document services | PR-S | A | 19,945,400 | 19,945,400 |
| 6 | (kc) Capital planning and building | | | | |
| 7 | construction services | PR-S | A | 15,018,200 | 15,018,200 |
| 8 | (kd) Enterprise resource planning | | | | |
| 9 | system | PR-S | C | 9,321,100 | 9,321,100 |
| 10 | (ke) Telecommunications services; state | | | | |
| 11 | agencies; veterans services | PR-S | A | 18,261,200 | 18,261,200 |
| 12 | (kf) Procurement services | PR-S | C | 5,156,100 | 4,531,100 |
| 13 | (kg) Federal resource acquisition | PR-S | C | -0- | -0- |
| 14 | (kh) Justice information systems | PR-S | A | 4,097,000 | 4,097,000 |
| 15 | (kj) Financial services | PR-S | A | 8,621,400 | 8,621,400 |
| 16 | (kk) Information technology | | | | |
| 17 | infrastructure services; interagency | | | | |
| 18 | transfers | PR-S | C | -0- | -0- |
| 19 | (kL) Printing, mail, communication, and | | | | |
| 20 | information technology services; | | | | |
| 21 | agencies | PR-S | A | 103,064,200 | 103,064,200 |
| 22 | (km) University of Wisconsin-Green Bay | | | | |
| 23 | programming | PR-S | A | 247,500 | 247,500 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (kp) Interagency assistance; justice | | | | |
| 2 | information systems | PR-S | A | 326,700 | 326,700 |
| 3 | (kq) Justice information systems | | | | |
| 4 | development, operation and | | | | |
| 5 | maintenance | PR-S | A | -0- | -0- |
| 6 | (kr) Legal services | PR-S | A | 883,900 | 883,900 |
| 7 | (ku) Management assistance grants to | | | | |
| 8 | counties | PR-S | A | 563,200 | 563,200 |
| 9 | (kx) American Indian economic | | | | |
| 10 | development; technical assistance | PR-S | A | 79,500 | 79,500 |
| 11 | (mb) Federal aid | PR-F | C | 8,887,700 | 8,778,300 |
| 12 | (md) Oil overcharge restitution funds | PR-F | C | 261,600 | 261,600 |
| 13 | (n) Federal aid; local assistance | PR-F | C | 90,000,000 | 90,000,000 |
| 14 | (ng) Sale of forest products; funds for | | | | |
| 15 | public schools and public roads | PR | C | -0- | -0- |
| 16 | (pz) Indirect cost reimbursements | PR-F | C | 198,700 | 135,700 |
| 17 | (r) VendorNet fund administration | SEG | A | 84,700 | 84,700 |
| 18 | (s) Diesel truck idling reduction grant | | | | |
| 19 | administration | SEG | A | 73,700 | 73,700 |
| 20 | (sa) Diesel truck idling reduction grants | SEG | A | 1,000,000 | 1,000,000 |
| 21 | (tb) Payment of qualified higher | | | | |
| 22 | education expenses and refunds; | | | | |
| 23 | college tuition and expenses | | | | |
| 24 | program | SEG | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (td) Administrative expenses; college | | | | |
| 2 | tuition and expenses program | SEG | A | 118,300 | 118,300 |
| 3 | (tf) Payment of qualified higher | | | | |
| 4 | education expenses and refunds; | | | | |
| 5 | college savings program trust fund | SEG | S | -0- | -0- |
| 6 | (th) Administrative expenses; college | | | | |
| 7 | savings program trust fund | SEG | A | 556,100 | 556,100 |
| 8 | (tj) Payment of qualified higher | | | | |
| 9 | education expenses and refunds; | | | | |
| 10 | college savings program bank | | | | |
| 11 | deposit trust fund | SEG | S | -0- | -0- |
| 12 | (tL) Administrative expenses; college | | | | |
| 13 | savings program bank deposit trust | | | | |
| 14 | fund | SEG | A | -0- | -0- |
| 15 | (tn) Payment of qualified higher | | | | |
| 16 | education expenses and refunds; | | | | |
| 17 | college savings program credit | | | | |
| 18 | union deposit trust fund | SEG | S | -0- | -0- |
| 19 | (tp) Administrative expenses; college | | | | |
| 20 | savings program credit union | | | | |
| 21 | deposit trust fund | SEG | A | -0- | -0- |
| 22 | (v) General program operations — | | | | |
| 23 | environmental improvement | | | | |
| 24 | programs; state funds | SEG | A | 1,014,500 | 1,014,500 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------|------|---------------|---------------|
| 1 | (x) General program operations — | | | | |
| 2 | clean water fund program; federal | | | | |
| 3 | funds | SEG-F | C | -0- | -0- |
| 4 | (y) General program operations — safe | | | | |
| 5 | drinking water loan program; | | | | |
| 6 | federal funds | SEG-F | C | -0- | -0- |
| 7 | (z) Transportation planning grants to | | | | |
| 8 | local governmental units | SEG-S | B | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 433,145,100 | 402,231,700 |
| | PROGRAM REVENUE | | | 324,484,400 | 323,696,600 |
| | FEDERAL | | | (99,348,000) | (99,175,600) |
| | OTHER | | | (32,162,700) | (32,172,300) |
| | SERVICE | | | (192,973,700) | (192,348,700) |
| | SEGREGATED REVENUE | | | 2,847,300 | 2,847,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (2,847,300) | (2,847,300) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 760,476,800 | 728,775,600 |
| 9 | (2) RISK MANAGEMENT | | | | |
| 10 | (a) General fund supplement — risk | | | | |
| 11 | management claims | GPR | S | -0- | -0- |
| 12 | (am) Costs and judgments | GPR | S | -0- | -0- |
| 13 | (k) Risk management costs | PR-S | C | 27,934,500 | 27,934,500 |
| 14 | (ki) Risk management administration | PR-S | A | 9,278,900 | 9,278,900 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | PROGRAM REVENUE | | | 37,213,400 | 37,213,400 |
| | SERVICE | | | (37,213,400) | (37,213,400) |
| | TOTAL-ALL SOURCES | | | 37,213,400 | 37,213,400 |
| 15 | (3) UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT | | | | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (q) General program operations; utility | | | | |
| 2 | public benefits | SEG | A | 11,890,600 | 11,891,800 |
| 3 | (r) Low-income assistance grants | SEG | S | 19,447,300 | 19,447,300 |
| 4 | (rr) Air quality improvement grants | SEG | S | -0- | -0- |
| 5 | (s) Transfer to air quality improvement | | | | |
| 6 | fund | SEG | S | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | 31,337,900 | 31,339,100 |
| | OTHER | | | (31,337,900) | (31,339,100) |
| | TOTAL-ALL SOURCES | | | 31,337,900 | 31,339,100 |
| 7 | (4) ATTACHED DIVISIONS AND OTHER BODIES | | | | |
| 8 | (a) Adjudication of tax appeals | GPR | A | 538,200 | 538,200 |
| 9 | (b) Adjudication of equalization | | | | |
| 10 | appeals | GPR | S | -0- | -0- |
| 11 | (d) Claims awards | GPR | S | 22,500 | 22,500 |
| 12 | (ea) Women's council operations | GPR | A | 140,400 | 140,400 |
| 13 | (ec) Service award program; general | | | | |
| 14 | program operations | GPR | A | 17,200 | 17,200 |
| 15 | (er) Service award program; state | | | | |
| 16 | matching awards | GPR | S | 1,999,300 | 2,084,300 |
| 17 | (es) Principal, interest, and rebates; | | | | |
| 18 | general purpose revenue — schools | GPR | S | 2,153,300 | 2,052,300 |
| 19 | (et) Principal, interest, and rebates; | | | | |
| 20 | general purpose revenue — public | | | | |
| 21 | library boards | GPR | S | 16,200 | 16,900 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (f) Hearings and appeals operations | GPR | A | 2,602,100 | 2,602,100 |
| 2 | (h) Program services | PR | A | 27,200 | 27,200 |
| 3 | (ha) Principal, interest, and rebates; | | | | |
| 4 | program revenue — schools | PR | C | 16,800 | 178,500 |
| 5 | (hb) Principal, interest, and rebates; | | | | |
| 6 | program revenue — public library | | | | |
| 7 | boards | PR | C | -0- | -0- |
| 8 | (hc) Administration of Governor's | | | | |
| 9 | Wisconsin Educational Technology | | | | |
| 10 | Conference | PR | A | 150,200 | 150,200 |
| 11 | (j) National and community service | | | | |
| 12 | board; gifts and grants | PR | C | -0- | -0- |
| 13 | (js) Educational technology block | | | | |
| 14 | grants; Wisconsin Advanced | | | | |
| 15 | Telecommunications Foundation | | | | |
| 16 | assessments | PR | C | -0- | -0- |
| 17 | (k) Waste facility siting board; general | | | | |
| 18 | program operations | PR-S | A | 45,500 | 45,500 |
| 19 | (ka) State use board — general program | | | | |
| 20 | operations | PR-S | A | 128,800 | 128,800 |
| 21 | (kb) National and community service | | | | |
| 22 | board; administrative support | PR-S | A | 275,300 | 275,300 |
| 23 | (kp) Hearings and appeals fees | PR-S | A | 3,241,800 | 3,340,900 |
| 24 | (L) Equipment purchases and leases | PR | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (Lm) Educational telecommunications; | | | | |
| 2 | additional services | PR | C | -0- | -0- |
| 3 | (mp) Federal e-rate aid | PR-F | C | 5,426,800 | 5,426,800 |
| 4 | (o) National and community service | | | | |
| 5 | board; federal aid for | | | | |
| 6 | administration | PR-F | C | 610,000 | 610,000 |
| 7 | (p) National and community service | | | | |
| 8 | board; federal aid for grants | PR-F | C | 3,354,300 | 3,354,300 |
| 9 | (r) State capitol and executive | | | | |
| 10 | residence board; gifts and grants | SEG | C | -0- | -0- |
| 11 | (s) Telecommunications access; school | | | | |
| 12 | districts | SEG | B | 11,105,100 | 11,105,100 |
| 13 | (t) Telecommunications access; private | | | | |
| 14 | and technical colleges and libraries | SEG | B | 5,016,000 | 5,016,000 |
| 15 | (tm) Telecommunications access; private | | | | |
| 16 | schools | SEG | B | 694,300 | 694,300 |
| 17 | (tu) Telecommunications access; state | | | | |
| 18 | schools | SEG | B | 82,500 | 82,500 |
| 19 | (tw) Telecommunications access; | | | | |
| 20 | juvenile correctional facilities | SEG | B | 86,300 | 86,300 |
| 21 | (u) Broadband expansion grants | SEG | C | 4,700,000 | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 7,489,200 | 7,473,900 |
| | PROGRAM REVENUE | | | 13,276,700 | 13,537,500 |
| | FEDERAL | | | (9,391,100) | (9,391,100) |
| | OTHER | | | (194,200) | (355,900) |
| | SERVICE | | | (3,691,400) | (3,790,500) |
| | SEGREGATED REVENUE | | | 21,684,200 | 16,984,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| | OTHER | | | (21,684,200) | (16,984,200) |
| | TOTAL-ALL SOURCES | | | 42,450,100 | 37,995,600 |
| 1 | (5) FACILITIES MANAGEMENT | | | | |
| 2 | (c) Principal repayment and interest; | | | | |
| 3 | Black Point Estate | GPR | S | 177,300 | 185,300 |
| 4 | (g) Principal repayment, interest and | | | | |
| 5 | rebates; parking | PR-S | S | 2,346,000 | 2,326,300 |
| 6 | (ka) Facility operations and | | | | |
| 7 | maintenance; police and protection | | | | |
| 8 | functions | PR-S | A | 39,055,400 | 38,483,500 |
| 9 | (kb) Parking | PR | A | 1,100,400 | 1,100,400 |
| 10 | (kc) Principal repayment, interest and | | | | |
| 11 | rebates | PR-S | C | 19,045,400 | 17,999,100 |
| 12 | (ke) Additional energy conservation | | | | |
| 13 | construction projects | PR-S | C | -0- | -0- |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 177,300 | 185,300 |
| | PROGRAM REVENUE | | | 61,547,200 | 59,909,300 |
| | OTHER | | | (1,100,400) | (1,100,400) |
| | SERVICE | | | (60,446,800) | (58,808,900) |
| | TOTAL-ALL SOURCES | | | 61,724,500 | 60,094,600 |
| 14 | (7) HOUSING AND COMMUNITY DEVELOPMENT | | | | |
| 15 | (a) General program operations | GPR | A | 847,000 | 847,000 |
| 16 | (b) Housing grants and loans; general | | | | |
| 17 | purpose revenue | GPR | B | 3,097,800 | 3,097,800 |
| 18 | (c) Payments to designated agents | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (fm) Shelter for homeless and | | | | |
| 2 | transitional housing grants | GPR | B | 1,413,600 | 1,413,600 |
| 3 | (fr) Mental health for homeless | | | | |
| 4 | individuals | GPR | A | 42,200 | 42,200 |
| 5 | (gg) Housing program services; other | | | | |
| 6 | entities | PR | C | 168,900 | 168,900 |
| 7 | (h) Funding for the homeless | PR | C | 422,400 | 422,400 |
| 8 | (k) Sale of materials or services | PR-S | C | -0- | -0- |
| 9 | (kg) Housing program services | PR-S | C | 422,400 | 422,400 |
| 10 | (m) Federal aid; state operations | PR-F | C | 1,536,600 | 1,497,600 |
| 11 | (n) Federal aid; local assistance | PR-F | C | 10,000,000 | 10,000,000 |
| 12 | (o) Federal aid; individuals and | | | | |
| 13 | organizations | PR-F | C | 23,000,000 | 23,000,000 |
| | (7) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,400,600 | 5,400,600 |
| | PROGRAM REVENUE | | | 35,550,300 | 35,511,300 |
| | FEDERAL | | | (34,536,600) | (34,497,600) |
| | OTHER | | | (591,300) | (591,300) |
| | SERVICE | | | (422,400) | (422,400) |
| | TOTAL-ALL SOURCES | | | 40,950,900 | 40,911,900 |
| 14 | (8) DIVISION OF GAMING | | | | |
| 15 | (am) Interest on racing and bingo | | | | |
| 16 | moneys | GPR | S | 100 | 100 |
| 17 | (g) General program operations; racing | PR | A | -0- | -0- |
| 18 | (h) General program operations; Indian | | | | |
| 19 | gaming | PR | A | 1,978,900 | 1,952,900 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (hm) Indian gaming receipts | PR | C | -0- | -0- |
| 2 | (j) General program operations; raffles | PR | A | 259,200 | 259,200 |
| 3 | (jm) General program operations; bingo | PR | A | 311,900 | 311,900 |
| | (8) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 100 | 100 |
| | PROGRAM REVENUE | | | 2,550,000 | 2,524,000 |
| | OTHER | | | (2,550,000) | (2,524,000) |
| | TOTAL-ALL SOURCES | | | 2,550,100 | 2,524,100 |
| | 20.505 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 446,212,300 | 415,291,600 |
| | PROGRAM REVENUE | | | 474,622,000 | 472,392,100 |
| | FEDERAL | | | (143,275,700) | (143,064,300) |
| | OTHER | | | (36,598,600) | (36,743,900) |
| | SERVICE | | | (294,747,700) | (292,583,900) |
| | SEGREGATED REVENUE | | | 55,869,400 | 51,170,600 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (55,869,400) | (51,170,600) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 976,703,700 | 938,854,300 |
| 4 | 20.507 Board of Commissioners of Public Lands | | | | |
| 5 | (1) TRUST LANDS AND INVESTMENTS | | | | |
| 6 | (h) Trust lands and investments — | | | | |
| 7 | general program operations | PR-S | A | 1,496,200 | 1,497,800 |
| 8 | (j) Payments to American Indian | | | | |
| 9 | tribes or bands for raised sunken | | | | |
| 10 | logs | PR | C | -0- | -0- |
| 11 | (k) Trust lands and investments — | | | | |
| 12 | interagency and intra-agency | | | | |
| 13 | assistance | PR-S | A | -0- | -0- |
| 14 | (mg) Federal aid — flood control | PR-F | C | 52,700 | 52,700 |
| | (1) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 1,548,900 | 1,550,500 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-------------|-------------|
| FEDERAL | | | (52,700) | (52,700) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (1,496,200) | (1,497,800) |
| TOTAL-ALL SOURCES | | | 1,548,900 | 1,550,500 |
| 20.507 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 1,548,900 | 1,550,500 |
| FEDERAL | | | (52,700) | (52,700) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (1,496,200) | (1,497,800) |
| TOTAL-ALL SOURCES | | | 1,548,900 | 1,550,500 |

1 20.511 Government Accountability Board

| | | | | |
|----|------|--|-----------|-----------|
| 2 | (1) | ADMINISTRATION OF ELECTIONS, ETHICS, AND LOBBYING LAWS | | |
| 3 | (a) | General program operations; | | |
| 4 | | general purpose revenue | GPR | B |
| | | | 2,705,100 | 2,712,800 |
| 5 | (be) | Investigations | GPR | S |
| | | | 31,100 | 31,100 |
| 6 | (bm) | Training of chief inspectors | GPR | B |
| | | | -0- | -0- |
| 7 | (c) | Voter identification training | GPR | A |
| | | | 82,600 | 82,600 |
| 8 | (d) | Election administration transfer | GPR | A |
| | | | -0- | -0- |
| 9 | (g) | Recount fees | PR | C |
| | | | -0- | -0- |
| 10 | (h) | Materials and services | PR | A |
| | | | 19,200 | 19,200 |
| 11 | (i) | Elections administration; program | | |
| 12 | | revenue | PR | A |
| | | | 31,700 | 31,700 |
| 13 | (im) | Lobbying administration; program | | |
| 14 | | revenue | PR | A |
| | | | 459,600 | 460,200 |
| 15 | (j) | Electronic filing software | PR | C |
| | | | -0- | -0- |
| 16 | (jm) | Gifts and grants | PR | C |
| | | | -0- | -0- |
| 17 | (m) | Federal aid | PR-F | C |
| | | | 844,000 | 508,300 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (t) Election administration | SEG | A | 100 | 100 |
| 2 | (x) Federal aid; election administration | | | | |
| 3 | fund | SEG-F | C | 2,754,100 | 2,756,500 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,818,800 | 2,826,500 |
| | PROGRAM REVENUE | | | 1,354,500 | 1,019,400 |
| | FEDERAL | | | (844,000) | (508,300) |
| | OTHER | | | (510,500) | (511,100) |
| | SEGREGATED REVENUE | | | 2,754,200 | 2,756,600 |
| | FEDERAL | | | (2,754,100) | (2,756,500) |
| | OTHER | | | (100) | (100) |
| | TOTAL-ALL SOURCES | | | 6,927,500 | 6,602,500 |
| | 20.511 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,818,800 | 2,826,500 |
| | PROGRAM REVENUE | | | 1,354,500 | 1,019,400 |
| | FEDERAL | | | (844,000) | (508,300) |
| | OTHER | | | (510,500) | (511,100) |
| | SEGREGATED REVENUE | | | 2,754,200 | 2,756,600 |
| | FEDERAL | | | (2,754,100) | (2,756,500) |
| | OTHER | | | (100) | (100) |
| | TOTAL-ALL SOURCES | | | 6,927,500 | 6,602,500 |
| 4 | 20.515 Employee Trust Funds, Department of | | | | |
| 5 | (1) EMPLOYEE BENEFIT PLANS | | | | |
| 6 | (a) Annuity supplements and | | | | |
| 7 | payments | GPR | S | 321,100 | 250,100 |
| 8 | (c) Contingencies | GPR | S | -0- | -0- |
| 9 | (gm) Gifts and grants | PR | C | -0- | -0- |
| 10 | (m) Federal aid | PR-F | C | -0- | -0- |
| 11 | (sr) Gifts and grants; public employee | | | | |
| 12 | trust fund | SEG | C | -0- | -0- |
| 13 | (t) Automated operating system | SEG | C | 7,593,600 | 8,393,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (tm) Health savings account plan | SEG | C | -0- | -0- |
| 2 | (u) Employee-funded reimbursement | | | | |
| 3 | account plan | SEG | C | -0- | -0- |
| 4 | (um) Benefit administration | SEG | B | 4,900 | 4,900 |
| 5 | (ut) Health insurance data collection | | | | |
| 6 | and analysis contracts | SEG | A | 968,100 | 968,100 |
| 7 | (w) Administration | SEG | A | 32,484,400 | 32,662,100 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 321,100 | 250,100 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 41,051,000 | 42,028,700 |
| | OTHER | | | (41,051,000) | (42,028,700) |
| | TOTAL-ALL SOURCES | | | 41,372,100 | 42,278,800 |
| | 20.515 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 321,100 | 250,100 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 41,051,000 | 42,028,700 |
| | OTHER | | | (41,051,000) | (42,028,700) |
| | TOTAL-ALL SOURCES | | | 41,372,100 | 42,278,800 |
| 8 | 20.525 Governor, Office of the | | | | |
| 9 | (1) EXECUTIVE ADMINISTRATION | | | | |
| 10 | (a) General program operations | GPR | S | 3,338,700 | 3,338,700 |
| 11 | (b) Contingent fund | GPR | S | 20,400 | 20,400 |
| 12 | (c) Membership in national | | | | |
| 13 | associations | GPR | S | 118,300 | 118,300 |
| 14 | (d) Disability board | GPR | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (f) Literacy improvement aids | GPR | A | 23,600 | 23,600 |
| 2 | (i) Gifts and grants | PR | C | -0- | -0- |
| 3 | (m) Federal aid | PR-F | C | -0- | -0- |
| 4 | (q) Grants for literacy and early | | | | |
| 5 | childhood development programs | SEG | S | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 3,501,000 | 3,501,000 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 3,501,000 | 3,501,000 |
| 6 | (2) EXECUTIVE RESIDENCE | | | | |
| 7 | (a) General program operations | GPR | S | 240,300 | 240,300 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 240,300 | 240,300 |
| | TOTAL-ALL SOURCES | | | 240,300 | 240,300 |
| | 20.525 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 3,741,300 | 3,741,300 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 3,741,300 | 3,741,300 |
| 8 | 20.536 Investment Board | | | | |
| 9 | (1) INVESTMENT OF FUNDS | | | | |
| 10 | (k) General program operations | PR | C | 35,300,000 | 35,300,000 |
| 11 | (ka) General program operations; | | | | |
| 12 | environmental improvement fund | PR-S | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|---|----------------------------|--------------|-----------------|
| PROGRAM REVENUE | | | 35,300,000 | 35,300,000 |
| OTHER | | | (35,300,000) | (35,300,000) |
| SERVICE | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 35,300,000 | 35,300,000 |
| 20.536 DEPARTMENT TOTALS | | | | |
| PROGRAM REVENUE | | | 35,300,000 | 35,300,000 |
| OTHER | | | (35,300,000) | (35,300,000) |
| SERVICE | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 35,300,000 | 35,300,000 |
| 1 | 20.540 Lieutenant Governor, Office of the | | | |
| 2 | (1) | EXECUTIVE COORDINATION | | |
| 3 | (a) | General program operations | GPR A | 316,600 316,600 |
| 4 | (g) | Gifts, grants and proceeds | PR C | -0- -0- |
| 5 | (k) | Grants from state agencies | PR-S C | -0- -0- |
| 6 | (m) | Federal aid | PR-F C | -0- -0- |
| (1) PROGRAM TOTALS | | | | |
| GENERAL PURPOSE REVENUE | | | 316,600 | 316,600 |
| PROGRAM REVENUE | | | -0- | -0- |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 316,600 | 316,600 |
| 20.540 DEPARTMENT TOTALS | | | | |
| GENERAL PURPOSE REVENUE | | | 316,600 | 316,600 |
| PROGRAM REVENUE | | | -0- | -0- |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 316,600 | 316,600 |
| 7 | 20.545 Employment Relations, Office of State | | | |
| 8 | (1) | STATE EMPLOYMENT RELATIONS | | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---------------------------------------|--------------------------|-------------|------------------|------------------|
| 1 | (i) Services to nonstate governmental | | | | |
| 2 | units | PR | A | 206,500 | 246,400 |
| 3 | (j) Gifts and donations | PR | C | -0- | -0- |
| 4 | (jm) Employee development and | | | | |
| 5 | training services | PR | A | 258,100 | 258,100 |
| 6 | (k) General program operations | PR-S | A | 5,335,500 | 5,354,600 |
| 7 | (ka) Publications | PR | A | 102,100 | 102,100 |
| 8 | (km) Collective bargaining grievance | | | | |
| 9 | arbitrations | PR-S | A | 70,600 | 70,600 |
| 10 | (m) Federal grants and contracts | PR-F | C | -0- | -0- |
| 11 | (pz) Indirect cost reimbursements | PR-F | C | -0- | -0- |
| | | (1) PROGRAM TOTALS | | | |
| | PROGRAM REVENUE | | | 5,972,800 | 6,031,800 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (566,700) | (606,600) |
| | SERVICE | | | (5,406,100) | (5,425,200) |
| | TOTAL-ALL SOURCES | | | 5,972,800 | 6,031,800 |
| | | 20.545 DEPARTMENT TOTALS | | | |
| | PROGRAM REVENUE | | | 5,972,800 | 6,031,800 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (566,700) | (606,600) |
| | SERVICE | | | (5,406,100) | (5,425,200) |
| | TOTAL-ALL SOURCES | | | 5,972,800 | 6,031,800 |
| 12 | 20.550 Public Defender Board | | | | |
| 13 | (1) LEGAL ASSISTANCE | | | | |
| 14 | (a) Program administration | GPR | A | 2,730,200 | 2,733,100 |
| 15 | (b) Appellate representation | GPR | A | 4,426,600 | 4,431,000 |
| 16 | (c) Trial representation | GPR | A | 47,768,600 | 47,811,700 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (d) Private bar and investigator | | | | |
| 2 | reimbursement | GPR | B | 29,355,400 | 23,155,400 |
| 3 | (e) Private bar and investigator | | | | |
| 4 | payments; administration costs | GPR | A | 587,400 | 588,300 |
| 5 | (em) Salary adjustments | GPR | A | 997,000 | 1,978,600 |
| 6 | (f) Transcripts, discovery and | | | | |
| 7 | interpreters | GPR | A | 1,325,700 | 1,325,700 |
| 8 | (fb) Payments from clients; | | | | |
| 9 | administrative costs | PR | A | 243,400 | 243,500 |
| 10 | (g) Gifts, grants and proceeds | PR | C | -0- | -0- |
| 11 | (h) Contractual agreements | PR-S | A | -0- | -0- |
| 12 | (i) Tuition payments | PR | C | -0- | -0- |
| 13 | (kj) Conferences and training | PR-S | A | 144,800 | 144,800 |
| 14 | (L) Private bar and investigator | | | | |
| 15 | reimbursement; payments for legal | | | | |
| 16 | representation | PR | C | 913,000 | 913,000 |
| 17 | (m) Federal aid | PR-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 87,190,900 | 82,023,800 |
| | PROGRAM REVENUE | | | 1,301,200 | 1,301,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (1,156,400) | (1,156,500) |
| | SERVICE | | | (144,800) | (144,800) |
| | TOTAL-ALL SOURCES | | | 88,492,100 | 83,325,100 |
| | 20.550 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 87,190,900 | 82,023,800 |
| | PROGRAM REVENUE | | | 1,301,200 | 1,301,300 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (1,156,400) | (1,156,500) |
| | SERVICE | | | (144,800) | (144,800) |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------|------|------------|------------|
| | TOTAL-ALL SOURCES | | | 88,492,100 | 83,325,100 |
| 1 | 20.566 Revenue, Department of | | | | |
| 2 | (1) COLLECTION OF TAXES | | | | |
| 3 | (a) General program operations | GPR | A | 51,752,300 | 50,958,400 |
| 4 | (g) Administration of county sales and | | | | |
| 5 | use taxes | PR | A | 3,398,200 | 3,407,400 |
| 6 | (ga) Cigarette tax stamps | PR | A | 262,400 | 262,400 |
| 7 | (gb) Business tax registration | PR | A | 1,545,300 | 1,545,800 |
| 8 | (gd) Administration of special district | | | | |
| 9 | taxes | PR-S | A | 445,000 | 445,500 |
| 10 | (ge) Administration of local professional | | | | |
| 11 | football stadium district taxes | PR-S | A | 109,700 | 110,700 |
| 12 | (gf) Administration of resort tax | PR-S | A | 69,100 | 69,100 |
| 13 | (gg) Administration of local taxes | PR | A | 114,200 | 114,200 |
| 14 | (gm) Administration of tax on controlled | | | | |
| 15 | substances dealers | PR | A | -0- | -0- |
| 16 | (gn) Ambulatory surgical center | | | | |
| 17 | assessment | PR | C | 110,200 | 110,200 |
| 18 | (h) Debt collection | PR | A | 811,800 | 811,800 |
| 19 | (ha) Administration of liquor tax and | | | | |
| 20 | alcohol beverages enforcement | PR | A | 1,093,600 | 1,100,800 |
| 21 | (hb) Collections by the department | PR | A | 879,300 | 1,091,600 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (hc) Collections from the financial | | | | |
| 2 | record matching program | PR | A | 470,400 | 472,700 |
| 3 | (hd) Administration of liquor tax and | | | | |
| 4 | alcohol beverages enforcement; | | | | |
| 5 | wholesaler fees funding special | | | | |
| 6 | agent position | PR | C | 82,100 | 82,100 |
| 7 | (hm) Collections under contracts | PR | S | 357,300 | 357,300 |
| 8 | (hn) Collections under the multistate | | | | |
| 9 | tax commission audit program | PR | S | 58,300 | 58,300 |
| 10 | (ho) Collections under multistate | | | | |
| 11 | streamlined sales tax project | PR | S | 40,000 | 40,000 |
| 12 | (hp) Administration of income tax | | | | |
| 13 | checkoff voluntary payments | PR | A | 27,600 | 27,600 |
| 14 | (i) Gifts and grants | PR | C | -0- | -0- |
| 15 | (m) Federal funds; state operations | PR-F | C | -0- | -0- |
| 16 | (q) Economic development surcharge | | | | |
| 17 | administration | SEG | A | 252,100 | 252,400 |
| 18 | (qm) Administration of rental vehicle fee | SEG | A | 65,000 | 65,000 |
| 19 | (r) Administration of dry cleaner fees | SEG | A | 18,800 | 18,800 |
| 20 | (s) Petroleum inspection fee collection | SEG | A | 120,500 | 120,500 |
| 21 | (t) Farmland preservation credit, 2010 | | | | |
| 22 | and beyond | SEG | A | -0- | -0- |
| 23 | (u) Motor fuel tax administration | SEG | A | 1,599,800 | 1,612,600 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 51,752,300 | 50,958,400 |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|---|--------|------|-------------|-------------|
| | PROGRAM REVENUE | | | 9,874,500 | 10,107,500 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (9,250,700) | (9,482,200) |
| | SERVICE | | | (623,800) | (625,300) |
| | SEGREGATED REVENUE | | | 2,056,200 | 2,069,300 |
| | OTHER | | | (2,056,200) | (2,069,300) |
| | TOTAL-ALL SOURCES | | | 63,683,000 | 63,135,200 |
| 1 | (2) STATE AND LOCAL FINANCE | | | | |
| 2 | (a) General program operations | GPR | A | 7,443,800 | 7,443,800 |
| 3 | (b) Valuation error loans | GPR | S | -0- | -0- |
| 4 | (bm) Integrated property assessment | | | | |
| 5 | system technology | GPR | A | 2,489,300 | 2,489,300 |
| 6 | (g) County assessment studies | PR | C | -0- | -0- |
| 7 | (gb) Manufacturing property | | | | |
| 8 | assessment | PR | A | 1,055,600 | 1,060,200 |
| 9 | (gi) Municipal finance report | | | | |
| 10 | compliance | PR | A | 34,500 | 34,500 |
| 11 | (h) Reassessments | PR | A | 535,200 | 535,200 |
| 12 | (hm) Administration of tax incremental, | | | | |
| 13 | and environmental remediation tax | | | | |
| 14 | incremental, financing programs | PR | C | 167,700 | 168,200 |
| 15 | (i) Gifts and grants | PR | C | -0- | -0- |
| 16 | (m) Federal funds; state operations | PR-F | C | -0- | -0- |
| 17 | (q) Railroad and air carrier tax | | | | |
| 18 | administration | SEG | A | 224,300 | 224,800 |
| 19 | (r) Lottery and gaming credit | | | | |
| 20 | administration | SEG | A | 279,500 | 281,800 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--|--------|------|-------------|-------------|
| (2) PROGRAM TOTALS | | | | | |
| GENERAL PURPOSE REVENUE | | | | 9,933,100 | 9,933,100 |
| PROGRAM REVENUE | | | | 1,793,000 | 1,798,100 |
| FEDERAL | | | | (-0-) | (-0-) |
| OTHER | | | | (1,793,000) | (1,798,100) |
| SEGREGATED REVENUE | | | | 503,800 | 506,600 |
| OTHER | | | | (503,800) | (506,600) |
| TOTAL-ALL SOURCES | | | | 12,229,900 | 12,237,800 |
| 1 | (3) ADMINISTRATIVE SERVICES AND SPACE RENTAL | | | | |
| 2 | (a) General program operations | GPR | A | 24,857,900 | 24,998,400 |
| 3 | (b) Integrated tax system technology | GPR | A | 4,087,100 | 4,087,100 |
| 4 | (c) Expert professional services | GPR | B | 63,300 | 63,300 |
| 5 | (g) Services | PR | A | 85,400 | 85,400 |
| 6 | (gm) Reciprocity agreement and | | | | |
| 7 | publications | PR | A | 37,900 | 37,900 |
| 8 | (go) Reciprocity agreement, Illinois | PR | A | -0- | -0- |
| 9 | (i) Gifts and grants | PR | C | -0- | -0- |
| 10 | (k) Internal services | PR-S | A | 3,089,900 | 3,088,500 |
| 11 | (m) Federal funds; state operations | PR-F | C | -0- | -0- |
| (3) PROGRAM TOTALS | | | | | |
| GENERAL PURPOSE REVENUE | | | | 29,008,300 | 29,148,800 |
| PROGRAM REVENUE | | | | 3,213,200 | 3,211,800 |
| FEDERAL | | | | (-0-) | (-0-) |
| OTHER | | | | (123,300) | (123,300) |
| SERVICE | | | | (3,089,900) | (3,088,500) |
| TOTAL-ALL SOURCES | | | | 32,221,500 | 32,360,600 |
| 12 | (7) INVESTMENT AND LOCAL IMPACT FUND | | | | |
| 13 | (e) Investment and local impact fund | | | | |
| 14 | supplement | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (g) Investment and local impact fund | | | | |
| 2 | administrative expenses | PR | A | -0- | -0- |
| 3 | (n) Federal mining revenue | PR-F | C | -0- | -0- |
| 4 | (v) Investment and local impact fund | SEG | C | -0- | -0- |
| | (7) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 5 | (8) LOTTERY | | | | |
| 6 | (q) General program operations | SEG | A | 21,684,000 | 21,767,600 |
| 7 | (r) Retailer compensation | SEG | S | 36,826,000 | 36,826,000 |
| 8 | (s) Prizes | SEG | S | -0- | -0- |
| 9 | (v) Vendor fees | SEG | S | 13,376,600 | 13,376,600 |
| | (8) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | 71,886,600 | 71,970,200 |
| | OTHER | | | (71,886,600) | (71,970,200) |
| | TOTAL-ALL SOURCES | | | 71,886,600 | 71,970,200 |
| | 20.566 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 90,693,700 | 90,040,300 |
| | PROGRAM REVENUE | | | 14,880,700 | 15,117,400 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (11,167,000) | (11,403,600) |
| | SERVICE | | | (3,713,700) | (3,713,800) |
| | SEGREGATED REVENUE | | | 74,446,600 | 74,546,100 |
| | OTHER | | | (74,446,600) | (74,546,100) |
| | TOTAL-ALL SOURCES | | | 180,021,000 | 179,703,800 |
| 10 | 20.575 Secretary of State | | | | |
| 11 | (1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES | | | | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (g) Program fees | PR | A | 503,600 | 505,200 |
| 2 | (ka) Agency collections | PR-S | A | 3,400 | 3,400 |
| | (1) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 507,000 | 508,600 |
| | OTHER | | | (503,600) | (505,200) |
| | SERVICE | | | (3,400) | (3,400) |
| | TOTAL-ALL SOURCES | | | 507,000 | 508,600 |
| | 20.575 DEPARTMENT TOTALS | | | | |
| | PROGRAM REVENUE | | | 507,000 | 508,600 |
| | OTHER | | | (503,600) | (505,200) |
| | SERVICE | | | (3,400) | (3,400) |
| | TOTAL-ALL SOURCES | | | 507,000 | 508,600 |
| 3 | 20.585 Treasurer, State | | | | |
| 4 | (1) CUSTODIAN OF STATE FUNDS | | | | |
| 5 | (b) Insurance | GPR | A | -0- | -0- |
| 6 | (e) Unclaimed property; contingency | | | | |
| 7 | appropriation | GPR | S | -0- | -0- |
| 8 | (h) Training conferences | PR | C | -0- | -0- |
| 9 | (i) Gifts and grants | PR | C | -0- | -0- |
| 10 | (j) Unclaimed property; claims | PR | C | -0- | -0- |
| 11 | (k) Unclaimed property; administrative | | | | |
| 12 | expenses | PR-S | A | 4,874,600 | 4,877,600 |
| 13 | (kb) General program operations | PR-S | A | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | PROGRAM REVENUE | | | 4,874,600 | 4,877,600 |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (4,874,600) | (4,877,600) |
| | TOTAL-ALL SOURCES | | | 4,874,600 | 4,877,600 |
| | 20.585 DEPARTMENT TOTALS | | | | |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--------|------|---------------|---------------|
| GENERAL PURPOSE REVENUE | | | -0- | -0- |
| PROGRAM REVENUE | | | 4,874,600 | 4,877,600 |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (4,874,600) | (4,877,600) |
| TOTAL-ALL SOURCES | | | 4,874,600 | 4,877,600 |
| General Executive Functions FUNCTIONAL AREA TOTALS | | | | |
| GENERAL PURPOSE REVENUE | | | 631,294,700 | 594,490,200 |
| PROGRAM REVENUE | | | 540,361,700 | 538,098,700 |
| FEDERAL | | | (144,172,400) | (143,625,300) |
| OTHER | | | (85,802,800) | (86,226,900) |
| SERVICE | | | (310,386,500) | (308,246,500) |
| SEGREGATED REVENUE | | | 174,121,200 | 170,502,000 |
| FEDERAL | | | (2,754,100) | (2,756,500) |
| OTHER | | | (171,367,100) | (167,745,500) |
| SERVICE | | | (-0-) | (-0-) |
| LOCAL | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 1,345,777,600 | 1,303,090,900 |

Judicial

| | | | | | |
|----|------------------------------------|------|---|------------|------------|
| 1 | 20.625 Circuit Courts | | | | |
| 2 | (1) COURT OPERATIONS | | | | |
| 3 | (a) Circuit courts | GPR | S | 69,824,200 | 69,824,200 |
| 4 | (as) Violent crime court costs | GPR | A | -0- | -0- |
| 5 | (b) Permanent reserve judges | GPR | A | -0- | -0- |
| 6 | (c) Court interpreter fees | GPR | A | 1,433,500 | 1,433,500 |
| 7 | (d) Circuit court support payments | GPR | B | 18,552,200 | 18,552,200 |
| 8 | (e) Guardian ad litem costs | GPR | A | 4,691,100 | 4,691,100 |
| 9 | (g) Sale of materials and services | PR | C | -0- | -0- |
| 10 | (k) Court interpreters | PR-S | A | 232,700 | 232,700 |
| 11 | (m) Federal aid | PR-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 94,501,000 | 94,501,000 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 | |
|-----------------------------|-----------------------------------|----------------------------|------|------------|------------|------------|
| PROGRAM REVENUE | | | | 232,700 | 232,700 | |
| FEDERAL | | | | (-0-) | (-0-) | |
| OTHER | | | | (-0-) | (-0-) | |
| SERVICE | | | | (232,700) | (232,700) | |
| TOTAL-ALL SOURCES | | | | 94,733,700 | 94,733,700 | |
| 20.625 DEPARTMENT TOTALS | | | | | | |
| GENERAL PURPOSE REVENUE | | | | 94,501,000 | 94,501,000 | |
| PROGRAM REVENUE | | | | 232,700 | 232,700 | |
| FEDERAL | | | | (-0-) | (-0-) | |
| OTHER | | | | (-0-) | (-0-) | |
| SERVICE | | | | (232,700) | (232,700) | |
| TOTAL-ALL SOURCES | | | | 94,733,700 | 94,733,700 | |
| 1 | 20.660 Court of Appeals | | | | | |
| 2 | (1) APPELLATE PROCEEDINGS | | | | | |
| 3 | (a) | General program operations | GPR | S | 10,246,400 | 10,267,800 |
| 4 | (m) | Federal aid | PR-F | C | -0- | -0- |
| (1) PROGRAM TOTALS | | | | | | |
| GENERAL PURPOSE REVENUE | | | | 10,246,400 | 10,267,800 | |
| PROGRAM REVENUE | | | | -0- | -0- | |
| FEDERAL | | | | (-0-) | (-0-) | |
| TOTAL-ALL SOURCES | | | | 10,246,400 | 10,267,800 | |
| 20.660 DEPARTMENT TOTALS | | | | | | |
| GENERAL PURPOSE REVENUE | | | | 10,246,400 | 10,267,800 | |
| PROGRAM REVENUE | | | | -0- | -0- | |
| FEDERAL | | | | (-0-) | (-0-) | |
| TOTAL-ALL SOURCES | | | | 10,246,400 | 10,267,800 | |
| 5 | 20.665 Judicial Commission | | | | | |
| 6 | (1) JUDICIAL CONDUCT | | | | | |
| 7 | (a) | General program operations | GPR | A | 273,000 | 273,500 |
| 8 | (cm) | Contractual agreements | GPR | B | 16,200 | 16,200 |
| 9 | (mm) | Federal aid | PR-F | C | -0- | -0- |
| (1) PROGRAM TOTALS | | | | | | |
| GENERAL PURPOSE REVENUE | | | | 289,200 | 289,700 | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------|---|---------------|-------------|------------------|------------------|
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 289,200 | 289,700 |
| | 20.665 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 289,200 | 289,700 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 289,200 | 289,700 |
| 1 | 20.670 Judicial Council | | | | |
| 2 | (1) ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE | | | | |
| 3 | (a) General program operations | GPR | A | 66,500 | 66,800 |
| 4 | (k) Director of state courts and law | | | | |
| 5 | library transfer | PR-S | C | -0- | -0- |
| 6 | (m) Federal aid | PR-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 66,500 | 66,800 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 66,500 | 66,800 |
| | 20.670 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 66,500 | 66,800 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 66,500 | 66,800 |
| 7 | 20.680 Supreme Court | | | | |
| 8 | (1) SUPREME COURT PROCEEDINGS | | | | |
| 9 | (a) General program operations | GPR | S | 5,046,700 | 5,050,600 |
| 10 | (m) Federal aid | PR-F | C | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,046,700 | 5,050,600 |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--------------------------------------|---------------|-------------|------------------|------------------|
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 5,046,700 | 5,050,600 |
| 1 | (2) DIRECTOR OF STATE COURTS | | | | |
| 2 | (a) General program operations | GPR | A | 7,544,000 | 7,552,000 |
| 3 | (b) Judicial planning and research | GPR | A | -0- | -0- |
| 4 | (g) Gifts and grants | PR | C | -0- | -0- |
| 5 | (ga) Court commissioner training | PR | C | 61,300 | 61,300 |
| 6 | (gc) Court interpreter training and | | | | |
| 7 | certification | PR | C | 45,100 | 45,100 |
| 8 | (h) Materials and services | PR | C | 60,300 | 60,300 |
| 9 | (i) Municipal judge training | PR | C | 155,900 | 155,900 |
| 10 | (j) Court information systems | PR | C | 9,925,600 | 9,925,600 |
| 11 | (kc) Central services | PR-S | A | 219,800 | 220,000 |
| 12 | (ke) Interagency and intra-agency | | | | |
| 13 | automation assistance | PR-S | C | -0- | -0- |
| 14 | (m) Federal aid | PR-F | C | 894,600 | 894,600 |
| 15 | (qm) Mediation fund | SEG | C | 735,100 | 735,800 |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 7,544,000 | 7,552,000 |
| | PROGRAM REVENUE | | | 11,362,600 | 11,362,800 |
| | FEDERAL | | | (894,600) | (894,600) |
| | OTHER | | | (10,248,200) | (10,248,200) |
| | SERVICE | | | (219,800) | (220,000) |
| | SEGREGATED REVENUE | | | 735,100 | 735,800 |
| | OTHER | | | (735,100) | (735,800) |
| | TOTAL-ALL SOURCES | | | 19,641,700 | 19,650,600 |
| 16 | (3) BAR EXAMINERS AND RESPONSIBILITY | | | | |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--------------------------------------|---------------|-------------|------------------|------------------|
| 1 | (g) Board of bar examiners | PR | C | 753,000 | 757,100 |
| 2 | (h) Office of lawyer regulation | PR | C | 2,798,300 | 2,810,000 |
| | (3) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | 3,551,300 | 3,567,100 |
| | OTHER | | | (3,551,300) | (3,567,100) |
| | TOTAL-ALL SOURCES | | | 3,551,300 | 3,567,100 |
| 3 | (4) LAW LIBRARY | | | | |
| 4 | (a) General program operations | GPR | A | 2,184,700 | 2,199,600 |
| 5 | (g) Library collections and services | PR | C | 135,100 | 135,100 |
| 6 | (h) Gifts and grants | PR | C | 595,000 | 595,000 |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,184,700 | 2,199,600 |
| | PROGRAM REVENUE | | | 730,100 | 730,100 |
| | OTHER | | | (730,100) | (730,100) |
| | TOTAL-ALL SOURCES | | | 2,914,800 | 2,929,700 |
| | 20.680 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 14,775,400 | 14,802,200 |
| | PROGRAM REVENUE | | | 15,644,000 | 15,660,000 |
| | FEDERAL | | | (894,600) | (894,600) |
| | OTHER | | | (14,529,600) | (14,545,400) |
| | SERVICE | | | (219,800) | (220,000) |
| | SEGREGATED REVENUE | | | 735,100 | 735,800 |
| | OTHER | | | (735,100) | (735,800) |
| | TOTAL-ALL SOURCES | | | 31,154,500 | 31,198,000 |
| | Judicial | | | | |
| | FUNCTIONAL AREA TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 119,878,500 | 119,927,500 |
| | PROGRAM REVENUE | | | 15,876,700 | 15,892,700 |
| | FEDERAL | | | (894,600) | (894,600) |
| | OTHER | | | (14,529,600) | (14,545,400) |
| | SERVICE | | | (452,500) | (452,700) |
| | SEGREGATED REVENUE | | | 735,100 | 735,800 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (735,100) | (735,800) |
| | SERVICE | | | (-0-) | (-0-) |
| | LOCAL | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 136,490,300 | 136,556,000 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-----------|-----------|
|-----------------------------|--------|------|-----------|-----------|

Legislative**1 20.765 Legislature**

2 (1) ENACTMENT OF STATE LAWS

3 (a) General program operations —

4 assembly GPR S 25,633,300 25,636,500

5 (b) General program operations —

6 senate GPR S 18,383,500 18,384,300

7 (d) Legislative documents GPR S 4,089,400 4,089,400

8 (e) Gifts, grants, and bequests PR C -0- -0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE 48,106,200 48,110,200

PROGRAM REVENUE -0- -0-

OTHER (-0-) (-0-)

TOTAL-ALL SOURCES 48,106,200 48,110,200

9 (3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS

10 (a) Revisor of statutes bureau GPR B -0- -0-

11 (b) Legislative reference bureau GPR B 6,246,500 6,268,300

12 (c) Legislative audit bureau GPR B 6,290,400 6,299,900

13 (d) Legislative fiscal bureau GPR B 3,942,800 3,958,800

14 (e) Joint legislative council; execution

15 of functions, conduct of research,

16 development of studies, and the

17 provision of assistance to

18 committees GPR B 3,984,500 3,990,800

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (ec) Joint legislative council; | | | | |
| 2 | contractual studies | GPR | B | 15,000 | -0- |
| 3 | (em) Legislative technology services | | | | |
| 4 | bureau | GPR | B | 4,230,300 | 4,235,800 |
| 5 | (f) Joint committee on legislative | | | | |
| 6 | organization | GPR | B | -0- | -0- |
| 7 | (fa) Membership in national | | | | |
| 8 | associations | GPR | S | 250,000 | 250,000 |
| 9 | (g) Gifts and grants to service agencies | PR | C | -0- | -0- |
| 10 | (ka) Audit bureau reimbursable audits | PR-S | A | 1,986,700 | 1,997,400 |
| 11 | (m) Federal aid | PR-F | C | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 24,959,500 | 25,003,600 |
| | PROGRAM REVENUE | | | 1,986,700 | 1,997,400 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (1,986,700) | (1,997,400) |
| | TOTAL-ALL SOURCES | | | 26,946,200 | 27,001,000 |
| 12 | (4) CAPITOL OFFICES RELOCATION | | | | |
| 13 | (a) Capitol offices relocation costs | GPR | B | -0- | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.765 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 73,065,700 | 73,113,800 |
| | PROGRAM REVENUE | | | 1,986,700 | 1,997,400 |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (1,986,700) | (1,997,400) |
| | TOTAL-ALL SOURCES | | | 75,052,400 | 75,111,200 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-------------|-------------|
| FUNCTIONAL AREA TOTALS | | | | |
| GENERAL PURPOSE REVENUE | | | 73,065,700 | 73,113,800 |
| PROGRAM REVENUE | | | 1,986,700 | 1,997,400 |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (1,986,700) | (1,997,400) |
| SEGREGATED REVENUE | | | -0- | -0- |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (-0-) | (-0-) |
| LOCAL | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 75,052,400 | 75,111,200 |

General Appropriations

| | | | | | |
|----|---|-----|---|--------------|--------------|
| 1 | 20.835 Shared Revenue and Tax Relief | | | | |
| 2 | (1) SHARED REVENUE PAYMENTS | | | | |
| 3 | (c) Expenditure restraint program | | | | |
| 4 | account | GPR | S | 58,145,700 | 58,145,700 |
| 5 | (db) County and municipal aid account | GPR | S | 694,825,700 | 695,075,700 |
| 6 | (dm) Public utility distribution account | GPR | S | 67,062,000 | 69,075,000 |
| 7 | (e) State aid; tax exempt property | GPR | S | 81,654,000 | 82,164,000 |
| 8 | (q) County and municipal aid account; | | | | |
| 9 | wireless 911 fund | SEG | A | -0- | -0- |
| 10 | (r) County and municipal aid account; | | | | |
| 11 | police and fire protection fund | SEG | C | 53,250,000 | 53,000,000 |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 901,687,400 | 904,460,400 |
| | SEGREGATED REVENUE | | | 53,250,000 | 53,000,000 |
| | OTHER | | | (53,250,000) | (53,000,000) |
| | TOTAL-ALL SOURCES | | | 954,937,400 | 957,460,400 |
| 12 | (2) TAX RELIEF | | | | |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (b) Claim of right credit | GPR | S | 170,000 | 170,000 |
| 2 | (bb) Jobs tax credit | GPR | C | 17,000,000 | 17,000,000 |
| 3 | (bc) Woody biomass harvesting and | | | | |
| 4 | processing credit | GPR | S | 300,000 | 300,000 |
| 5 | (bd) Meat processing facility investment | | | | |
| 6 | credit | GPR | S | 700,000 | 700,000 |
| 7 | (be) Food processing plant and food | | | | |
| 8 | warehouse investment credit | GPR | S | 700,000 | 700,000 |
| 9 | (bL) Film production company | | | | |
| 10 | investment credit | GPR | S | 100,000 | 100,000 |
| 11 | (bm) Film production services credit | GPR | S | 400,000 | 400,000 |
| 12 | (bn) Dairy manufacturing facility | | | | |
| 13 | investment credit | GPR | C | 700,000 | 525,000 |
| 14 | (bp) Dairy manufacturing facility | | | | |
| 15 | investment credit; dairy | | | | |
| 16 | cooperatives | GPR | C | 700,000 | 700,000 |
| 17 | (br) Interest payments on | | | | |
| 18 | overassessments of manufacturing | | | | |
| 19 | property | GPR | S | 10,000 | 10,000 |
| 20 | (c) Homestead tax credit | GPR | S | 131,700,000 | 131,100,000 |
| 21 | (ci) Development zones investment | | | | |
| 22 | credit | GPR | S | -0- | -0- |
| 23 | (cL) Development zones location credit | GPR | S | -0- | -0- |
| 24 | (cm) Development zones jobs credit | GPR | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------------------|-------------|------------------|------------------|
| 1 | (cn) Development zones sales tax credit | GPR | S | -0- | -0- |
| 2 | (co) Enterprise zone jobs credit | GPR | S | 44,400,000 | 51,200,000 |
| 3 | (dm) Farmland preservation credit | GPR | S | 1,125,000 | 900,000 |
| 4 | (dn) Farmland tax relief credit | GPR | S | -0- | -0- |
| 5 | (do) Farmland preservation credit, 2010 | | | | |
| 6 | and beyond | GPR | A | 25,304,300 | 25,304,300 |
| 7 | (em) Veterans and surviving spouses | | | | |
| 8 | property tax credit | GPR | S | 24,040,000 | 34,840,000 |
| 9 | (en) Beginning farmer and farm asset | | | | |
| 10 | owner tax credit | GPR | S | 50,000 | 50,000 |
| 11 | (ep) Cigarette and tobacco product tax | | | | |
| 12 | refunds | GPR | S | 35,100,000 | 34,400,000 |
| 13 | (f) Earned income tax credit | GPR | S | 36,346,800 | 38,526,800 |
| 14 | (ka) Farmland tax relief credit; Indian | | | | |
| 15 | gaming receipts | PR-S | C | -0- | -0- |
| 16 | (kf) Earned income tax credit; | | | | |
| 17 | temporary assistance for needy | | | | |
| 18 | families | PR-S | A | 70,664,200 | 70,664,200 |
| 19 | (q) Farmland tax relief credit | SEG | S | -0- | -0- |
| | | (2) PROGRAM TOTALS | | | |
| | GENERAL PURPOSE REVENUE | | | 318,846,100 | 336,926,100 |
| | PROGRAM REVENUE | | | 70,664,200 | 70,664,200 |
| | SERVICE | | | (70,664,200) | (70,664,200) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 389,510,300 | 407,590,300 |

20 (3) STATE PROPERTY TAX CREDITS

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|--------|------|---------------|---------------|
| 1 | (b) School levy tax credit and first | | | | |
| 2 | dollar credit | GPR | S | 897,400,000 | 897,400,000 |
| 3 | (q) Lottery and gaming credit | SEG | S | 149,849,700 | 142,900,100 |
| 4 | (s) Lottery and gaming credit; late | | | | |
| 5 | applications | SEG | S | 198,300 | 198,300 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 897,400,000 | 897,400,000 |
| | SEGREGATED REVENUE | | | 150,048,000 | 143,098,400 |
| | OTHER | | | (150,048,000) | (143,098,400) |
| | TOTAL-ALL SOURCES | | | 1,047,448,000 | 1,040,498,400 |
| 6 | (4) COUNTY AND LOCAL TAXES | | | | |
| 7 | (g) County taxes | PR | C | -0- | -0- |
| 8 | (gb) Special district taxes | PR | C | -0- | -0- |
| 9 | (gd) Premier resort area tax | PR | C | -0- | -0- |
| 10 | (ge) Local professional football stadium | | | | |
| 11 | district taxes | PR | C | -0- | -0- |
| 12 | (gg) Local taxes | PR | C | -0- | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 13 | (5) PAYMENTS IN LIEU OF TAXES | | | | |
| 14 | (a) Payments for municipal services | GPR | A | 18,584,200 | 18,584,200 |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 18,584,200 | 18,584,200 |
| | TOTAL-ALL SOURCES | | | 18,584,200 | 18,584,200 |
| | 20.835 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,136,517,700 | 2,157,370,700 |
| | PROGRAM REVENUE | | | 70,664,200 | 70,664,200 |
| | OTHER | | | (-0-) | (-0-) |

ASSEMBLY BILL 40

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|---------------|---------------|
| SERVICE | | | (70,664,200) | (70,664,200) |
| SEGREGATED REVENUE | | | 203,298,000 | 196,098,400 |
| OTHER | | | (203,298,000) | (196,098,400) |
| TOTAL-ALL SOURCES | | | 2,410,479,900 | 2,424,133,300 |

1 **20.855 Miscellaneous Appropriations**

2 (1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT

| | | | | | | |
|----|------|------------------------------------|-----|---|-----------|-----------|
| 3 | (a) | Obligation on operating notes | GPR | S | 5,000,000 | 5,000,000 |
| 4 | (b) | Operating note expenses | GPR | S | 150,000 | 150,000 |
| 5 | (bm) | Payment of canceled drafts | GPR | S | 1,500,000 | 1,500,000 |
| 6 | (c) | Interest payments to program | | | | |
| 7 | | revenue accounts | GPR | S | -0- | -0- |
| 8 | (d) | Interest payments to segregated | | | | |
| 9 | | funds | GPR | S | 1,893,000 | 2,234,500 |
| 10 | (dm) | Interest reimbursements to federal | | | | |
| 11 | | government | GPR | S | -0- | -0- |
| 12 | (e) | Interest on prorated local | | | | |
| 13 | | government payments | GPR | S | -0- | -0- |
| 14 | (f) | Payment of fees to financial | | | | |
| 15 | | institutions | GPR | S | -0- | -0- |
| 16 | (gm) | Payment of canceled drafts; | | | | |
| 17 | | program revenues | PR | S | -0- | -0- |
| 18 | (q) | Redemption of operating notes | SEG | S | -0- | -0- |
| 19 | (r) | Interest payments to general fund | SEG | S | -0- | -0- |
| 20 | (rm) | Payment of canceled drafts; | | | | |
| 21 | | segregated revenues | SEG | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------|------|------------|------------|
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 8,543,000 | 8,884,500 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 8,543,000 | 8,884,500 |
| 1 | (3) CAPITOL RENOVATION EXPENSES | | | | |
| 2 | (b) Capitol restoration and relocation | | | | |
| 3 | planning | GPR | B | -0- | -0- |
| 4 | (c) Historically significant furnishings | GPR | B | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 5 | (4) TAX, ASSISTANCE AND TRANSFER PAYMENTS | | | | |
| 6 | (a) Interest on overpayment of taxes | GPR | S | 2,500,000 | 2,500,000 |
| 7 | (am) Great Lakes protection fund | | | | |
| 8 | contribution | GPR | C | -0- | -0- |
| 9 | (be) Study of engineering | GPR | A | -0- | -0- |
| 10 | (bm) Oil pipeline terminal tax | | | | |
| 11 | distribution | GPR | S | 1,219,000 | 1,206,000 |
| 12 | (c) Minnesota income tax reciprocity | GPR | S | -0- | -0- |
| 13 | (ca) Minnesota income tax reciprocity | | | | |
| 14 | bench mark | GPR | A | -0- | -0- |
| 15 | (cm) Illinois income tax reciprocity | GPR | S | 73,581,000 | 76,322,000 |
| 16 | (cn) Illinois income tax reciprocity | | | | |
| 17 | bench mark | GPR | A | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (co) Illinois income tax reciprocity, 1998 | | | | |
| 2 | and 1999 | GPR | A | -0- | -0- |
| 3 | (e) Transfer to conservation fund; land | | | | |
| 4 | acquisition reimbursement | GPR | S | 16,500 | 16,500 |
| 5 | (f) Transfer to environmental fund; | | | | |
| 6 | nonpoint sources | GPR | A | 11,143,600 | 11,143,600 |
| 7 | (fc) Aids for certain local purchases and | | | | |
| 8 | projects | GPR | A | -0- | -0- |
| 9 | (fm) Transfer to transportation fund; | | | | |
| 10 | hub facility exemptions | GPR | S | 380,500 | 380,500 |
| 11 | (gd) American Red Cross, Badger | | | | |
| 12 | Chapter | PR | C | -0- | -0- |
| 13 | (ge) Feeding America; Second Harvest | | | | |
| 14 | food banks | PR | C | -0- | -0- |
| 15 | (q) Terminal tax distribution | SEG | S | 1,921,000 | 1,906,000 |
| 16 | (r) Petroleum allowance | SEG | S | 600,000 | 600,000 |
| 17 | (s) Transfer to conservation fund; | | | | |
| 18 | motorboat formula | SEG | S | 13,081,500 | 13,134,400 |
| 19 | (t) Transfer to conservation fund; | | | | |
| 20 | snowmobile formula | SEG | S | 4,478,100 | 4,782,100 |
| 21 | (u) Transfer to conservation fund; | | | | |
| 22 | all-terrain vehicle formula | SEG | S | 1,828,900 | 1,815,200 |
| 23 | (v) Transfer to conservation fund; | | | | |
| 24 | utility terrain vehicle formula | SEG | S | 64,100 | 64,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (w) Transfer to transportation fund; | | | | |
| 2 | petroleum inspection fund | SEG | A | 6,258,500 | 6,258,500 |
| 3 | (wc) Petroleum inspection fund | | | | |
| 4 | supplement to environmental fund; | | | | |
| 5 | environmental repair and well | | | | |
| 6 | compensation | SEG | A | 985,000 | 985,000 |
| 7 | (we) Petroleum inspection fund | | | | |
| 8 | supplement to environmental fund; | | | | |
| 9 | groundwater management | SEG | A | 719,800 | 719,800 |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 88,840,600 | 91,568,600 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 29,936,900 | 30,265,100 |
| | OTHER | | | (29,936,900) | (30,265,100) |
| | TOTAL-ALL SOURCES | | | 118,777,500 | 121,833,700 |
| 10 | (5) STATE HOUSING AUTHORITY RESERVE FUND | | | | |
| 11 | (a) Enhancement of credit of authority | | | | |
| 12 | debt | GPR | A | -0- | -0- |
| | (5) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 13 | (6) MISCELLANEOUS RECEIPTS | | | | |
| 14 | (g) Gifts and grants | PR | C | -0- | -0- |
| 15 | (h) Vehicle and aircraft receipts | PR | A | -0- | -0- |
| 16 | (i) Miscellaneous program revenue | PR | A | -0- | -0- |
| 17 | (j) Custody accounts | PR | C | -0- | -0- |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (k) Aids to individuals and | | | | |
| 2 | organizations | PR-S | C | -0- | -0- |
| 3 | (ka) Local assistance | PR-S | C | -0- | -0- |
| 4 | (m) Federal aid | PR-F | C | -0- | -0- |
| 5 | (pz) Indirect cost reimbursements | PR-F | C | -0- | -0- |
| | (6) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 6 | (8) MARQUETTE UNIVERSITY | | | | |
| 7 | (a) Dental clinic and education facility; | | | | |
| 8 | principal repayment, interest and | | | | |
| 9 | rebates | GPR | S | 1,816,300 | 1,770,300 |
| | (8) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 1,816,300 | 1,770,300 |
| | TOTAL-ALL SOURCES | | | 1,816,300 | 1,770,300 |
| 10 | (9) STATE CAPITOL RENOVATION AND RESTORATION | | | | |
| 11 | (a) South wing renovation and | | | | |
| 12 | restoration | GPR | C | -0- | -0- |
| | (9) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.855 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 99,199,900 | 102,223,400 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | 29,936,900 | 30,265,100 |
| | OTHER | | | (29,936,900) | (30,265,100) |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------|------|-------------|-------------|
| | TOTAL-ALL SOURCES | | | 129,136,800 | 132,488,500 |
| 1 | 20.865 Program Supplements | | | | |
| 2 | (1) EMPLOYEE COMPENSATION AND SUPPORT | | | | |
| 3 | (a) Judgments and legal expenses | GPR | S | -0- | -0- |
| 4 | (c) Compensation and related | | | | |
| 5 | adjustments | GPR | S | -0- | -0- |
| 6 | (d) Employer fringe benefit costs | GPR | S | -0- | -0- |
| 7 | (e) Additional biweekly payroll | GPR | A | -0- | -0- |
| 8 | (em) Financial and procurement services | GPR | A | -0- | -0- |
| 9 | (fm) Risk management | GPR | A | -0- | -0- |
| 10 | (fn) Physically handicapped | | | | |
| 11 | supplements | GPR | A | 5,800 | 5,800 |
| 12 | (g) Judgments and legal expenses; | | | | |
| 13 | program revenues | PR | S | -0- | -0- |
| 14 | (i) Compensation and related | | | | |
| 15 | adjustments; program revenues | PR | S | -0- | -0- |
| 16 | (j) Employer fringe benefit costs; | | | | |
| 17 | program revenues | PR | S | -0- | -0- |
| 18 | (jm) Additional biweekly payroll; | | | | |
| 19 | nonfederal program revenues | PR | S | -0- | -0- |
| 20 | (js) Financial and procurement | | | | |
| 21 | services; program revenues | PR | S | -0- | -0- |
| 22 | (kr) Risk management; program | | | | |
| 23 | revenues | PR | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (Ln) Physically handicapped | | | | |
| 2 | supplements; program revenues | PR | S | -0- | -0- |
| 3 | (m) Additional biweekly payroll; federal | | | | |
| 4 | program revenues | PR-F | S | -0- | -0- |
| 5 | (q) Judgments and legal expenses; | | | | |
| 6 | segregated revenues | SEG | S | -0- | -0- |
| 7 | (s) Compensation and related | | | | |
| 8 | adjustments; segregated revenues | SEG | S | -0- | -0- |
| 9 | (t) Employer fringe benefit costs; | | | | |
| 10 | segregated revenues | SEG | S | -0- | -0- |
| 11 | (tm) Additional biweekly payroll; | | | | |
| 12 | nonfederal segregated revenues | SEG | S | -0- | -0- |
| 13 | (ts) Financial and procurement | | | | |
| 14 | services; segregated revenues | SEG | S | -0- | -0- |
| 15 | (ur) Risk management; segregated | | | | |
| 16 | revenues | SEG | S | -0- | -0- |
| 17 | (vn) Physically handicapped | | | | |
| 18 | supplements; segregated revenues | SEG | S | -0- | -0- |
| 19 | (x) Additional biweekly payroll; federal | | | | |
| 20 | segregated revenues | SEG-F | S | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 5,800 | 5,800 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|--------|------|-----------|-----------|
| | TOTAL-ALL SOURCES | | | 5,800 | 5,800 |
| 1 | (2) STATE PROGRAMS AND FACILITIES | | | | |
| 2 | (a) Private facility rental increases | GPR | A | -0- | -0- |
| 3 | (ag) State-owned office rent supplement | GPR | A | -0- | -0- |
| 4 | (am) Space management | GPR | A | -0- | -0- |
| 5 | (d) State deposit fund | GPR | S | -0- | -0- |
| 6 | (e) Maintenance of capitol and | | | | |
| 7 | executive residence | GPR | A | 4,508,900 | 4,508,900 |
| 8 | (eb) Executive residence furnishings | | | | |
| 9 | replacement | GPR | C | 10,200 | 10,200 |
| 10 | (em) Groundwater survey and analysis | GPR | A | 182,500 | 182,500 |
| 11 | (g) Private facility rental increases; | | | | |
| 12 | program revenues | PR | S | -0- | -0- |
| 13 | (gg) State-owned office rent | | | | |
| 14 | supplement; program revenues | PR | S | -0- | -0- |
| 15 | (gm) Space management; program | | | | |
| 16 | revenues | PR | S | -0- | -0- |
| 17 | (i) Enterprise resource planning | | | | |
| 18 | system; program revenues | PR | S | -0- | -0- |
| 19 | (j) State deposit fund; program | | | | |
| 20 | revenues | PR | S | -0- | -0- |
| 21 | (L) Data processing and | | | | |
| 22 | telecommunications study; program | | | | |
| 23 | revenues | PR | S | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (q) Private facility rental increases; | | | | |
| 2 | segregated revenues | SEG | S | -0- | -0- |
| 3 | (qg) State-owned office rent | | | | |
| 4 | supplement; segregated revenues | SEG | S | -0- | -0- |
| 5 | (qm) Space management; segregated | | | | |
| 6 | revenues | SEG | S | -0- | -0- |
| 7 | (r) Enterprise resource planning | | | | |
| 8 | system; segregated revenues | SEG | S | -0- | -0- |
| 9 | (t) State deposit fund; segregated | | | | |
| 10 | revenues | SEG | S | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 4,701,600 | 4,701,600 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 4,701,600 | 4,701,600 |
| 11 | (3) TAXES AND SPECIAL CHARGES | | | | |
| 12 | (a) Property taxes | GPR | S | -0- | -0- |
| 13 | (g) Property taxes; program revenues | PR | S | -0- | -0- |
| 14 | (i) Payments for municipal services; | | | | |
| 15 | program revenues | PR | S | -0- | -0- |
| 16 | (q) Property taxes; segregated | | | | |
| 17 | revenues | SEG | S | -0- | -0- |
| 18 | (s) Payments for municipal services; | | | | |
| 19 | segregated revenues | SEG | S | -0- | -0- |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |

ASSEMBLY BILL 40**SECTION 200**

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 1 | (4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS | | | | |
| 2 | (a) General purpose revenue funds | | | | |
| 3 | general program supplementation | GPR | B | 133,600 | 133,600 |
| 4 | (g) Program revenue funds general | | | | |
| 5 | program supplementation | PR | S | -0- | -0- |
| 6 | (k) Public assistance programs | | | | |
| 7 | supplementation | PR-S | C | -0- | -0- |
| 8 | (m) Federal funds general program | | | | |
| 9 | supplementation | PR-F | C | -0- | -0- |
| 10 | (u) Segregated funds general program | | | | |
| 11 | supplementation | SEG | S | -0- | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 133,600 | 133,600 |
| | PROGRAM REVENUE | | | -0- | -0- |
| | FEDERAL | | | (-0-) | (-0-) |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (-0-) | (-0-) |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | 133,600 | 133,600 |
| 12 | (8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE-SERVICE APPROPRIATIONS | | | | |
| 13 | (g) Supplementation of program | | | | |
| 14 | revenue and program | | | | |
| 15 | revenue-service appropriations | PR | S | -0- | -0- |
| | (8) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | | SOURCE | TYPE | 2013-2014 | 2014-2015 | |
|-----------------------------|-----------------------------------|-----------------------------------|------|-----------|------------|------------|
| | OTHER | | | (-0-) | (-0-) | |
| | TOTAL-ALL SOURCES | | | -0- | -0- | |
| 20.865 DEPARTMENT TOTALS | | | | | | |
| | GENERAL PURPOSE REVENUE | | | 4,841,000 | 4,841,000 | |
| | PROGRAM REVENUE | | | -0- | -0- | |
| | FEDERAL | | | (-0-) | (-0-) | |
| | OTHER | | | (-0-) | (-0-) | |
| | SERVICE | | | (-0-) | (-0-) | |
| | SEGREGATED REVENUE | | | -0- | -0- | |
| | FEDERAL | | | (-0-) | (-0-) | |
| | OTHER | | | (-0-) | (-0-) | |
| | TOTAL-ALL SOURCES | | | 4,841,000 | 4,841,000 | |
| 1 | 20.866 Public Debt | | | | | |
| 2 | (1) | BOND SECURITY AND REDEMPTION FUND | | | | |
| 3 | (u) | Principal repayment and interest | SEG | S | -0- | -0- |
| | | (1) PROGRAM TOTALS | | | | |
| | | SEGREGATED REVENUE | | | -0- | -0- |
| | | OTHER | | | (-0-) | (-0-) |
| | | TOTAL-ALL SOURCES | | | -0- | -0- |
| | | 20.866 DEPARTMENT TOTALS | | | | |
| | | SEGREGATED REVENUE | | | -0- | -0- |
| | | OTHER | | | (-0-) | (-0-) |
| | | TOTAL-ALL SOURCES | | | -0- | -0- |
| 4 | 20.867 Building Commission | | | | | |
| 5 | (1) | STATE OFFICE BUILDINGS | | | | |
| 6 | (a) | Principal repayment and interest; | | | | |
| 7 | | housing of state agencies | GPR | S | -0- | -0- |
| 8 | (b) | Principal repayment and interest; | | | | |
| 9 | | capitol and executive residence | GPR | S | 14,926,600 | 14,901,800 |
| | | (1) PROGRAM TOTALS | | | | |
| | | GENERAL PURPOSE REVENUE | | | 14,926,600 | 14,901,800 |
| | | TOTAL-ALL SOURCES | | | 14,926,600 | 14,901,800 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (2) ALL STATE-OWNED FACILITIES | | | | |
| 2 | (b) Asbestos removal | GPR | A | -0- | -0- |
| 3 | (c) Hazardous materials removal | GPR | A | -0- | -0- |
| 4 | (f) Facilities preventive maintenance | GPR | A | -0- | -0- |
| 5 | (q) Building trust fund | SEG | C | -0- | -0- |
| 6 | (r) Planning and design | SEG | C | -0- | -0- |
| 7 | (u) Aids for buildings | SEG | C | -0- | -0- |
| 8 | (v) Building program funding | | | | |
| 9 | contingency | SEG | C | -0- | -0- |
| 10 | (w) Building program funding | SEG | C | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 11 | (3) STATE BUILDING PROGRAM | | | | |
| 12 | (a) Principal repayment and interest | GPR | S | 20,116,200 | 36,084,100 |
| 13 | (b) Principal repayment and interest | GPR | S | 2,261,800 | 1,803,800 |
| 14 | (bb) Principal repayment, interest and | | | | |
| 15 | rebates; AIDS Network, Inc. | GPR | S | 24,500 | 24,500 |
| 16 | (bc) Principal repayment, interest and | | | | |
| 17 | rebates; Grand Opera House in | | | | |
| 18 | Oshkosh | GPR | S | 32,300 | 35,100 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (bd) Principal repayment, interest and | | | | |
| 2 | rebates; Aldo Leopold climate | | | | |
| 3 | change classroom and interactive | | | | |
| 4 | laboratory | GPR | S | 38,400 | 38,400 |
| 5 | (be) Principal repayment, interest and | | | | |
| 6 | rebates; Bradley Center Sports and | | | | |
| 7 | Entertainment Corporation | GPR | S | 385,600 | 388,700 |
| 8 | (bf) Principal repayment, interest and | | | | |
| 9 | rebates; AIDS Resource Center of | | | | |
| 10 | Wisconsin, Inc. | GPR | S | 65,300 | 65,300 |
| 11 | (bg) Principal repayment, interest, and | | | | |
| 12 | rebates; Madison Children's | | | | |
| 13 | Museum | GPR | S | 20,400 | 20,400 |
| 14 | (bh) Principal repayment, interest, and | | | | |
| 15 | rebates; Myrick Hixon EcoPark, | | | | |
| 16 | Inc. | GPR | S | 41,500 | 41,500 |
| 17 | (bi) Principal repayment, interest, and | | | | |
| 18 | rebates; Marshfield Clinic | GPR | S | -0- | -0- |
| 19 | (bj) Principal repayment, interest and | | | | |
| 20 | rebates: Lac du Flambeau Indian | | | | |
| 21 | Tribal Cultural Center | GPR | S | 10,100 | 20,100 |
| 22 | (bm) Principal repayment, interest, and | | | | |
| 23 | rebates; HR Academy, Inc. | GPR | S | 140,100 | 139,000 |
| 24 | (bn) Principal repayment, interest and | | | | |
| 25 | rebates; Hmong cultural centers | GPR | S | 22,400 | 22,200 |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|---|---------------|-------------|------------------|------------------|
| 1 | (bp) Principal repayment, interest and | | | | |
| 2 | rebates | GPR | S | 22,100 | 22,100 |
| 3 | (bq) Principal repayment, interest and | | | | |
| 4 | rebates; children's research | | | | |
| 5 | institute | GPR | S | 1,041,400 | 1,085,400 |
| 6 | (br) Principal repayment, interest and | | | | |
| 7 | rebates | GPR | S | 104,300 | 102,600 |
| 8 | (bu) Principal repayment, interest and | | | | |
| 9 | rebates; Civil War exhibit at the | | | | |
| 10 | Kenosha Public Museums | GPR | S | 44,300 | 44,300 |
| 11 | (bv) Principal repayment, interest, and | | | | |
| 12 | rebates; Bond Health Center | GPR | S | 23,200 | 23,200 |
| 13 | (d) Interest rebates on obligation | | | | |
| 14 | proceeds; general fund | GPR | S | -0- | -0- |
| 15 | (e) Principal repayment, interest and | | | | |
| 16 | rebates; parking ramp | GPR | S | -0- | -0- |
| 17 | (g) Principal repayment, interest and | | | | |
| 18 | rebates; program revenues | PR | S | -0- | -0- |
| 19 | (h) Principal repayment, interest, and | | | | |
| 20 | rebates | PR | S | -0- | -0- |
| 21 | (i) Principal repayment, interest and | | | | |
| 22 | rebates; capital equipment | PR | S | -0- | -0- |
| 23 | (k) Interest rebates on obligation | | | | |
| 24 | proceeds; program revenues | PR-S | C | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|----|--|---------------|-------------|------------------|------------------|
| 1 | (kd) Energy conservation construction | | | | |
| 2 | projects; principal repayment, | | | | |
| 3 | interest and rebates | PR-S | C | 2,337,600 | 4,536,200 |
| 4 | (km) Aquaculture demonstration facility; | | | | |
| 5 | principal repayment and interest | PR-S | S | 262,600 | 263,100 |
| 6 | (q) Principal repayment and interest; | | | | |
| 7 | segregated revenues | SEG | S | -0- | -0- |
| 8 | (r) Interest rebates on obligation | | | | |
| 9 | proceeds; conservation fund | SEG | S | -0- | -0- |
| 10 | (s) Interest rebates on obligation | | | | |
| 11 | proceeds; transportation fund | SEG | S | -0- | -0- |
| 12 | (t) Interest rebates on obligation | | | | |
| 13 | proceeds; veterans trust fund | SEG | S | -0- | -0- |
| 14 | (w) Bonding services | SEG | S | 1,024,200 | 1,024,200 |
| | (3) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 24,393,900 | 39,960,700 |
| | PROGRAM REVENUE | | | 2,600,200 | 4,799,300 |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (2,600,200) | (4,799,300) |
| | SEGREGATED REVENUE | | | 1,024,200 | 1,024,200 |
| | OTHER | | | (1,024,200) | (1,024,200) |
| | TOTAL-ALL SOURCES | | | 28,018,300 | 45,784,200 |
| 15 | (4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS | | | | |
| 16 | (q) Funding in lieu of borrowing | SEG | C | -0- | -0- |
| 17 | (r) Interest on veterans obligations | SEG | C | -0- | -0- |
| | (4) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |

ASSEMBLY BILL 40

| | STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|---|--|---------------|-------------|------------------|------------------|
| 1 | (5) SERVICES TO NONSTATE GOVERNMENTAL UNITS | | | | |
| 2 | (g) Financial consulting services | PR | C | -0- | -0- |
| | (5) PROGRAM TOTALS | | | | |
| | PROGRAM REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.867 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 39,320,500 | 54,862,500 |
| | PROGRAM REVENUE | | | 2,600,200 | 4,799,300 |
| | OTHER | | | (-0-) | (-0-) |
| | SERVICE | | | (2,600,200) | (4,799,300) |
| | SEGREGATED REVENUE | | | 1,024,200 | 1,024,200 |
| | OTHER | | | (1,024,200) | (1,024,200) |
| | TOTAL-ALL SOURCES | | | 42,944,900 | 60,686,000 |
| 3 | 20.875 Budget Stabilization Fund | | | | |
| 4 | (1) TRANSFERS TO FUND | | | | |
| 5 | (a) General fund transfer | GPR | S | -0- | -0- |
| | (1) PROGRAM TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| 6 | (2) TRANSFERS FROM FUND | | | | |
| 7 | (q) Budget stabilization fund transfer | SEG | A | -0- | -0- |
| | (2) PROGRAM TOTALS | | | | |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | 20.875 DEPARTMENT TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | -0- | -0- |
| | SEGREGATED REVENUE | | | -0- | -0- |
| | OTHER | | | (-0-) | (-0-) |
| | TOTAL-ALL SOURCES | | | -0- | -0- |
| | General Appropriations FUNCTIONAL AREA TOTALS | | | | |
| | GENERAL PURPOSE REVENUE | | | 2,279,879,100 | 2,319,297,600 |

ASSEMBLY BILL 40**SECTION 200**

| STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2013-2014 | 2014-2015 |
|-----------------------------|--------|------|-----------------|-----------------|
| PROGRAM REVENUE | | | 73,264,400 | 75,463,500 |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (-0-) | (-0-) |
| SERVICE | | | (73,264,400) | (75,463,500) |
| SEGREGATED REVENUE | | | 234,259,100 | 227,387,700 |
| FEDERAL | | | (-0-) | (-0-) |
| OTHER | | | (234,259,100) | (227,387,700) |
| SERVICE | | | (-0-) | (-0-) |
| LOCAL | | | (-0-) | (-0-) |
| TOTAL-ALL SOURCES | | | 2,587,402,600 | 2,622,148,800 |
| STATE TOTALS | | | 33,652,093,800 | 34,346,568,800 |
| GENERAL PURPOSE REVENUE | | | 14,978,420,900 | 15,507,819,500 |
| PROGRAM REVENUE | | | 13,726,245,100 | 14,009,444,600 |
| FEDERAL | | | (8,764,609,400) | (9,018,125,100) |
| OTHER | | | (4,126,413,800) | (4,158,037,000) |
| SERVICE | | | (835,221,900) | (833,282,500) |
| SEGREGATED REVENUE | | | 4,947,427,800 | 4,829,304,700 |
| FEDERAL | | | (898,633,600) | (897,731,300) |
| OTHER | | | (3,700,673,000) | (3,583,427,900) |
| SERVICE | | | (240,509,400) | (240,509,400) |
| LOCAL | | | (107,611,800) | (107,636,100) |

1

2 **SECTION 201.** 20.115 (1) (gc) of the statutes is created to read:

3 20.115 (1) (gc) *Testing of petroleum products.* All moneys received from fees
4 collected under s. 93.06 (1pm) for the testing of petroleum products under s. 93.06
5 (1pm).

6 **SECTION 202.** 20.115 (1) (t) of the statutes is created to read:

7 20.115 (1) (t) *Petroleum products; petroleum inspection fund.* From the
8 petroleum inspection fund, the amounts in the schedule for the purposes of ch. 168.

9 **SECTION 203.** 20.115 (4) (dm) of the statutes is created to read:

10 20.115 (4) (dm) *Dairy processing plant grant program.* The amounts in the
11 schedule for promoting the growth of the dairy industry by providing grants to
12 persons operating processing plants, as defined in s. 97.20 (1) (h).

13 **SECTION 204.** 20.115 (4) (s) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 205**

1 **SECTION 205.** 20.165 (1) (hg) of the statutes is amended to read:

2 20.165 (1) (hg) *General program operations; medical examining board;*
3 *prescription drug monitoring program.* Biennially, the amounts in the schedule for
4 the licensing, rule-making, and regulatory functions of the medical examining board
5 and the affiliated credentialing boards attached to the medical examining board,
6 except for preparing, administering, and grading examinations; and for the
7 pharmacy examining board's operation of the prescription drug monitoring program
8 under s. 450.19. Ninety percent of all moneys received for issuing and renewing
9 credentials under ch. 448 shall be credited to this appropriation.

10 **SECTION 206.** 20.165 (2) (a) of the statutes is amended to read:

11 20.165 (2) (a) *General program operations.* The amounts in the schedule for
12 general program operations relating to the regulation of industry, buildings, and
13 safety under chs. 101, 107, and 145, ~~and 168~~ and ss. 167.10 and 167.27.

14 **SECTION 207.** 20.165 (2) (dm) of the statutes is renumbered 20.115 (1) (c) and
15 amended to read:

16 20.115 (1) (c) *Storage Petroleum products; storage tank inventory.* The amounts
17 in the schedule to conduct an inventory of aboveground petroleum product storage
18 tanks and unused underground petroleum product storage tanks under s. ~~101.142~~
19 168.28.

20 **SECTION 208.** 20.165 (2) (ga) of the statutes is amended to read:

21 20.165 (2) (ga) *~~Auxiliary services~~ Publications and seminars.* All moneys
22 received from fees collected under s. 101.02 (18) ~~and (18m)~~ for the delivery of ~~services~~
23 publications and seminars under s. 101.02 (18) ~~and (18m).~~

24 **SECTION 209.** 20.165 (2) (j) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 209**

1 20.165 (2) (j) *Safety and building operations*. The amounts in the schedule for
2 the purposes of chs. 101, ~~and 145, and 168~~ and ss. 167.35, 236.12 (2) (a), 236.13 (1)
3 (d) and (2m), and 236.335, for the purpose of transferring the amounts in the
4 schedule under par. (kg) to the appropriation account under par. (kg), and for the
5 purpose of transferring the amounts in the schedule under par. (km) to the
6 appropriation account under par. (km). All moneys received under ch. 145, ss.
7 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973
8 (7), 167.35 (2) (f), and 236.12 (7) and all moneys transferred under 2005 Wisconsin
9 Act 45, section 76 (6), shall be credited to this appropriation.

10 **SECTION 210.** 20.165 (2) (Lm) of the statutes is renumbered 20.370 (2) (ej) and
11 amended to read:

12 20.370 (2) (ej) *Petroleum storage remedial action fees*. The amounts in the
13 schedule for the administration of ~~ss. 101.143 and 101.144~~ s. 292.63. All moneys
14 received under s. ~~101.143~~ 292.63 (2) (L) shall be credited to this appropriation
15 account.

16 **SECTION 211.** 20.165 (2) (ma) of the statutes is amended to read:

17 20.165 (2) (ma) *Federal aid-program administration*. All moneys received
18 from the federal government, as authorized by the governor under s. 16.54, to fund
19 the state's administrative costs for general program operations relating to the
20 regulation of industry, buildings and safety under chs. 101, 107, ~~and 145 and 168~~ and
21 ss. 32.19 to 32.27, 167.10, and 167.27.

22 **SECTION 212.** 20.165 (2) (pz) of the statutes is repealed.

23 **SECTION 213.** 20.165 (2) (r) of the statutes is amended to read:

24 20.165 (2) (r) *Safety and building operations; petroleum inspection fund*. From
25 the petroleum inspection fund, the amounts in the schedule for the purposes of ~~ch.~~

ASSEMBLY BILL 40**SECTION 213**

1 ~~168 and ss. 101.09, 101.142, and 101.1435~~ plan reviews relating to flammable or
2 combustible liquids or federally regulated hazardous substances.

3 **SECTION 214.** 20.165 (2) (s) of the statutes is renumbered 20.370 (2) (er) and
4 amended to read:

5 20.370 (2) (er) *Petroleum inspection fund — revenue obligation proceeds.* As
6 a continuing appropriation, all proceeds from revenue obligations that are issued
7 under subch. II or IV of ch. 18, authorized under s. ~~101.143~~ 292.63 (9m) and deposited
8 in a fund in the state treasury created under s. 18.57 (1), to provide for reserves and
9 for expenses of issuance and management of the revenue obligations, and the
10 remainder to be transferred to the petroleum inspection fund for the purposes of the
11 petroleum storage remedial action program under s. ~~101.143~~ 292.63. Estimated
12 disbursements under this paragraph shall not be included in the schedule under s.
13 20.005.

14 **SECTION 215.** 20.165 (2) (sm) of the statutes is renumbered 20.505 (1) (sa) and
15 amended to read:

16 20.505 (1) (sa) *Diesel truck idling reduction grants.* From the petroleum
17 inspection fund, the amounts in the schedule for diesel truck idling reduction grants
18 under s. ~~101.45~~ 16.956. No funds may be encumbered under this paragraph after
19 June 30, 2015.

20 **SECTION 216.** 20.165 (2) (sn) of the statutes is renumbered 20.505 (1) (s) and
21 amended to read:

22 20.505 (1) (s) *Diesel truck idling reduction grant administration.* From the
23 petroleum inspection fund, the amounts in the schedule for administering the Diesel
24 Truck Idling Reduction Grant Program under s. ~~101.45~~ 16.956. No funds may be
25 encumbered under this paragraph after December 31, 2016.

ASSEMBLY BILL 40**SECTION 217**

1 **SECTION 217.** 20.165 (2) (t) of the statutes is renumbered 20.370 (2) (es) and
2 amended to read:

3 20.370 (2) (es) *Petroleum inspection fund — revenue obligation repayment.*
4 From the petroleum inspection fund, a sum sufficient to repay the fund in the state
5 treasury created under s. 18.57 (1), or the separate and distinct fund outside the state
6 treasury under s. 18.562 (3), the amount needed to retire revenue obligations issued
7 under subch. II or IV of ch. 18, as authorized under s. ~~101.143~~ 292.63 (9m), and to
8 make payments under an agreement or ancillary arrangement entered into under
9 s. 18.55 (6) with respect to revenue obligations issued under s. ~~101.143~~ 292.63 (9m).

10 **SECTION 218.** 20.165 (2) (u) of the statutes is renumbered 20.370 (2) (et) and
11 amended to read:

12 20.370 (2) (et) *Revenue obligation debt service — petroleum inspection fund.*
13 From the fund in the state treasury created under s. 18.57 (1), all moneys received
14 by the fund for the purpose of the retirement of revenue obligations, providing for
15 reserves and for operations relating to the management and retirement of revenue
16 obligations issued under subch. II or IV of ch. 18, as authorized under s. ~~101.143~~
17 292.63 (9m), and to make payments under an agreement or ancillary arrangement
18 entered into under s. 18.55 (6) with respect to revenue obligations issued under s.
19 ~~101.143~~ 292.63 (9m). All moneys received by the fund are irrevocably appropriated
20 in accordance with subch. II of ch. 18 and further established in resolutions
21 authorizing the issuance of the revenue obligations and setting forth the distribution
22 of funds to be received thereafter. Estimated disbursements under this paragraph
23 shall not be included in the schedule under s. 20.005.

24 **SECTION 219.** 20.165 (2) (v) of the statutes is renumbered 20.370 (2) (eu) and
25 amended to read:

ASSEMBLY BILL 40**SECTION 219**

1 20.370 (2) (eu) *Petroleum storage environmental remedial action; awards.*
2 Biennially, from the petroleum inspection fund, the amounts in the schedule to pay
3 awards under s. ~~101.143~~ 292.63, legal costs incurred under s. ~~101.143~~ 292.63 (7m),
4 amounts to reduce principal of outstanding revenue obligations issued pursuant to
5 s. ~~101.143~~ 292.63 (9m) and, if the department promulgates rules under s. ~~101.143~~
6 292.63 (2) (i) 1., to purchase, or provide funding to purchase, insurance described in
7 s. ~~101.143~~ 292.63 (2) (i) 2.

8 **SECTION 220.** 20.165 (2) (vb) of the statutes is renumbered 20.370 (2) (ev) and
9 amended to read:

10 20.370 (2) (ev) *Petroleum storage environmental remedial action revenue*
11 *bonding; awards.* From the petroleum inspection fund, a sum sufficient not to exceed
12 the net proceeds of special fund obligations issued pursuant to s. ~~101.143~~ 292.63 (9m)
13 to pay awards under s. ~~101.143~~ 292.63 (4) and legal costs incurred under s. ~~101.143~~
14 292.63 (7m). Estimated disbursements under this paragraph shall not be included
15 in the schedule under s. 20.005.

16 **SECTION 221.** 20.165 (2) (vm) of the statutes is renumbered 20.370 (2) (ew) and
17 amended to read:

18 20.370 (2) (ew) *Removal of underground petroleum storage tanks.* From the
19 petroleum inspection fund, the amounts in the schedule for the removal of
20 abandoned underground petroleum storage tanks under s. ~~101.1435~~ 292.64.

21 **SECTION 222.** 20.165 (2) (w) of the statutes is repealed.

22 **SECTION 223.** 20.235 (1) (d) of the statutes is amended to read:

23 20.235 (1) (d) *Dental education contract.* The amounts in the schedule for
24 support of those Wisconsin residents enrolled as full-time students in the pursuit of
25 a doctor of dental surgery (D.D.S.) degree. An amount of \$8,753 in each fiscal year

ASSEMBLY BILL 40**SECTION 223**

1 shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time
2 student. The maximum number of Wisconsin residents to be funded under this
3 appropriation is ~~145 in the 2003-04 fiscal year and 160 in the 2004-05~~ 200 in the
4 2013-14 fiscal year and thereafter.

5 **SECTION 224.** 20.235 (1) (fe) of the statutes is amended to read:

6 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
7 *System students.* A sum sufficient equal to \$58,345,400 in the ~~2011-12~~ 2013-14
8 fiscal year, equal to \$58,345,400 in the ~~2012-13~~ 2014-15 fiscal year, and equal to the
9 amount calculated under s. 39.435 (7) for the Wisconsin higher education grant
10 program under s. 39.435 for University of Wisconsin System students, except for
11 grants awarded under s. 39.435 (2) or (5), thereafter. Notwithstanding s. 20.002 (1),
12 the higher educational aids board may transfer moneys under this paragraph
13 between fiscal years.

14 **SECTION 225.** 20.250 (1) (a) of the statutes is amended to read:

15 20.250 (1) (a) *General program operations* *Medical student tuition assistance.*
16 The amounts in the schedule for medical education, teaching, and research as
17 provided under s. 39.155.

18 **SECTION 226.** 20.255 (1) (e) of the statutes is amended to read:

19 20.255 (1) (e) *Student information system.* ~~Biennially~~ As a continuing
20 appropriation, the amounts in the schedule for the student information system
21 under s. 115.28 (12).

22 **SECTION 227.** 20.255 (1) (ee) of the statutes is created to read:

23 20.255 (1) (ee) *Educator effectiveness evaluation system.* The amounts in the
24 schedule to implement the educator effectiveness evaluation system under s.
25 115.415.

ASSEMBLY BILL 40**SECTION 228**

1 **SECTION 228.** 20.255 (1) (ek) of the statutes is created to read:

2 20.255 (1) (ek) *Longitudinal data system.* The amounts in the schedule to
3 develop and maintain the longitudinal data system of student information under s.
4 115.297 and the tools necessary to access the data for research and analysis
5 purposes.

6 **SECTION 229.** 20.255 (1) (eL) of the statutes is created to read:

7 20.255 (1) (eL) *WISElearn.* The amounts in the schedule for WISElearn under
8 s. 115.28 (27).

9 **SECTION 230.** 20.255 (1) (em) of the statutes is created to read:

10 20.255 (1) (em) *Academic and career planning.* As a continuing appropriation,
11 the amounts in the schedule for implementing academic and career planning
12 statewide under s. 115.28 (59).

13 **SECTION 231.** 20.255 (1) (ge) of the statutes is created to read:

14 20.255 (1) (ge) *Educator effectiveness evaluation system; fees.* All moneys
15 received from fees under s. 115.415 (2) to be used for the educator effectiveness
16 evaluation system developed under s. 115.415 (2).

17 **SECTION 232.** 20.255 (1) (he) of the statutes is created to read:

18 20.255 (1) (he) *Student information system; fees.* All moneys received from fees
19 charged as authorized under s. 115.28 (12) (b) to be used for the student information
20 system established under s. 115.28 (12) (a).

21 **SECTION 233.** 20.255 (1) (hj) of the statutes is amended to read:

22 20.255 (1) (hj) *General educational development and high school graduation*
23 *equivalency.* ~~The amounts in the schedule~~ All moneys received from fees imposed
24 under s. 115.29 (4) (b) for the administrative costs of issuing general educational
25 development certificates and declarations of equivalency of high school graduation

ASSEMBLY BILL 40**SECTION 233**

1 under s. 115.29 (4). ~~All moneys received from fees imposed under s. 115.29 (4) (b)~~
2 ~~shall be credited to this appropriation.~~

3 **SECTION 234.** 20.255 (1) (i) of the statutes is amended to read:

4 20.255 (1) (i) *Publications.* ~~The amounts in the schedule for the publication of~~
5 ~~materials under subch. II of ch. 115.~~ All moneys received from the sale of publications
6 authorized by subch. II of ch. 115 ~~shall be credited to this appropriation~~ for the costs
7 of producing those publications.

8 **SECTION 235.** 20.255 (1) (j) of the statutes is amended to read:

9 20.255 (1) (j) *Milwaukee Parental Choice Program and the parental choice*
10 *programs in other program for eligible school districts; financial audits.* All moneys
11 received under ss. 118.60 (2) (a) 3. and 119.23 (2) (a) 3. to be used to evaluate the
12 financial information submitted under s. 119.23 (7) (am) and (d) 2. and 3. by private
13 schools participating in the Milwaukee Parental Choice Program and under s. 118.60
14 (7) (am) and (d) 2. and 3. by private schools participating in the choice program under
15 s. 118.60.

16 **SECTION 236.** 20.255 (1) (jm) of the statutes is amended to read:

17 20.255 (1) (jm) *Professional services center charges.* The amounts in the
18 schedule to carry out the purposes for which the sale or use of services and inventory
19 items are received. ~~All~~ Except as provided in par. (he), all moneys received from the
20 sale or use of services and inventory items shall be credited to this appropriation.

21 **SECTION 237.** 20.255 (2) (ap) of the statutes is repealed.

22 **SECTION 238.** 20.255 (2) (az) of the statutes is created to read:

23 20.255 (2) (az) *Special Needs Scholarship Program.* A sum sufficient to pay the
24 special needs scholarships under s. 115.7915.

25 **SECTION 239.** 20.255 (2) (cy) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 239**

1 20.255 (2) (cy) *Aid for transportation; open enrollment, course options, and*
2 *special needs scholarships*. The amounts in the schedule to reimburse parents for
3 the costs of transportation of ~~open enrollment~~ pupils under ss. 115.7915, 118.51 (14)
4 (b), and 118.52 (11) (b).

5 **SECTION 240.** 20.255 (2) (da) of the statutes is created to read:

6 20.255 (2) (da) *School performance incentive program; grants for high*
7 *performing schools*. The amounts in the schedule for grants to schools under 115.40
8 (1).

9 **SECTION 241.** 20.255 (2) (db) of the statutes is created to read:

10 20.255 (2) (db) *School performance incentive program; grants to schools that*
11 *demonstrate improvement*. The amounts in the schedule for grants to schools under
12 s. 115.40 (2).

13 **SECTION 242.** 20.255 (2) (dd) of the statutes is created to read:

14 20.255 (2) (dd) *School performance incentive program; grants for schools that*
15 *fail to meet expectations*. The amounts in the schedule for grants to schools under
16 s. 115.40 (3).

17 **SECTION 243.** 20.255 (2) (ek) of the statutes is created to read:

18 20.255 (2) (ek) *Educator effectiveness evaluation system; grants to school*
19 *districts*. The amounts in the schedule for grants to school districts under s. 115.415
20 (4).

21 **SECTION 244.** 20.255 (2) (fm) of the statutes is amended to read:

22 20.255 (2) (fm) *Charter schools*. A sum sufficient to make the payments to
23 charter schools ~~and to the unified school district~~ under s. 118.40 (2r) (e).

24 **SECTION 245.** 20.255 (2) (fv) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 245**

1 20.255 (2) (fv) *Milwaukee Parental Choice Program and the parental choice*
2 *programs in other program for eligible school districts; transfer pupils.* A sum
3 sufficient to make the payments under ss. 118.60 (4r) and 119.23 (4r).

4 **SECTION 246.** 20.255 (2) (n) of the statutes is repealed.

5 **SECTION 247.** 20.255 (2) (p) of the statutes is repealed.

6 **SECTION 248.** 20.255 (3) (cm) of the statutes is created to read:

7 20.255 (3) (cm) *Teach for America.* Biennially, the amounts in the schedule for
8 payments to Teach for America, Inc., under s. 115.28 (60).

9 **SECTION 249.** 20.285 (1) (e) of the statutes is created to read:

10 20.285 (1) (e) *Incentive grants.* Biennially, the amounts in the schedule for
11 grants to institutions under s. 36.25 (52).

12 **SECTION 250.** 20.285 (1) (f) of the statutes is created to read:

13 20.285 (1) (f) *Translational imaging research.* Biennially, the amounts in the
14 schedule for costs incurred by the University of Wisconsin Carbone Cancer Center
15 that are specified in s. 36.25 (13w) (b).

16 **SECTION 251.** 20.285 (1) (qr) of the statutes is amended to read:

17 20.285 (1) (qr) *Discovery farm grants.* From the ~~agricultural chemical cleanup~~
18 ~~agrchemical management~~ fund, the amounts in the schedule for making grants
19 under s. 36.25 (47).

20 **SECTION 252.** 20.285 (2) (j) of the statutes is amended to read:

21 20.285 (2) (j) Notwithstanding s. 20.001 (2) (c), annually, there shall lapse from
22 the appropriation accounts under ss. 20.285 (1) (a), (gb), and (ge) an amount equal
23 to the amount spent during that fiscal year from the appropriation account under s.
24 ~~20.455 (1) (b)~~ 20.505 (1) (d) for legal advice regarding public broadcasting by the
25 University of Wisconsin System, as determined by the secretary of administration.

ASSEMBLY BILL 40

1 **SECTION 253.** 20.292 (1) (b) of the statutes is repealed.

2 **SECTION 254.** 20.292 (1) (c) of the statutes is repealed.

3 **SECTION 255.** 20.292 (1) (ce) of the statutes is repealed.

4 **SECTION 256.** 20.292 (1) (ch) of the statutes is repealed.

5 **SECTION 257.** 20.292 (1) (d) of the statutes is amended to read:

6 20.292 (1) (d) *State aid for technical colleges; statewide guide.* The amounts in
7 the schedule for state aids for technical college districts and technical colleges,
8 including area schools and programs established and maintained under the
9 supervision of the board, under s. 38.28 (2) (b), (be), and (bm), and for production and
10 distribution of the statewide guide under s. 38.04 (18). Of the amount in the schedule
11 for each fiscal year not exceeding \$50,000 may be spent by the board to match federal
12 funds made available for technical education by any act of congress for the purposes
13 set forth in such act and no more than \$125,000 may be spent by the board to produce
14 and distribute the statewide guide under s. 38.04 (18). If, in any fiscal year, actual
15 program fees raised under s. 38.24 (1m) exceed board estimates, the increase shall
16 be used to offset actual district aidable cost.

17 **SECTION 258.** 20.292 (1) (dc) of the statutes is repealed.

18 **SECTION 259.** 20.292 (1) (dd) of the statutes is repealed.

19 **SECTION 260.** 20.292 (1) (de) of the statutes is repealed.

20 **SECTION 261.** 20.292 (1) (dm) of the statutes is repealed.

21 **SECTION 262.** 20.292 (1) (e) of the statutes is repealed.

22 **SECTION 263.** 20.292 (1) (ef) of the statutes is repealed.

23 **SECTION 264.** 20.292 (1) (eg) of the statutes is repealed.

24 **SECTION 265.** 20.292 (1) (eh) of the statutes is repealed.

25 **SECTION 266.** 20.292 (1) (em) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 267**

1 **SECTION 267.** 20.292 (1) (f) of the statutes is created to read:

2 20.292 (1) (f) *Grants to district boards.* As a continuing appropriation, the
3 amounts in the schedule for aids and grants to technical college districts under ss.
4 38.04 (13) (a), (20), (28), and (32) (a), 38.26, 38.27, 38.272, 38.28 (4), 38.29, 38.32,
5 38.33, 38.38, 38.40 (4m), and 38.41.

6 **SECTION 268.** 20.292 (1) (fc) of the statutes is repealed.

7 **SECTION 269.** 20.292 (1) (fg) of the statutes is repealed.

8 **SECTION 270.** 20.292 (1) (fm) of the statutes is repealed.

9 **SECTION 271.** 20.292 (1) (fp) of the statutes is repealed.

10 **SECTION 272.** 20.292 (2) (title) of the statutes is renumbered 20.165 (3) (title).

11 **SECTION 273.** 20.292 (2) (g) of the statutes is renumbered 20.165 (3) (g) and
12 amended to read:

13 20.165 (3) (g) *Proprietary school programs.* The amounts in the schedule for
14 the examination and approval of proprietary school programs. Ninety percent of all
15 moneys received from the issuance of solicitor's permits under s. ~~38.50~~ 440.55 (8) and
16 from the fees under s. ~~38.50~~ 440.55 (10) and all moneys received from the fees under
17 s. ~~38.50~~ 440.55 (13) (d) shall be credited to this appropriation account.

18 **SECTION 274.** 20.292 (2) (gm) of the statutes is renumbered 20.165 (3) (gm) and
19 amended to read:

20 20.165 (3) (gm) *Student protection.* All moneys received from fees received
21 under s. ~~38.50~~ 440.55 (10) (c) 4., for the purpose of indemnifying students, parents,
22 or sponsors under s. ~~38.50~~ 440.55 (10) (a) and for the purpose of preserving under s.
23 ~~38.50~~ 440.55 (11) the students records of schools, as defined in s. ~~38.50~~ 440.55 (11)
24 (a) 2., that have discontinued their operations.

ASSEMBLY BILL 40**SECTION 275**

1 **SECTION 275.** 20.292 (2) (i) of the statutes is renumbered 20.165 (3) (i) and
2 amended to read:

3 20.165 (3) (i) *Closed schools; preservation of student records.* All moneys
4 received from fees collected under s. ~~38.50~~ 440.55 (11) (d) to be used for the
5 administrative costs of taking possession of, preserving, and providing copies of
6 student records of schools, as defined in s. ~~38.50~~ 440.55 (11) (a) 2., that have
7 discontinued their operations.

8 **SECTION 276.** 20.370 (1) (title) of the statutes is amended to read:

9 20.370 (1) (title) LAND AND FORESTRY.

10 **SECTION 277.** 20.370 (1) (es) of the statutes is amended to read:

11 20.370 (1) (es) *Parks — interpretive programs.* All moneys received from fees
12 authorized under s. 27.01 (9) (d) (a) 4. for educational and interpretive programs in
13 state parks to be used for costs associated with those programs.

14 **SECTION 278.** 20.370 (1) (hs) of the statutes is amended to read:

15 20.370 (1) (hs) *Chronic wasting disease management.* From the moneys
16 received under ss. 29.181, 29.559 (1r), and 29.563 (13), except the moneys credited
17 to the appropriation account under par. (hx), the amounts in the schedule for the
18 management of, and testing for, chronic wasting disease under s. 29.063 (1).

19 **SECTION 279.** 20.370 (1) (hx) of the statutes is created to read:

20 20.370 (1) (hx) *Bonus deer permit fees; chronic wasting disease.* All moneys
21 received to be credited to this appropriation account under s. 29.181 (3) for the
22 management of, and testing for, chronic wasting disease under s. 29.063 (1).

23 **SECTION 280.** 20.370 (1) (Lv) of the statutes is created to read:

24 20.370 (1) (Lv) *Deer management assistance program.* All moneys received
25 from fees collected by the department from participants in the deer management

ASSEMBLY BILL 40**SECTION 280**

1 assistance program under s. 29.020 to be used for administering the deer
2 management assistance program.

3 **SECTION 281.** 20.370 (1) (my) of the statutes is amended to read:

4 20.370 (1) (my) *General program operations — federal funds.* All moneys
5 received as federal aid for land, forestry, and wildlife management, as authorized by
6 the governor under s. 16.54 for the purposes for which received.

7 **SECTION 282.** 20.370 (2) (dh) of the statutes is amended to read:

8 20.370 (2) (dh) *Solid waste management — remediated property.* All moneys
9 received under ss. 292.11 (7) (d) 2., 292.13 (3), 292.15 (5), 292.21 (1) (c) 1. d., 292.35
10 (13), 292.31 (7) (d), 292.55 (2), 292.57 (2), and 292.94 for the department's activities
11 related to the issuance of determinations under s. 292.13 (2), remedial action cost
12 recovery under s. 292.35, remediation of property under ss. 292.11 (7) (d), 292.15 (2),
13 292.55 (1), and 292.57, providing management and technical support for remedial
14 action under 42 USC 9601 to 9675, and conducting reviews described in s. 292.94.

15 **SECTION 283.** 20.370 (2) (dw) of the statutes is amended to read:

16 20.370 (2) (dw) *Solid waste management — environmental repair; petroleum*
17 *spills; administration.* From the petroleum inspection fund, the amounts in the
18 schedule for the administration of ~~s. 101.143~~ ss. 292.63 and 292.64.

19 **SECTION 284.** 20.370 (2) (mu) of the statutes is renumbered 20.855 (4) (wc).

20 **SECTION 285.** 20.370 (4) (kt) of the statutes is created to read:

21 20.370 (4) (kt) *Great Lakes vessel rental costs.* All moneys received by the
22 department from the rental of Great Lakes research vessels that are owned by the
23 department and that are rented for purposes other than the management of this
24 state's fish and wildlife resources to pay the cost to the department of providing staff

ASSEMBLY BILL 40**SECTION 285**

1 and other services associated with the rental of Great Lakes research vessels for
2 purposes other than the management of this state's fish and wildlife resources.

3 **SECTION 286.** 20.370 (4) (mw) of the statutes is renumbered 20.855 (4) (we).

4 **SECTION 287.** 20.370 (5) (fq) of the statutes is amended to read:

5 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
6 under ss. 29.181, 29.559 (1r), and 29.563 (13) and not appropriated under par. (fr)
7 and subs. (1) (hs), ~~(hx)~~, and (Ls) and (5) (fs) to provide state aid for the wildlife damage
8 abatement program under s. 29.889 (5) (c) and the wildlife damage claim program
9 under s. 29.889 (7) (d), for county administration costs under s. 29.889 (2) (d), and
10 for payments under s. 29.89.

11 **SECTION 288.** 20.370 (7) (jr) of the statutes is amended to read:

12 20.370 (7) (jr) *Rental property and equipment — maintenance and replacement.*
13 From the conservation fund all moneys received by the department from the rental
14 of real property and equipment that are owned by the department, except moneys
15 appropriated under sub. ~~subs.~~ (1) (jr) and (4) (kt), to be used for the maintenance and
16 replacement of this real property and equipment.

17 **SECTION 289.** 20.370 (8) (mt) of the statutes is amended to read:

18 20.370 (8) (mt) *Equipment pool operations and services.* All moneys received
19 by the department from the department ~~or from~~, other state agencies ~~from car, truck,~~
20 ~~airplane, local units of government, other states, or nonprofit organizations from the~~
21 sale or lease of cars, trucks, airplanes, supplies, heavy equipment, information
22 technology, ~~or radio pools~~ radios, or from related services, to be used for the operation,
23 maintenance, replacement, and purchase of vehicles, equipment, supplies, radio
24 services, and information technology.

25 **SECTION 290.** 20.373 (1) (g) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 290**

1 20.373 (1) (g) *Administration, operation, repair, and rehabilitation.* From the
2 general fund, all moneys received from the sale of surplus land under 2005 Wisconsin
3 Act 25, section 9105 (14q) except as provided in s. 13.48 (14) (am) or 16.848 (1), to be
4 used for administration of the authority and the operation, repair, and rehabilitation
5 of the Fox River lock system.

6 **SECTION 291.** 20.395 (1) (fs) of the statutes is amended to read:

7 20.395 (1) (fs) *Flood Disaster damage aids, state funds.* A sum sufficient to
8 make flood disaster damage aid payments under s. 86.34.

9 **SECTION 292.** 20.395 (1) (ha) of the statutes is created to read:

10 20.395 (1) (ha) *Tier B transit operating aids, state funds.* From the general
11 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 7.

12 **SECTION 293.** 20.395 (1) (hb) of the statutes is created to read:

13 20.395 (1) (hb) *Tier C transit operating aids, state funds.* From the general
14 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 8.

15 **SECTION 294.** 20.395 (1) (hc) of the statutes is created to read:

16 20.395 (1) (hc) *Tier A-1 transit operating aids, state funds.* From the general
17 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. cm.

18 **SECTION 295.** 20.395 (1) (hd) of the statutes is created to read:

19 20.395 (1) (hd) *Tier A-2 transit operating aids, state funds.* From the general
20 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. d.

21 **SECTION 296.** 20.395 (1) (he) of the statutes is created to read:

22 20.395 (1) (he) *Tier A-3 transit operating aids, state funds.* From the general
23 fund, the amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. e.

24 **SECTION 297.** 20.395 (1) (hr) of the statutes is repealed.

25 **SECTION 298.** 20.395 (1) (hs) of the statutes is repealed.

ASSEMBLY BILL 40

1 **SECTION 299.** 20.395 (1) (ht) of the statutes is repealed.

2 **SECTION 300.** 20.395 (1) (hu) of the statutes is repealed.

3 **SECTION 301.** 20.395 (1) (hw) of the statutes is repealed.

4 **SECTION 302.** 20.395 (2) (ev) of the statutes is amended to read:

5 20.395 (2) (ev) *Local bridge improvement and traffic marking enhancement*
6 *assistance, local and transferred funds.* All moneys received from any local unit of
7 government or other source for improving bridges under ss. 84.12, 84.17 and 84.18,
8 for such purposes, ~~and, for traffic marking enhancements under s. 85.027, all moneys~~
9 ~~transferred from the appropriation account under s. 20.395 (3) (cq), as required by~~
10 ~~2003 Wisconsin Act 33, section 9153 (4q).~~

11 **SECTION 303.** 20.395 (2) (fv) of the statutes is amended to read:

12 20.395 (2) (fv) *Local transportation facility improvement assistance, local*
13 *funds.* All moneys received from any local unit of government or other source for
14 providing public access roads to navigable waters and for the purposes of ss. 84.27,
15 and 84.28, ~~and 85.027~~ and for improving transportation facilities, including facilities
16 funded under applicable federal acts or programs, that are not state trunk or
17 connecting highways, for such purposes.

18 **SECTION 304.** 20.395 (2) (js) of the statutes is created to read:

19 20.395 (2) (js) *Transportation alternatives program, state funds.* As a
20 continuing appropriation, the amounts in the schedule for the transportation
21 alternatives program under s. 85.021.

22 **SECTION 305.** 20.395 (2) (jv) of the statutes is created to read:

23 20.395 (2) (jv) *Transportation alternatives program, local funds.* All moneys
24 received from any local unit of government for purposes of the transportation
25 alternatives program under s. 85.021, for such purposes.

ASSEMBLY BILL 40**SECTION 306**

1 **SECTION 306.** 20.395 (2) (jx) of the statutes is created to read:

2 20.395 (2) (jx) *Transportation alternatives program, federal funds.* All moneys
3 received from the federal government for purposes of the transportation alternatives
4 program under s. 85.021, for such purposes.

5 **SECTION 307.** 20.395 (2) (nv) of the statutes is repealed.

6 **SECTION 308.** 20.395 (2) (nx) of the statutes is repealed.

7 **SECTION 309.** 20.395 (2) (ny) of the statutes is repealed.

8 **SECTION 310.** 20.395 (2) (oq) of the statutes is repealed.

9 **SECTION 311.** 20.395 (2) (ov) of the statutes is repealed.

10 **SECTION 312.** 20.395 (2) (ox) of the statutes is repealed.

11 **SECTION 313.** 20.395 (2) (qv) of the statutes is repealed.

12 **SECTION 314.** 20.395 (2) (qx) of the statutes is repealed.

13 **SECTION 315.** 20.395 (3) (aq) of the statutes is amended to read:

14 20.395 (3) (aq) *Southeast Wisconsin freeway megaprojects, state funds.* As a
15 continuing appropriation, the amounts in the schedule for southeast Wisconsin
16 freeway megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3).
17 This paragraph does not apply to the installation, replacement, rehabilitation, or
18 maintenance of highway signs, ~~traffic control signals~~, highway lighting, or pavement
19 markings, or to the maintenance of traffic control signals or intelligent
20 transportation systems, unless incidental to a southeast Wisconsin freeway
21 megaproject.

22 **SECTION 316.** 20.395 (3) (ax) of the statutes is amended to read:

23 20.395 (3) (ax) *Southeast Wisconsin freeway megaprojects, federal funds.* All
24 moneys received from the federal government for southeast Wisconsin freeway
25 megaprojects under s. 84.0145 and for the purpose specified in s. 84.017 (3), for such

ASSEMBLY BILL 40**SECTION 316**

1 purposes. This paragraph does not apply to the installation, replacement,
2 rehabilitation, or maintenance of highway signs, ~~traffic control signals~~, highway
3 lighting, or pavement markings, or to the maintenance of traffic control signals or
4 intelligent transportation systems, unless incidental to a southeast Wisconsin
5 freeway megaproject.

6 **SECTION 317.** 20.395 (3) (bq) of the statutes is amended to read:

7 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
8 appropriation, the amounts in the schedule for major development of state trunk and
9 connecting highways, for the disadvantaged business demonstration and training
10 program under s. 84.076, and for the purpose specified in s. 84.017 (3), and for the
11 purpose specified in 2013 Wisconsin Act (this act), section 9145 (3). This
12 paragraph does not apply with respect to any southeast Wisconsin freeway
13 megaproject under s. 84.0145, except as applicable under 2013 Wisconsin Act ... (this
14 act), section 9145 (3).

15 **SECTION 318.** 20.395 (3) (bq) of the statutes, as affected by 2013 Wisconsin Act
16 (this act), is amended to read:

17 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
18 appropriation, the amounts in the schedule for major development of state trunk and
19 connecting highways, for the disadvantaged business demonstration and training
20 program under s. 84.076, and for the purpose specified in s. 84.017 (3), and for the
21 purpose specified in 2013 Wisconsin Act (this act), section 9145 (3). This
22 paragraph does not apply with respect to any southeast Wisconsin freeway
23 megaproject under s. 84.0145, except as applicable under 2013 Wisconsin Act (this
24 act), section 9145 (3).

25 **SECTION 319.** 20.395 (3) (cq) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 319**

1 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
2 appropriation, the amounts in the schedule for improvement of existing state trunk
3 and connecting highways; for improvement of bridges on state trunk or connecting
4 highways and other bridges for which improvement is a state responsibility, for
5 necessary approach work for such bridges and for replacement of such bridges with
6 at-grade crossing improvements; for the construction and rehabilitation of the
7 national system of interstate and defense highways and bridges and related
8 appurtenances; for ~~special maintenance~~ activities under s. 84.04 on roadside
9 improvements; for bridges under s. 84.10; for the bridge project under s. 84.115; for
10 payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8);
11 for the disadvantaged business demonstration and training program under s.
12 84.076; for the purpose specified in s. 84.017 (3); for the transfers required under
13 1999 Wisconsin Act 9, section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q);
14 and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), 2001
15 Wisconsin Act 16, section 9152 (4e), and 2007 Wisconsin Act 20, section 9148 (9i) (b)
16 and (9x). This paragraph does not apply to any southeast Wisconsin freeway
17 megaprojects under s. 84.0145, to any southeast Wisconsin freeway rehabilitation
18 projects under s. 84.014 that also qualify as major highway projects under s. 84.013,
19 or to the installation, replacement, rehabilitation, or maintenance of highway signs,
20 ~~traffic control signals~~, highway lighting, or pavement markings, or to the
21 maintenance of traffic control signals or intelligent transportation systems, unless
22 incidental to the improvement of existing state trunk and connecting highways.

23 **SECTION 320.** 20.395 (3) (cr) of the statutes is amended to read:

24 20.395 (3) (cr) *Southeast Wisconsin freeway rehabilitation, state funds.* As a
25 continuing appropriation, the amounts in the schedule for rehabilitation of

ASSEMBLY BILL 40**SECTION 320**

1 southeast Wisconsin freeways, including reconstruction and interim repair of the
2 Marquette interchange in Milwaukee County. This paragraph does not apply to the
3 installation, replacement, rehabilitation, or maintenance of highway signs, ~~traffic~~
4 ~~control signals~~, highway lighting, or pavement markings, or to the maintenance of
5 traffic control signals or intelligent transportation systems, unless incidental to
6 rehabilitation of southeast Wisconsin freeways. No moneys may be encumbered
7 from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3)
8 (c), any unencumbered balance in this appropriation account on July 1, 2011, shall
9 be transferred to the appropriation account under par. (cq) except that the amount
10 specified in 2011 Wisconsin Act 32, section 9148 (7f) (a), shall be transferred to the
11 appropriation account under par. (aq).

12 **SECTION 321.** 20.395 (3) (cv) of the statutes is amended to read:

13 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
14 from any local unit of government or other source for the specific information sign
15 program under s. 86.195; for improvement of existing state trunk and connecting
16 highways; for improvement of bridges on state trunk or connecting highways and
17 other bridges for which improvement is a state responsibility, for necessary approach
18 work for such bridges and for replacement of such bridges with at-grade crossing
19 improvements; for the construction and rehabilitation of the national system of
20 interstate and defense highways and bridges and related appurtenances; for ~~special~~
21 ~~maintenance~~ activities under s. 84.04 on roadside improvements; for the bridge
22 project under s. 84.115; for the railroad and utility alteration and relocation loan
23 program under s. 84.065; for the purpose specified in s. 84.017 (3); and for the
24 disadvantaged business demonstration and training program under s. 84.076, for
25 such purposes. This paragraph does not apply to any southeast Wisconsin freeway

ASSEMBLY BILL 40**SECTION 321**

1 megaprojects under s. 84.0145 or to any southeast Wisconsin freeway rehabilitation
2 projects under s. 84.014 that also qualify as major highway projects under s. 84.013.

3 **SECTION 322.** 20.395 (3) (cx) of the statutes is amended to read:

4 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
5 received from the federal government for improvement of existing state trunk and
6 connecting highways; for improvement of bridges on state trunk or connecting
7 highways and other bridges for which improvement is a state responsibility, for
8 necessary approach work for such bridges and for replacement of such bridges with
9 at-grade crossing improvements; for the construction and rehabilitation of the
10 national system of interstate and defense highways and bridges and related
11 appurtenances; for ~~special maintenance~~ activities under s. 84.04 on roadside
12 improvements; for the bridge project under s. 84.115; for the purpose specified in s.
13 84.017 (3); and for the disadvantaged business demonstration and training program
14 under s. 84.076; and all moneys received under 2003 Wisconsin Act 33, section 9153
15 (4q); for such purposes. This paragraph does not apply to any southeast Wisconsin
16 freeway megaprojects under s. 84.0145 or to any southeast Wisconsin freeway
17 rehabilitation projects under s. 84.014 that also qualify as major highway projects
18 under s. 84.013.

19 **SECTION 323.** 20.395 (3) (cy) of the statutes is amended to read:

20 20.395 (3) (cy) *Southeast Wisconsin freeway rehabilitation, federal funds.* All
21 moneys received from the federal government for rehabilitation of southeast
22 Wisconsin freeways, including reconstruction and interim repair of the Marquette
23 interchange in Milwaukee County, for such purposes. This paragraph does not apply
24 to the installation, replacement, rehabilitation, or maintenance of highway signs,
25 ~~traffic control signals,~~ highway lighting, or pavement markings, or to the

ASSEMBLY BILL 40**SECTION 323**

1 maintenance of traffic control signals or intelligent transportation systems, unless
2 incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be
3 encumbered from this appropriation account after June 30, 2011. Notwithstanding
4 s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1,
5 2011, shall be transferred to the appropriation account under par. (cx) except that the
6 amount specified in 2011 Wisconsin Act 32, section 9148 (7f) (c), shall be transferred
7 to the appropriation account under par. (ax).

8 **SECTION 324.** 20.395 (3) (eg) of the statutes is created to read:

9 20.395 (3) (eg) *Supplement from sponsorship and partnership agreements,*
10 *state funds.* From the general fund, all moneys received under s. 84.01 (36) (d) for
11 any purpose described in s. 20.395 (3) (eq) or (es).

12 **SECTION 325.** 20.395 (3) (eq) of the statutes is amended to read:

13 20.395 (3) (eq) *Highway maintenance, repair, and traffic system management*
14 *and operations, state funds.* As a continuing appropriation, the amounts in the
15 schedule for the maintenance and repair of roadside improvements under s. 84.04,
16 state trunk highways under s. 84.07, and bridges that are not on the state trunk
17 highway system under s. 84.10; for permit issuance and other highway operations,
18 including the installation, replacement, rehabilitation, or maintenance of highway
19 signs, ~~traffic control signals,~~ highway lighting, and pavement markings, and the
20 maintenance of traffic control signals and intelligent transportation systems, under
21 ss. 84.04, 84.07, 84.10, and 348.25 to 348.27 and ch. 349; ~~for the grant under 2005~~
22 ~~Wisconsin Act 25, section 9148 (3f);~~ and for the disadvantaged business
23 demonstration and training program under s. 84.076. This paragraph does not apply
24 to special routine maintenance activities under s. 84.04 ~~on roadside improvements~~

ASSEMBLY BILL 40**SECTION 325**

1 performed by county highway committees or municipalities under contract with the
2 department as provided in s. 84.07 (1).

3 **SECTION 326.** 20.395 (3) (es) of the statutes is created to read:

4 20.395 (3) (es) *Routine maintenance activities, state funds.* As a continuing
5 appropriation, the amounts in the schedule for routine maintenance activities
6 performed under contract with the department as provided in ss. 84.06 (2) (a) and
7 84.07 (1).

8 **SECTION 327.** 20.395 (3) (ev) of the statutes is amended to read:

9 20.395 (3) (ev) *Highway maintenance, ~~repair, and traffic~~ system management*
10 *and operations, local funds.* All moneys received from any local unit of government
11 or other sources for the maintenance and repair of roadside improvements under s.
12 84.04, state trunk highways under s. 84.07, and bridges that are not on the state
13 trunk highway system under s. 84.10; for signing under s. 86.195; for highway
14 operations such as permit issuance, pavement marking, highway signing, traffic
15 ~~signalization~~ signal and intelligent transportation system maintenance, and
16 highway lighting under ss. 84.04, 84.07, 84.10, and 348.25 to 348.27 and ch. 349; and
17 for the disadvantaged business demonstration and training program under s.
18 84.076; for such purposes. This paragraph does not apply to ~~special routine~~
19 ~~maintenance activities under s. 84.04 on roadside improvements performed by~~
20 county highway committees or municipalities under contract with the department
21 as provided in s. 84.07 (1).

22 **SECTION 328.** 20.395 (3) (ew) of the statutes is created to read:

23 20.395 (3) (ew) *Routine maintenance activities, local funds.* All moneys
24 received from any local unit of government or other sources for routine maintenance

ASSEMBLY BILL 40

1 activities performed under contract with the department as provided in ss. 84.06 (2)
2 (a) and 84.07 (1), for such purposes.

3 **SECTION 329.** 20.395 (3) (ex) of the statutes is amended to read:

4 20.395 (3) (ex) *Highway maintenance, repair, and traffic system management*
5 *and operations, federal funds.* All moneys received from the federal government for
6 the maintenance and repair of roadside improvements under s. 84.04, state trunk
7 highways under s. 84.07, and bridges that are not on the state trunk highway system
8 under s. 84.10; for permit issuance and other highway operations, including the
9 installation, replacement, rehabilitation, or maintenance of highway signs, traffic
10 control signals, highway lighting, and pavement markings, and the maintenance of
11 traffic control signals and intelligent transportation systems, under ss. 84.04, 84.07,
12 84.10, and 348.25 to 348.27 and ch. 349; and for the disadvantaged business
13 demonstration and training program under s. 84.076; for such purposes. This
14 paragraph does not apply to special routine maintenance activities under s. 84.04 on
15 roadside improvements performed by county highway committees or municipalities
16 under contract with the department as provided in s. 84.07 (1).

17 **SECTION 330.** 20.395 (3) (ey) of the statutes is created to read:

18 20.395 (3) (ey) *Routine maintenance activities, federal funds.* All moneys
19 received from the federal government for routine maintenance activities performed
20 under contract with the department as provided in ss. 84.06 (2) (a) and 84.07 (1), for
21 such purposes.

22 **SECTION 331.** 20.395 (3) (jg) of the statutes is created to read:

23 20.395 (3) (jg) *Surveying reference station system.* From the general fund, all
24 moneys received under s. 85.63 (2), for maintenance and operation costs of the
25 surveying reference station system under s. 85.63 (1).

ASSEMBLY BILL 40**SECTION 332**

1 **SECTION 332.** 20.395 (5) (di) of the statutes is renumbered 20.395 (5) (ds) and
2 amended to read:

3 20.395 (5) (ds) *Chemical testing training and services, state funds.* ~~From the~~
4 ~~general fund, the~~ The amounts in the schedule for the chemical testing training and
5 services provided by the state traffic patrol. ~~All moneys transferred from the~~
6 ~~appropriation account under s. 20.435 (5) (hx) shall be credited to this appropriation~~
7 ~~account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance in this~~
8 ~~appropriation account on June 30 of each year shall be transferred to the~~
9 ~~appropriation account under s. 20.435 (5) (hx).~~

10 **SECTION 333.** 20.395 (6) (af) of the statutes is amended to read:

11 20.395 (6) (af) *Principal repayment and interest, local roads for job preservation*
12 *program and, major highway and rehabilitation projects, southeast megaprojects,*
13 *state funds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u)
14 for the payment of principal and interest costs incurred in financing the local roads
15 for job preservation program under s. 86.312 and, major highway and rehabilitation
16 projects, as provided under ss. 20.866 (2) (uum) and (uur), 84.555, and 84.95, and
17 southeast Wisconsin freeway megaprojects, as provided under ss. 20.866 (2) (uur)
18 and 84.555 (1m), to make the payments determined by the building commission
19 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred
20 in financing the local roads for job preservation program under s. 86.312, and to
21 make payments under an agreement or ancillary arrangement entered into under
22 s. 18.06 (8) (a).

23 **SECTION 334.** 20.395 (6) (au) of the statutes is amended to read:

24 20.395 (6) (au) *Principal repayment and interest, ~~Marquette interchange, zoo~~*
25 *interchange, southeast rehabilitation projects, southeast megaprojects, and I-94*

ASSEMBLY BILL 40**SECTION 334**

1 ~~north-south corridor reconstruction~~ high-cost bridge projects, state funds. A sum
2 sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs
3 incurred in financing the Marquette interchange reconstruction project, the
4 reconstruction of the I 94 north-south corridor and the zoo interchange, and
5 southeast Wisconsin freeway megaprojects, and high-cost state highway bridge
6 projects, as provided under ss. 20.866 (2) (uup) and 84.555, and to make payments
7 under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

8 **SECTION 335.** 20.410 (1) (g) of the statutes is repealed.

9 **SECTION 336.** 20.410 (1) (ge) of the statutes is repealed.

10 **SECTION 337.** 20.410 (1) (gf) of the statutes is amended to read:

11 20.410 (1) (gf) *Probation, parole, and extended supervision*. The amounts in the
12 schedule for probation, parole, and extended supervision. All moneys received from
13 vendors under s. 301.08 (1) (c) 4. and from fees charged under s. 304.074 (2) shall be
14 credited to this appropriation account.

15 **SECTION 338.** 20.410 (1) (gg) of the statutes is repealed.

16 **SECTION 339.** 20.410 (1) (gj) of the statutes is repealed.

17 **SECTION 340.** 20.410 (1) (gr) of the statutes is amended to read:

18 20.410 (1) (gr) *Home detention services; supervision*. The amounts in the
19 schedule to provide supervision under s. 301.03 (7m) as a condition of release for
20 persons charged with a crime, to provide electronic monitoring services under s.
21 301.135, and to obtain, install, operate, and monitor electronic equipment for the
22 home detention program under s. 302.425. All moneys received under s. ~~ss.~~ 301.03
23 (7m), 301.135, and 302.425 (3m) or (4) shall be credited to this appropriation.

24 **SECTION 341.** 20.410 (3) (ho) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 341**

1 20.410 (3) (ho) *Juvenile residential aftercare alternate care services*. The
2 amounts in the schedule for providing foster care, group home care, and institutional
3 child care to alternate care services for delinquent juveniles under ss. 49.19 (10) (d),
4 49.45 (25) (bj), 301.26 (4) (c), 938.48 (4) and (14), and 938.52. All moneys transferred
5 under s. 301.26 (4) (cm) and all moneys received in payment for providing foster care,
6 group home care, and institutional child care to alternate care services for delinquent
7 juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52 as specified in s.
8 301.26 (4) (d), (e), and (ed) shall be credited to this appropriation account. If moneys
9 generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year foster care,
10 group home care, and institutional child care alternate care costs, that excess shall
11 be transferred to the appropriation account under par. (hm) as provided in s. 301.26
12 (4) (ct), except that, if those moneys generated exceed those costs by more than 2%
13 2 percent, all moneys in excess of 2% that 2 percent shall be remitted to the counties
14 during the subsequent calendar year or transferred to the appropriation account
15 under par. (kx) during the subsequent fiscal year. Each county and the department
16 shall receive a proportionate share of the remittance and transfer depending on the
17 total number of days of placement in foster care, group home care, or institutional
18 child alternate care. Counties shall use the funds for purposes specified in s. 301.26.
19 The department shall deposit in the general fund the amounts transferred under this
20 paragraph to the appropriation account under par. (kx).

21 **SECTION 342.** 20.410 (3) (j) of the statutes is repealed.

22 **SECTION 343.** 20.433 (1) (jb) of the statutes is created to read:

23 20.433 (1) (jb) *Fees for administrative services*. All moneys received from fees
24 charged for providing state mailings, special computer services, training programs,
25 printed materials, and publications relating to child abuse and neglect prevention

ASSEMBLY BILL 40**SECTION 343**

1 services, for the purpose of providing those state mailings, special computer services,
2 training programs, printed materials, and publications.

3 **SECTION 344.** 20.433 (1) (q) of the statutes is amended to read:

4 20.433 (1) (q) *Children's trust fund; gifts and grants.* From the children's trust
5 fund, all moneys received as contributions, grants, gifts, and bequests for that trust
6 fund under s. 48.982 (2) (d) or (2e) (a) 3., and all amounts transferred under 2013
7 Wisconsin Act (this act), section 9205 (1), to carry out the purposes for which those
8 contributions, grants, gifts, and bequests were made and received under s. 48.982
9 (2m).

10 **SECTION 345.** 20.435 (1) (fj) of the statutes is created to read:

11 20.435 (1) (fj) *Grants to establish graduate medical training programs.* The
12 amounts in the schedule for grants to hospitals under s. 146.63.

13 **SECTION 346.** 20.435 (1) (fn) of the statutes is created to read:

14 20.435 (1) (fn) *Health care information organization.* The amounts in the
15 schedule to contract with the data organization under s. 153.05 (2r).

16 **SECTION 347.** 20.435 (1) (gd) of the statutes is repealed.

17 **SECTION 348.** 20.435 (4) (a) of the statutes is amended to read:

18 20.435 (4) (a) *General program operations.* The amounts in the schedule for
19 general program operations, including health care financing regulation,
20 administration, field services and medical assistance eligibility determinations
21 under s. 49.45 (2) (a) 3., and administration of the pharmacy benefits purchasing pool
22 under s. 146.45.

23 **SECTION 349.** 20.435 (4) (b) of the statutes is amended to read:

24 20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts
25 in the schedule to provide a portion of the state share of Medical Assistance program

ASSEMBLY BILL 40**SECTION 349**

1 benefits administered under subch. IV of ch. 49, for a portion of the Badger Care
2 health care program under s. 49.665, to provide a portion of the Medical Assistance
3 program benefits administered under subch. IV of ch. 49 that are not also provided
4 under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion
5 of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund
6 services provided by resource centers under s. 46.283, for services under the family
7 care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss.
8 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, and for reduction
9 of any operating deficits as specified in 2005 Wisconsin Act 15, section 3.
10 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
11 account to the appropriation account under sub. (5) (kc) funds in the amount of and
12 for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002
13 (1), the department may credit or deposit into this appropriation account and may
14 transfer between fiscal years funds that it transfers from the appropriation account
15 under sub. (5) (kc) for the purposes specified in s. 46.485 (3r). Notwithstanding s.
16 20.002 (1), the department may transfer from this appropriation account to the
17 appropriation account under sub. (7) (bd) funds in the amount and for the purposes
18 specified in s. 49.45 (6v).

19 **SECTION 350.** 20.435 (4) (bm) of the statutes is amended to read:

20 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
21 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
22 amounts in the schedule to provide a portion of the state share of administrative
23 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
24 Badger Care health care program under s. 49.665 and to provide the state share of
25 administrative costs for the food stamp program under s. 49.79, other than payments

ASSEMBLY BILL 40**SECTION 350**

1 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,
2 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
3 outreach activities, for state administration of state supplemental grants to
4 supplemental security income recipients under s. 49.77, ~~to administer the pharmacy~~
5 ~~benefits purchasing pool under s. 146.45~~, and for services of resource centers under
6 s. 46.283. No state positions may be funded in the department of health services from
7 this appropriation, except positions for the performance of duties under a contract
8 in effect before January 1, 1987, related to the administration of the Medical
9 Assistance program between the subunit of the department primarily responsible for
10 administering the Medical Assistance program and another subunit of the
11 department. Total administrative funding authorized for the program under s.
12 49.665 may not exceed 10% of the amounts budgeted under pars. (p) and (x).

13 **SECTION 351.** 20.435 (4) (hm) of the statutes is repealed.

14 **SECTION 352.** 20.435 (4) (i) of the statutes is amended to read:

15 20.435 (4) (i) *Gifts and, grants, and payments; health care financing.* All
16 moneys received from gifts, grants, bequests and trust funds to provide health care
17 financing consistent with the purpose of the gift, grant, bequest or trust fund, and
18 all moneys received from payments from nongovernmental individuals and entities
19 for departmental administrative services, for the purposes for which those payments
20 are received.

21 **SECTION 353.** 20.435 (4) (im) of the statutes is amended to read:

22 20.435 (4) (im) *Medical assistance; correct payment recovery; collections; other*
23 *recoveries.* All moneys received from the recovery of correct medical assistance
24 payments under ss. 49.496 and 867.035 ~~and rules promulgated under s. 46.286 (7),~~
25 49.848, and 49.849, all moneys received as collections and other recoveries from

ASSEMBLY BILL 40**SECTION 353**

1 providers, drug manufacturers, and other 3rd parties under medical assistance
2 performance-based contracts, and all moneys credited to this appropriation account
3 under s. 49.89 (7) (f), for payments to counties and tribal governing bodies under s.
4 49.496 (4) (a), for payment of claims under s. ~~867.035 (3)~~ 49.849 (5), for payments to
5 the federal government for its share of medical assistance benefits recovered, for the
6 state share of medical assistance benefits provided under subch. IV of ch. 49, and for
7 costs related to collections and other recoveries.

8 **SECTION 354.** 20.435 (4) (in) of the statutes is amended to read:

9 20.435 (4) (in) *Community options program; family care; recovery of costs*
10 *administration.* From the moneys received from the recovery of costs of care under
11 ss. 46.27 (7g) and ~~867.035~~ and under rules promulgated under s. ~~46.286 (7)~~, 49.848,
12 and 49.849 for enrollees who are ineligible for medical assistance, the amounts in the
13 schedule for administration of the recovery of costs of the care.

14 **SECTION 355.** 20.435 (4) (jw) of the statutes is amended to read:

15 20.435 (4) (jw) *BadgerCare Plus, and hospital assessment, ~~and~~ pharmacy*
16 *benefits purchasing pool administrative costs.* All moneys received from payment of
17 enrollment fees under the program under s. 49.45 (23), all moneys transferred under
18 s. 50.38 (9), all moneys transferred from the appropriation account under par. (jz),
19 and 10 percent of all moneys received from penalty assessments under s. 49.471 (9)
20 (c), for administration of the program under s. 49.45 (23), to provide a portion of the
21 state share of administrative costs for the BadgerCare Plus Medical Assistance
22 program under s. 49.471, and for administration of the hospital assessment under
23 s. 50.38, ~~and to administer a contract with an entity to operate the pharmacy benefits~~
24 ~~purchasing pool under s. 146.45.~~

25 **SECTION 356.** 20.435 (4) (jz) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 356**

1 20.435 (4) (jz) *Medical Assistance and Badger Care cost sharing, and employer*
2 *penalty assessments, ~~and pharmacy benefits purchasing pool operations.~~ All moneys*
3 *received in cost sharing from medical assistance recipients, including payments*
4 *under s. 49.665 (5), all moneys received from penalty assessments under s. 49.665*
5 *(7) (b) 2., and 90 percent of all moneys received from penalty assessments under s.*
6 *49.471 (9) (c), ~~all moneys received from persons who join the pharmacy benefits~~*
7 *~~purchasing pool under s. 146.45, and all moneys received as rebates from drug~~*
8 *~~manufacturers for prescription drugs purchased under the pharmacy benefits~~*
9 *~~purchasing pool under s. 146.45, to be used for the Badger Care health care program~~*
10 *under s. 49.665, for the Medical Assistance program under subch. IV of ch. 49, ~~to pay~~*
11 *~~an entity to operate the pharmacy benefits purchasing pool under s. 146.45, to~~*
12 *~~transfer the amount determined under s. 146.45 (4) to the appropriation account~~*
13 *~~under par. (jw), and to transfer any amount credited to this appropriation account~~*
14 *in excess of \$27,785,500 in a fiscal year to the appropriation account under par. (jw).*

15 **SECTION 357.** 20.435 (4) (nn) of the statutes is amended to read:

16 20.435 (4) (nn) *Federal aid; income maintenance.* All moneys received from the
17 federal government for the costs of contracting for the administration of the Medical
18 Assistance program under subch. IV of ch. 49 and the Badger Care health care
19 program under s. 49.665 and the food stamp program, other than moneys received
20 under par. (pa), for costs to administer income maintenance programs, as defined in
21 s. 49.78 (1) (b) and the food stamp employment and training program under s. 49.79
22 (9).

23 **SECTION 358.** 20.435 (5) (co) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 358**

1 20.435 (5) (co) *Initiatives for coordinated services.* The amounts in the schedule
2 to fund county and tribal initiatives and multi-entity initiatives under s. 46.56 to
3 provide coordinated services.

4 **SECTION 359.** 20.435 (5) (hx) of the statutes is amended to read:

5 20.435 (5) (hx) *Services related to drivers, receipts.* The amounts in the
6 schedule for services related to drivers. All moneys received by the secretary of
7 administration from the driver improvement surcharge on court fines and
8 forfeitures authorized under s. 346.655 ~~and all moneys transferred from the~~
9 ~~appropriation account under s. 20.395 (5) (di)~~ shall be credited to this appropriation
10 account. The secretary of administration shall annually transfer to the
11 appropriation account under s. 20.395 (5) (ek) 9.75 percent of all moneys credited to
12 this appropriation account from the driver improvement surcharge. Any
13 unencumbered moneys in this appropriation account may be transferred to par. (hy)
14 and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) ~~and (di)~~, and 20.455 (5) (h) by
15 the secretary of administration, after consultation with the secretaries of health
16 services and transportation, the superintendent of public instruction, the attorney
17 general, and the president of the University of Wisconsin System.

18 **SECTION 360.** 20.435 (5) (mb) of the statutes is created to read:

19 20.435 (5) (mb) *Federal project local assistance.* All federal moneys received
20 from the federal government or any of its agencies for local assistance for specific
21 limited term projects relating to mental health and alcoholism or other drug abuse
22 services, for the purposes for which received.

23 **SECTION 361.** 20.435 (7) (im) of the statutes is amended to read:

24 20.435 (7) (im) *Community options program; family care benefit; recovery of*
25 *costs; birth to 3 waiver administration.* From the moneys received from the recovery

ASSEMBLY BILL 40**SECTION 361**

1 of costs of care under ss. 46.27 (7g) and ~~867.035 and under rules promulgated under~~
2 ~~s. 46.286 (7), 49.848, and 49.849~~ for enrollees who are ineligible for medical
3 assistance, all moneys not appropriated under sub. (4) (in), and all moneys
4 transferred to this appropriation account from the appropriation account under sub.
5 (4) (o), for payments to county departments and aging units under s. 46.27 (7g) (d),
6 payments to care management organizations for provision of the family care benefit
7 under s. 46.284 (5), payment of claims under s. ~~867.035 (3)~~ 49.849 (5), payments for
8 long-term community support services funded under s. 46.27 (7) as provided in ss.
9 46.27 (7g) (e) and ~~867.035 (4m)~~ 49.849 (6) (b), and for administration of the waiver
10 program under s. 46.99.

11 **SECTION 362.** 20.435 (7) (kc) of the statutes is repealed.

12 **SECTION 363.** 20.435 (7) (ky) of the statutes is amended to read:

13 20.435 (7) (ky) *Interagency and intra-agency aids.* ~~Except as provided in par.~~
14 ~~(ke), all~~ All moneys received from other state agencies and all moneys received by the
15 department from the department for aids to individuals and organizations relating
16 to long-term care services, for the purposes for which received.

17 **SECTION 364.** 20.435 (8) (b) of the statutes is created to read:

18 20.435 (8) (b) *Inspector general; general operations.* The amounts in the
19 schedule for general operations of the office of the inspector general.

20 **SECTION 365.** 20.435 (8) (c) of the statutes is created to read:

21 20.435 (8) (c) *Inspector general; local assistance.* The amounts in the schedule
22 for payments to local units of government to conduct program integrity activities.

23 **SECTION 366.** 20.435 (8) (kw) of the statutes is created to read:

24 20.435 (8) (kw) *Inspector general; interagency and intra-agency programs.* All
25 moneys received from other state agencies and all moneys received by the

ASSEMBLY BILL 40**SECTION 366**

1 department from the department for program activities of the office of the inspector
2 general.

3 **SECTION 367.** 20.435 (8) (o) of the statutes is created to read:

4 20.435 (8) (o) *Inspector general; federal program local assistance.* All moneys
5 received from the federal government or any of its agencies for local assistance for
6 program integrity activities.

7 **SECTION 368.** 20.435 (8) (p) of the statutes is created to read:

8 20.435 (8) (p) *Inspector general; federal program operations.* All moneys
9 received from the federal government or any of its agencies for the state
10 administration of program integrity activities, for the purposes for which received.

11 **SECTION 369.** 20.437 (1) (bd) of the statutes is created to read:

12 20.437 (1) (bd) *Tribal family services grants.* The amounts in the schedule for
13 tribal family services grants under s. 48.487.

14 **SECTION 370.** 20.437 (1) (cx) of the statutes is amended to read:

15 20.437 (1) (cx) *Milwaukee child Child welfare services; aids.* The amounts in
16 the schedule for providing services to children and families under s. 48.48 (17) in a
17 county having a population of 750,000 or more and, to the extent that a
18 demonstration project authorized under 42 USC 1320a-9 reduces the cost of
19 providing out-of-home care for children in that county, for services for children and
20 families under s. 48.563 (4) in other counties.

21 **SECTION 371.** 20.437 (1) (eg) of the statutes is amended to read:

22 20.437 (1) (eg) *Brighter futures initiative ~~and tribal adolescent services.~~* The
23 amounts in the schedule for the brighter futures initiative under s. 48.545 ~~and for~~
24 ~~tribal adolescent services under s. 48.487.~~

25 **SECTION 372.** 20.437 (1) (kz) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 372**

1 20.437 (1) (kz) *Interagency and intra-agency local assistance aids; tribal*
2 *placements and guardianships.* The amounts in the schedule to be used for
3 unexpected or unusually high-cost out-of-home care placements of Indian children
4 by tribal courts and for subsidized guardianship payments under s. 48.623 (1) or (6)
5 for guardianships of Indian children ordered by tribal courts. All moneys transferred
6 from the appropriation account under s. 20.505 (8) (hm) 21. shall be credited to this
7 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
8 balance on June 30 of each year shall revert to the appropriation account under
9 section 20.505 (8) (hm).

10 **SECTION 373.** 20.437 (2) (dz) of the statutes is amended to read:

11 20.437 (2) (dz) *Temporary Assistance for Needy Families programs;*
12 *maintenance of effort.* The amounts in the schedule, ~~less the amounts withheld~~
13 ~~under s. 49.143 (3),~~ for administration and benefit payments under Wisconsin Works
14 under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work
15 experience program for noncustodial parents under s. 49.36; for payments to local
16 governments, organizations, tribal governing bodies, and Wisconsin Works agencies;
17 for kinship care and long-term kinship care assistance as specified under s. 49.175
18 (1) (s); and for emergency assistance for families with needy children under s. 49.138.
19 Payments may be made from this appropriation account for any contracts under s.
20 49.845 (4) and for any fraud investigation and error reduction activities under s.
21 49.197 (1m). Moneys appropriated under this paragraph may be used to match
22 federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002
23 (1), the department may transfer funds between fiscal years under this paragraph.
24 Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health services
25 shall credit to this appropriation account funds for the purposes of this appropriation

ASSEMBLY BILL 40**SECTION 373**

1 that the department transfers from the appropriation account under s. 20.435 (5)
2 (bc). All funds allocated by the department but not encumbered by December 31 of
3 each year lapse to the general fund on the next January 1 unless transferred to the
4 next calendar year by the joint committee on finance.

5 **SECTION 374.** 20.437 (2) (nn) of the statutes is repealed.

6 **SECTION 375.** 20.437 (2) (pv) of the statutes is repealed.

7 **SECTION 376.** 20.445 (1) (ra) of the statutes is amended to read:

8 20.445 (1) (ra) *Worker's compensation operations fund; administration.* From
9 the worker's compensation operations fund, the amounts in the schedule for the
10 administration of the worker's compensation program by the department and for
11 transfer to the appropriation ~~account~~ accounts under par. (rp) and sub. (2) (ra). All
12 moneys received under ss. 102.28 (2) (b) and 102.75 ~~for the department's activities~~
13 shall be credited to this appropriation account. From this appropriation, an amount
14 not to exceed \$5,000 may be expended each fiscal year for payment of expenses for
15 travel and research by the council on worker's compensation ~~and~~, the amount in the
16 schedule under par. (rp) shall be transferred to the appropriation account under par.
17 (rp), and the amount in the schedule under sub. (2) (ra) shall be transferred to the
18 appropriation account under sub. (2) (ra).

19 **SECTION 377.** 20.445 (2) (ha) of the statutes is renumbered 20.445 (2) (ra) and
20 amended to read:

21 20.445 (2) (ra) *Worker's compensation operations fund; worker's compensation*
22 *activities.* The From the worker's compensation operations fund, the amounts in the
23 schedule for the worker's compensation activities of the labor and industry review
24 commission. All moneys received under s. 102.75 for the commission's activities

ASSEMBLY BILL 40

1 transferred from the appropriation account under sub. (1) (ra) shall be credited to
2 this appropriation account.

3 **SECTION 378.** 20.445 (5) (n) of the statutes is amended to read:

4 20.445 (5) (n) *Federal program aids and operations.* All moneys received from
5 the federal government, as authorized by the governor under s. 16.54, for the state
6 administration of continuing programs and for grants to independent living centers
7 under s. 47.02 (3m) (p) and all federal moneys received for the purchase of goods and
8 services under ch. 47 and for the purchase of vocational rehabilitation programs for
9 individuals and organizations, to be expended for the purposes specified. ~~The~~
10 ~~department shall, in each fiscal year, transfer to the appropriation account under s.~~
11 ~~20.435 (7) (kc) \$600,000 of moneys received from the federal social security~~
12 ~~administration for reimbursement of grants to independent living centers.~~

13 **SECTION 379.** 20.455 (1) (b) of the statutes is renumbered 20.505 (1) (d).

14 **SECTION 380.** 20.455 (1) (gs) of the statutes is amended to read:

15 20.455 (1) (gs) *Delinquent obligation collection.* ~~From~~ As a continuing
16 appropriation, from the moneys received under s. 165.30 (3) (b), the amounts in the
17 schedule for expenses related to the collection of delinquent obligations under s.
18 165.30.

19 **SECTION 381.** 20.455 (2) (dq) of the statutes is repealed.

20 **SECTION 382.** 20.455 (2) (gj) of the statutes is renumbered 20.455 (5) (gj) and
21 amended to read:

22 20.455 (5) (gj) *General operations; child pornography surcharge.* All moneys
23 received as ~~part B of~~ from any child pornography surcharge imposed under s. 973.042
24 for investigating offenses under s. 948.05 or 948.12 and for making grants under s.
25 165.93 (2) (a).

ASSEMBLY BILL 40**SECTION 383**

1 **SECTION 383.** 20.455 (2) (gr) of the statutes is amended to read:

2 20.455 (2) (gr) *Handgun purchaser record check; checks for licenses or*
3 *certifications to carry concealed weapons.* All moneys received as fee payments under
4 ~~s. ss. 175.35 (2i), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4. a. and~~
5 ~~b.~~ to provide services under ~~s. ss. 175.35, 175.49, and 175.60.~~

6 **SECTION 384.** 20.455 (2) (gs) of the statutes is repealed.

7 **SECTION 385.** 20.455 (2) (gu) of the statutes is repealed.

8 **SECTION 386.** 20.455 (2) (i) 8. of the statutes is amended to read:

9 20.455 (2) (i) 8. The amount transferred to ~~s. 20.505 (6) par.~~ (kj) shall be the
10 amount in the schedule under ~~s. 20.505 (6) par.~~ (kj).

11 **SECTION 387.** 20.455 (2) (i) 13. of the statutes is amended to read:

12 20.455 (2) (i) 13. The amount transferred to ~~s. 20.505 (6) (k) par.~~ (ky) shall be
13 the amount in the schedule under ~~s. 20.505 (6) (k) par.~~ (ky).

14 **SECTION 388.** 20.455 (2) (jb) of the statutes is amended to read:

15 20.455 (2) (jb) *Crime laboratory equipment and supplies.* The amounts in the
16 schedule for the maintenance, repair, upgrading, and replacement costs of the
17 laboratory equipment, and for supplies used to maintain, repair, upgrade, and
18 replace that equipment, and for operating costs, in the state and regional crime
19 laboratories. All moneys transferred from par. (i) for the purpose of this
20 appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3)
21 (a), the unencumbered balance on June 30 of each year shall be transferred to the
22 appropriation account under par. (i).

23 **SECTION 389.** 20.455 (2) (kd) of the statutes is amended to read:

24 20.455 (2) (kd) *Drug law enforcement, crime laboratories, and genetic evidence*
25 *activities.* The amounts in the schedule for activities relating to drug law

ASSEMBLY BILL 40**SECTION 389**

1 enforcement, drug law violation prosecution assistance, activities of the state and
2 regional crime laboratories, and for transferring to the appropriation account under
3 s. 20.475 (1) (km) the amounts in the schedule under s. 20.475 (1) (km). All moneys
4 transferred to this appropriation from the appropriation account under par. (Lm)
5 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
6 unencumbered balance on June 30 of each year shall revert to the appropriation
7 account under par. (Lm).

8 **SECTION 390.** 20.455 (2) (Lm) of the statutes is amended to read:

9 20.455 (2) (Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys
10 received from crime laboratories and drug law enforcement surcharges authorized
11 under s. 165.755 and deoxyribonucleic acid analysis surcharges authorized under s.
12 973.046 (1r) to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay
13 for the costs of mailing and materials under s. 165.76 for the submission of biological
14 specimens by the departments of corrections and health services and by county
15 sheriffs persons in charge of law enforcement and tribal law enforcement agencies,
16 and to transfer to the appropriation account under par. (kd) the amounts in the
17 schedule under par. (kd).

18 **SECTION 391.** 20.455 (5) (br) of the statutes is created to read:

19 20.455 (5) (br) *Global positioning system tracking.* The amounts in the
20 schedule to provide grants for global positioning system tracking programs under s.
21 165.94.

22 **SECTION 392.** 20.455 (5) (c) of the statutes is repealed.

23 **SECTION 393.** 20.455 (5) (g) of the statutes is amended to read:

24 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*
25 The amounts in the schedule for purposes of ch. 950. All moneys received from any

ASSEMBLY BILL 40**SECTION 393**

1 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that
2 are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys
3 received from any crime victim and witness assistance surcharge authorized under
4 s. 973.045 or (1m), and all moneys received from any delinquency victim and witness
5 assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this
6 appropriation account. ~~The department of justice shall transfer from this~~
7 ~~appropriation account to the appropriation account under par. (kj) the amounts in~~
8 ~~the schedule under par. (kj).~~

9 **SECTION 394.** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (e) and
10 amended to read:

11 20.455 (5) (e) ~~Crime victim and witness surcharge, sexual~~ Sexual assault victim
12 services. ~~All moneys received from any crime victim and witness assistance~~
13 ~~surcharge authorized under s. 973.045 (1) that are allocated to this appropriation~~
14 ~~account under s. 973.045 (2m) (a),~~ The amounts in the schedule to provide grants for
15 sexual assault victim services under s. 165.93 and to administer the grant program.

16 **SECTION 395.** 20.455 (5) (kj) of the statutes is repealed.

17 **SECTION 396.** 20.455 (5) (kk) of the statutes is repealed.

18 **SECTION 397.** 20.465 (3) (am) of the statutes is created to read:

19 20.465 (3) (am) *Worker's compensation for local unit of government volunteers.*

20 A sum sufficient to pay the worker's compensation claims of emergency management
21 program volunteers under s. 323.40 (3) (a).

22 **SECTION 398.** 20.485 (1) (title) of the statutes is amended to read:

23 20.485 (1) (title) VETERANS HOMES.

24 **SECTION 399.** 20.485 (1) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 399**

1 20.485 (1) (b) *General fund supplement to institutional operations.* Biennially,
2 the amounts in the schedule to supplement the appropriation under par. (~~gk~~) (r).
3 Moneys may not be released from this appropriation without the approval of the joint
4 committee on finance.

5 **SECTION 400.** 20.485 (1) (gd) of the statutes is renumbered 20.485 (1) (rm) and
6 amended to read:

7 20.485 (1) (rm) *Veterans home cemetery operations.* ~~All~~ From the veterans trust
8 fund, all moneys received from the estate of the decedents under s. 45.61 (5) for the
9 burial of veterans and ~~non-veterans~~ nonveterans in a Wisconsin veterans cemetery
10 under s. 45.61 (1), to be used for that purpose.

11 **SECTION 401.** 20.485 (1) (gk) of the statutes is renumbered 20.485 (1) (r) and
12 amended to read:

13 20.485 (1) (r) *Institutional operations.* ~~The~~ From the veterans trust fund, the
14 amounts in the schedule for the care of the members of the Wisconsin veterans homes
15 under s. 45.50, for the operation of Wisconsin veterans homes under s. 45.50, for the
16 payment of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the
17 appropriation account under s. 20.435 (4) (ky) for payment of the state share of the
18 medical assistance costs related to the provision of stipends under s. 45.50 (2m) (f),
19 for the payment of assistance to indigent veterans under s. 45.43 to allow them to
20 reside at the Wisconsin Veterans Home at Union Grove, for the transfer of moneys
21 to the appropriation account under par. (kg), and for the payment of grants under s.
22 45.82. Not more than 1 percent of the moneys credited to this appropriation account
23 may be used for the payment of assistance to indigent veterans under s. 45.43. All
24 moneys received under par. (m) and s. 45.51 (7) (b) and (8) and all moneys received

ASSEMBLY BILL 40**SECTION 401**

1 for the care of members under medical assistance, as defined in s. 49.43 (8), shall be
2 credited to this appropriation account.

3 **SECTION 402.** 20.485 (1) (go) of the statutes is renumbered 20.485 (1) (rg) and
4 amended to read:

5 20.485 (1) (rg) *Self-amortizing facilities; principal repayment and interest.*

6 From the veterans trust fund, from the moneys received for providing housing
7 services at Wisconsin veterans homes under s. 45.50 and the Northern Wisconsin
8 Center for the Developmentally Disabled, a sum sufficient to reimburse s. 20.866 (1)
9 (u) for the principal and interest costs incurred in acquiring, constructing,
10 developing, enlarging or improving facilities at Wisconsin veterans homes under s.
11 45.50 and the Northern Wisconsin Center for the Developmentally Disabled, to make
12 the payments determined by the building commission under s. 13.488 (1) (m) that are
13 attributable to the proceeds of obligations incurred in financing such facilities, and
14 to make payments under an agreement or ancillary arrangement entered into under
15 s. 18.06 (8) (a).

16 **SECTION 403.** 20.485 (1) (kg) of the statutes is amended to read:

17 20.485 (1) (kg) *Grants to counties.* The amounts in the schedule for the
18 payments of grants made under s. 45.82 (1) to (3). All moneys transferred from the
19 appropriation account under par. ~~(gk)~~ (r) for this purpose shall be credited to this
20 appropriation account.

21 **SECTION 404.** 20.485 (1) (kx) of the statutes is created to read:

22 20.485 (1) (kx) *Interagency and intra-agency programs.* All moneys received
23 from other state agencies and all moneys received by the department from the
24 department for the administration of programs or projects relating to veterans, for
25 the purposes for which received.

ASSEMBLY BILL 40**SECTION 405**

1 **SECTION 405.** 20.485 (1) (ky) of the statutes is created to read:

2 20.485 (1) (ky) *Interagency and intra-agency aids.* All moneys received from
3 other state agencies and all moneys received by the department from the department
4 for aids to individuals and organizations relating to veterans, for the purposes for
5 which received.

6 **SECTION 406.** 20.485 (1) (kz) of the statutes is created to read:

7 20.485 (1) (kz) *Interagency and intra-agency local assistance.* All moneys
8 received from other state agencies and all moneys received by the department from
9 the department for local assistance relating to veterans, for the purposes for which
10 received.

11 **SECTION 407.** 20.485 (1) (m) of the statutes is amended to read:

12 20.485 (1) (m) *Federal aid; care at veterans homes.* All moneys received from
13 the federal government for care of veterans of any war or military expedition of the
14 United States who have been admitted to and cared for at Wisconsin veterans homes
15 under s. 45.50. The net revenues accruing under this paragraph shall be credited to
16 the appropriation under par. ~~(gk)~~ (r).

17 **SECTION 408.** 20.485 (2) (ac) of the statutes is repealed.

18 **SECTION 409.** 20.485 (2) (dm) of the statutes is amended to read:

19 20.485 (2) (dm) *Military funeral honors.* ~~Biennially, from~~ From the general
20 fund, the amounts in the schedule a sum sufficient to provide military funeral honors
21 for veterans under s. 45.60.

22 **SECTION 410.** 20.485 (2) (km) of the statutes is amended to read:

23 20.485 (2) (km) *American Indian grants and tribal college tuition*
24 *reimbursements.* The amounts in the schedule for grants to American Indian tribes
25 and bands under s. 45.82 (4) and for the reimbursement of veterans for the cost of

ASSEMBLY BILL 40**SECTION 410**

1 tuition at tribal colleges under s. 45.205 (2). All moneys transferred from the
2 appropriation account under s. 20.505 (8) (hm) 13m. shall be credited to this
3 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
4 balance on June 30 of each year shall revert to the appropriation account under s.
5 20.505 (8) (hm).

6 **SECTION 411.** 20.485 (2) (rm) of the statutes is amended to read:

7 20.485 (2) (rm) *Veterans assistance ~~program~~ programs; fish and game vouchers.*
8 Biennially, the amounts in the schedule for general program operations of the
9 veterans assistance program under s. 45.43 and, for grants under s. 45.03 (13) (j), and
10 for reimbursements to the department of natural resources under s. 29.1945 (2).

11 **SECTION 412.** 20.485 (2) (vm) of the statutes is amended to read:

12 20.485 (2) (vm) *Assistance to needy veterans and veteran start-up businesses.*
13 The amounts in the schedule for aid payments under s. 45.40 and for the grant to
14 VETransfer, Inc., under s. 45.45.

15 **SECTION 413.** 20.485 (2) (vw) of the statutes is amended to read:

16 20.485 (2) (vw) *Payments to veterans organizations for claims service; grants*
17 *for the operation of Camp American Legion; grants to American Indian tribes and*
18 *bands.* The amounts in the schedule to pay for payments to veterans organizations
19 for claims services as ~~prescribed in~~ under s. 45.41 (2) and (3m), for grants to the
20 Wisconsin department of the American Legion under s. 45.41 (5) to operate Camp
21 American Legion, and for grants to American Indian tribes and bands under s. 45.82
22 (4).

23 **SECTION 414.** 20.505 (1) (f) of the statutes is created to read:

24 20.505 (1) (f) *Capital investment program.* The amounts in the schedule for the
25 capital investment program under s. 16.004 (19).

ASSEMBLY BILL 40**SECTION 415**

1 **SECTION 415.** 20.505 (1) (fp) of the statutes is created to read:

2 20.505 (1) (fp) *Enterprise resource planning system; general purpose revenue.*

3 The amounts in the schedule to support the enterprise resource planning system
4 under s. 16.971 (2) (cf). The secretary may transfer moneys appropriated under this
5 paragraph to the appropriation under par. (kd).

6 **SECTION 416.** 20.505 (1) (id) 2. of the statutes is amended to read:

7 20.505 (1) (id) 2. The amount transferred to ~~sub. (6) (ki)~~ s. 20.455 (2) (ki) shall
8 be the amount in the schedule under ~~sub. (6) (ki)~~ s. 20.455 (2) (ki).

9 **SECTION 417.** 20.505 (1) (id) 3. of the statutes is amended to read:

10 20.505 (1) (id) 3. The amount transferred to ~~sub. (6) (kb)~~ s. 20.455 (2) (kb) shall
11 be the amount in the schedule under ~~sub. (6) (kb)~~ s. 20.455 (2) (kb).

12 **SECTION 418.** 20.505 (1) (id) 4. of the statutes is amended to read:

13 20.505 (1) (id) 4. The amount transferred to ~~sub. (6) (ke)~~ s. 20.455 (5) (ke) shall
14 be the amount in the schedule under ~~sub. (6) (ke)~~ s. 20.455 (5) (ke).

15 **SECTION 419.** 20.505 (1) (id) 5. of the statutes is amended to read:

16 20.505 (1) (id) 5. The amount transferred to ~~sub. (6) (kn)~~ s. 20.455 (2) (kn) shall
17 be the amount in the schedule under ~~sub. (6) (kn)~~ s. 20.455 (2) (kn).

18 **SECTION 420.** 20.505 (1) (id) 5d. of the statutes is amended to read:

19 20.505 (1) (id) 5d. The amount transferred to ~~sub. (6) (ko)~~ s. 20.455 (2) (ko) shall
20 be the amount in the schedule under ~~sub. (6) (ko)~~ s. 20.455 (2) (ko).

21 **SECTION 421.** 20.505 (1) (is) of the statutes is amended to read:

22 20.505 (1) (is) *Information technology and communications services; nonstate*
23 *entities. From the sources specified in All moneys received from state authorities,*
24 units of the federal government, local governmental units, tribal schools, and
25 entities in the private sector under ss. 16.972 (2) (b) and (c), 16.974 (2) and (3), and

ASSEMBLY BILL 40**SECTION 421**

1 16.997 (2) (d) and (2g) (a) 3., to provide computer, telecommunications, electronic
2 communications, and supercomputer services, but not ~~integrated business~~
3 ~~information~~ enterprise resource planning system services under s. 16.971 (2) (cf), to
4 state authorities, units of the federal government, local governmental units, tribal
5 schools, individuals, and entities in the private sector, ~~the amounts in the schedule.~~

6 **SECTION 422.** 20.505 (1) (iv) (title) of the statutes is amended to read:

7 20.505 (1) (iv) (title) ~~Integrated business information~~ Enterprise resource
8 planning system; nonstate entities.

9 **SECTION 423.** 20.505 (1) (kd) of the statutes is amended to read:

10 20.505 (1) (kd) ~~Integrated business information~~ Enterprise resource planning
11 system. All moneys received from any agency, as defined in s. 16.97 (1m), and all
12 moneys transferred from the appropriation under par. (fp), for information
13 technology purposes under s. 16.971 (2) (cf), to be used for those purposes.

14 **SECTION 424.** 20.505 (1) (ke) of the statutes is amended to read:

15 20.505 (1) (ke) *Telecommunications services; state agencies; veterans services.*

16 The amounts in the schedule to provide telecommunications services to state
17 agencies and to provide veterans services under s. 16.973 (9). All moneys received
18 from the provision of telecommunications services to state agencies under ss. 16.972
19 ~~and, 16.973 or under s.,~~ and 16.997 (2) (d), other than moneys received and disbursed
20 under s. 20.225 (1) (kb), shall be credited to this appropriation account.

21 **SECTION 425.** 20.505 (1) (kf) of the statutes is amended to read:

22 20.505 (1) (kf) *Procurement services.* For administration of the department's
23 procurement functions under subch. IV of ch. 16. All moneys received from state
24 agencies under s. 16.71 (6) for procurement services provided by the department to
25 the agencies ~~and,~~ from assessments for procurement savings realized by the agencies

ASSEMBLY BILL 40**SECTION 425**

1 receiving those services, and from agencies and vendors under s. 16.701 (1m) for
2 costs of the electronic procurement system under that section.

3 **SECTION 426.** 20.505 (1) (kk) of the statutes is created to read:

4 20.505 (1) (kk) *Information technology infrastructure services; interagency*
5 *transfers.* All moneys received as assessments from the appropriations of executive
6 branch agencies as required under s. 16.972 (2) (j) for the purpose of funding
7 transferred positions, employees, and equipment related to information technology
8 infrastructure services under s. 16.972 (2) (j).

9 **SECTION 427.** 20.505 (1) (kL) of the statutes is amended to read:

10 20.505 (1) (kL) *Printing, mail, communication, and information technology*
11 *services; agencies.* From the sources specified in ss. 16.971, 16.972, 16.973, and
12 16.974 (3), other than sources that are not state agencies, to provide printing, mail
13 processing, electronic communications, and information technology development,
14 management, and processing services, but not ~~integrated business information~~
15 enterprise resource planning system services under s. 16.971 (2) (cf), to state
16 agencies, the amounts in the schedule.

17 **SECTION 428.** 20.505 (1) (kp) of the statutes is amended to read:

18 20.505 (1) (kp) *Interagency assistance; justice information systems.* The
19 amounts in the schedule for the development and operation of automated justice
20 information systems under s. 16.971 (9). All moneys transferred from the
21 appropriation account under ~~sub. (6) (m)~~ s. 20.455 (2) (m) shall be credited to this
22 appropriation account.

23 **SECTION 429.** 20.505 (1) (qm) of the statutes is repealed.

24 **SECTION 430.** 20.505 (4) (er) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 430**

1 20.505 (4) (er) *Service award program; state matching awards.* A sum
2 sufficient to make the payments required under s. 16.25 (3) (d). The amount
3 appropriated under this paragraph may not exceed ~~\$2,000,000~~ \$3,000,000 in a fiscal
4 year.

5 **SECTION 431.** 20.505 (4) (u) of the statutes is created to read:

6 20.505 (4) (u) *Broadband expansion grants.* From the universal service fund,
7 as a continuing appropriation the amounts in the schedule for broadband expansion
8 grants under s. 16.9795.

9 **SECTION 432.** 20.505 (5) (ka) of the statutes is amended to read:

10 20.505 (5) (ka) *Facility operations and maintenance; police and protection*
11 *functions.* The amounts in the schedule for the purpose of financing the costs of
12 operation of state-owned or operated facilities that are not funded from other
13 appropriations, including custodial and maintenance services; for minor projects; for
14 utilities, fuel, heat and air conditioning; for assessments levied by the department
15 under s. 16.847 (3) for costs incurred and savings generated at departmental
16 facilities; for facility design services provided to agencies under s. 16.849; and for
17 costs incurred under ss. 16.858 and 16.895 by or on behalf of the department; and for
18 police and protection functions under s. 16.84 (2) and (3). All moneys received from
19 state agencies for the operation of such facilities, from parking rental fees
20 established under s. 16.843 (2) (bm) and miscellaneous other sources, ~~all moneys~~
21 ~~received from assessments under s. 16.895, all moneys received for~~ from the
22 performance of gaming protection functions under s. 16.84 (3), and from the fees
23 assessed under s. 16.849, and all moneys transferred from the appropriation account
24 under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation account.

25 **SECTION 433.** 20.505 (6) (title) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 434**

1 **SECTION 434.** 20.505 (6) (a) of the statutes is repealed.

2 **SECTION 435.** 20.505 (6) (b) of the statutes is renumbered 20.455 (2) (em) and
3 amended to read:

4 20.455 (2) (em) *Alternatives to prosecution and incarceration for persons who*
5 *use alcohol or other drugs; presentencing assessments.* The amounts in the schedule
6 for making grants to counties under s. ~~16.964 (12) (b) and entering into contracts~~
7 ~~under s. 16.964 (12) (j)~~ 165.95 (2).

8 **SECTION 436.** 20.505 (6) (d) of the statutes is renumbered 20.455 (2) (cr) and
9 amended to read:

10 20.455 (2) (cr) *Youth diversion.* The amounts in the schedule for youth
11 diversion services under s. ~~16.964 (8) (a) and (e)~~ 165.987 (1) and (3).

12 **SECTION 437.** 20.505 (6) (gj) of the statutes is repealed.

13 **SECTION 438.** 20.505 (6) (h) of the statutes is renumbered 20.455 (2) (hm) and
14 amended to read:

15 20.455 (2) (hm) *Public safety interoperable communication system; general*
16 *usage fees.* The amounts in the schedule to operate a statewide public safety
17 interoperable communication system. All moneys received from users as fees under
18 s. ~~16.964 (15) (b) 2.~~ 165.25 (17) (b) 2. shall be credited to this appropriation account.

19 **SECTION 439.** 20.505 (6) (i) of the statutes is renumbered 20.455 (2) (gb) and
20 amended to read:

21 20.455 (2) (gb) *Gifts and grants.* All moneys received from gifts and grants,
22 other than moneys received for and credited to ~~the appropriation accounts~~ another
23 appropriation account under ~~pars. (k) to (p)~~ this subsection, to carry out the purposes
24 for which made and received.

ASSEMBLY BILL 40**SECTION 440**

1 **SECTION 440.** 20.505 (6) (k) of the statutes is renumbered 20.455 (2) (ky) and
2 amended to read:

3 20.455 **(2)** (ky) *Law enforcement programs and youth diversion —*
4 *administration.* The amounts in the schedule for administering grants for law
5 enforcement assistance and for administering the youth diversion program under s.
6 ~~16.964 (8)~~ 165.987. All moneys transferred from the appropriation account under s.
7 ~~20.455—(2)~~ par. (i) 13. shall be credited to this appropriation account.
8 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
9 shall be transferred to the appropriation account under s. 20.455 (2) (i).

10 **SECTION 441.** 20.505 (6) (ka) of the statutes is renumbered 20.455 (2) (ka) and
11 amended to read:

12 20.455 **(2)** (ka) *Public safety interoperable communication system; state fees.*
13 The amounts in the schedule to operate a statewide public safety interoperable
14 communication system. All moneys received from public safety agencies that are
15 state agencies as fees under s. ~~16.964 (15) (b) 1.~~ 165.25 (17) (b) 1. shall be credited
16 to this appropriation account.

17 **SECTION 442.** 20.505 (6) (kb) of the statutes is renumbered 20.455 (2) (kb) and
18 amended to read:

19 20.455 **(2)** (kb) *Law enforcement officer supplement grants.* The amounts in the
20 schedule to provide grants for uniformed law enforcement officers under s. ~~16.964 (5)~~
21 165.986. All moneys transferred from the appropriation account under ~~sub. (1) (id)~~
22 ~~3.~~ s. 20.505 (1) (id) 3. shall be credited to this appropriation account.

23 **SECTION 443.** 20.505 (6) (ke) of the statutes is renumbered 20.455 (5) (ke) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 443**

1 20.455 (5) (ke) *Child advocacy centers*. The amounts in the schedule for grants
2 to child advocacy centers under s. ~~16.964 (14)~~ 165.96. All moneys transferred from
3 the appropriation account under ~~sub. (1) (id) 4~~, s. 20.505 (1) (id) 4, shall be credited
4 to this appropriation account.

5 **SECTION 444.** 20.505 (6) (kf) of the statutes is renumbered 20.410 (1) (ke) and
6 amended to read:

7 20.410 (1) (ke) *American Indian reintegration program*. The amounts in the
8 schedule for the American Indian reintegration program under s. ~~16.964 (17)~~
9 301.073. All moneys transferred from the appropriation account under ~~sub. (8) (hm)~~
10 ~~23~~, s. 20.505 (8) (hm) 23, shall be credited to this appropriation account.
11 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
12 shall revert to the appropriation account under ~~sub. (8) (hm)~~ s. 20.505 (8) (hm).

13 **SECTION 445.** 20.505 (6) (ki) of the statutes is renumbered 20.455 (2) (ki) and
14 amended to read:

15 20.455 (2) (ki) *Interoperable communications system*. The amounts in the
16 schedule to operate a statewide public safety interoperable communication system.
17 All moneys transferred from the appropriation account under ~~sub. (1) (id) 2~~, s. 20.505
18 (1) (id) 2, shall be credited to this appropriation account.

19 **SECTION 446.** 20.505 (6) (kj) of the statutes is renumbered 20.455 (2) (kj) and
20 amended to read:

21 20.455 (2) (kj) *Youth diversion program*. The amounts in the schedule for youth
22 diversion services under s. ~~16.964 (8) (a) and (e)~~ 165.987 (1) and (3). All moneys
23 transferred from the appropriation account under ~~s. 20.455 (2) (i) 8~~, par. (i) 8, shall
24 be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the

ASSEMBLY BILL 40**SECTION 446**

1 unencumbered balance on June 30 of each year shall be transferred to the
2 appropriation account under s. ~~20.455 (2) (i)~~ par. (i).

3 **SECTION 447.** 20.505 (6) (km) of the statutes is repealed.

4 **SECTION 448.** 20.505 (6) (kn) of the statutes is renumbered 20.455 (2) (kn) and
5 amended to read:

6 20.455 (2) (kn) *Alternatives to prosecution and incarceration for persons who*
7 *use alcohol or other drugs; justice information fee.* The amounts in the schedule for
8 administering and making grants to counties under s. ~~16.964 (12) (b)~~ 165.95 (2). All
9 moneys transferred from the appropriation account under sub. ~~(1) (id) 5.~~ s. 20.505 (1)
10 (id) 5. shall be credited to this appropriation account.

11 **SECTION 449.** 20.505 (6) (ko) of the statutes is renumbered 20.455 (2) (ko) and
12 amended to read:

13 20.455 (2) (ko) *Wisconsin Justice Information Sharing Program justice*
14 *information sharing program.* The amounts in the schedule for the development and
15 operation of a justice information system. All moneys transferred from the
16 appropriation account under sub. ~~(1) (id) 5d.~~ s. 20.505 (1) (id) 5d. shall be credited to
17 this appropriation account.

18 **SECTION 450.** 20.505 (6) (ku) of the statutes is renumbered 20.455 (2) (kv) and
19 amended to read:

20 20.455 (2) (kv) *Grants for substance abuse treatment programs for criminal*
21 *offenders.* All moneys received under s. 961.41 (5) (c) 2. or 973.043 for the purpose
22 of making grants to counties under s. ~~16.964 (12) (b) and entering into contracts~~
23 ~~under s. 16.964 (12) (j)~~ 165.95 (2).

24 **SECTION 451.** 20.505 (6) (m) of the statutes is repealed.

25 **SECTION 452.** 20.505 (6) (mb) of the statutes is renumbered 20.465 (3) (mb).

ASSEMBLY BILL 40**SECTION 453**

1 **SECTION 453.** 20.505 (6) (n) of the statutes is repealed.

2 **SECTION 454.** 20.505 (6) (p) of the statutes is repealed.

3 **SECTION 455.** 20.505 (7) (title) of the statutes is amended to read:

4 20.505 (7) (title) HOUSING ASSISTANCE AND COMMUNITY DEVELOPMENT.

5 **SECTION 456.** 20.505 (7) (k) of the statutes is amended to read:

6 20.505 (7) (k) *Sale of materials or services.* All moneys received from the sale
7 of materials or services related to housing assistance under ss. 16.301 to 16.315 to
8 the department or other state agencies, for the purpose of providing those materials
9 and services.

10 **SECTION 457.** 20.505 (7) (m) of the statutes is amended to read:

11 20.505 (7) (m) *Federal aid; state operations.* All moneys received from the
12 federal government for state operations related to housing assistance under ss.
13 16.301 to 16.315, as authorized by the governor under s. 16.54, for the purposes of
14 state operations.

15 **SECTION 458.** 20.505 (7) (n) of the statutes is amended to read:

16 20.505 (7) (n) *Federal aid; local assistance.* All moneys received from the
17 federal government for local assistance related to housing assistance under ss.
18 16.301 to 16.315, as authorized by the governor under s. 16.54, for the purposes of
19 providing local assistance.

20 **SECTION 459.** 20.505 (7) (o) of the statutes is amended to read:

21 20.505 (7) (o) *Federal aid; individuals and organizations.* All moneys received
22 from the federal government for aids to individuals and organizations related to
23 housing assistance under ss. 16.301 to 16.315, as authorized by the governor under
24 s. 16.54, for the purpose of providing aids to individuals and organizations.

25 **SECTION 460.** 20.505 (8) (hm) 23. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 460**

1 20.505 (8) (hm) 23. The amount transferred to ~~sub. (6) (kf) s. 20.410 (1) (ke)~~
2 shall be the amount in the schedule under ~~sub. (6) (kf) s. 20.410 (1) (ke)~~.

3 **SECTION 461.** 20.505 (8) (j) of the statutes is amended to read:

4 20.505 (8) (j) *General program operations; raffles ~~and crane games~~*. The
5 amounts in the schedule for general program operations relating to raffles under
6 subchs. II and VIII of ch. 563 ~~and relating to crane games under ch. 564~~. All moneys
7 received by the department of administration under ss. 563.92 (2), and 563.98 (1g)
8 ~~and 564.02 (2)~~ shall be credited to this appropriation account.

9 **SECTION 462.** 20.515 (1) (tm) of the statutes is created to read:

10 20.515 (1) (tm) *Health savings account plan*. All moneys deposited in the public
11 employee trust fund relating to the establishment and operation of health savings
12 accounts under s. 40.515 to be used for the payment of expenses relating to health
13 savings accounts.

14 **SECTION 463.** 20.550 (1) (em) of the statutes is created to read:

15 20.550 (1) (em) *Salary adjustments*. The amounts in the schedule to fund the
16 costs of the salary adjustments for assistant state public defenders under s. 230.12
17 (11).

18 **SECTION 464.** 20.835 (3) (b) of the statutes is amended to read:

19 20.835 (3) (b) *School levy tax credit and first dollar credit*. A sum sufficient to
20 make the payments under s. 79.10 (4) and (5m), ~~to the extent that the payments are~~
21 ~~not paid under par. (qb)~~.

22 **SECTION 465.** 20.835 (3) (qb) of the statutes is repealed.

23 **SECTION 466.** 20.855 (1) (f) of the statutes is created to read:

24 20.855 (1) (f) *Payment of fees to financial institutions*. A sum sufficient to pay
25 fees to financial institutions relating to the investment of moneys in the general fund

ASSEMBLY BILL 40**SECTION 466**

1 in the state investment fund, other than moneys in program revenue appropriation
2 accounts under s. 20.285, that are not otherwise paid from earnings from the
3 investment of the moneys.

4 **SECTION 467.** 20.855 (4) (gd) of the statutes is created to read:

5 20.855 (4) (gd) *American Red Cross, Badger Chapter.* As a continuing
6 appropriation, from moneys received as amounts designated under s. 71.10 (5k) (b),
7 the net amount certified under s. 71.10 (5k) (h) 3. for the Badger Chapter of the
8 American Red Cross for its Wisconsin Disaster Relief Fund.

9 **SECTION 468.** 20.855 (7) of the statutes is repealed.

10 **SECTION 469.** 20.865 (intro.) of the statutes is amended to read:

11 **20.865 Program supplements.** (intro.) There is appropriated to the various
12 state agencies from the respective funds and accounts from which their
13 appropriations are financed, the amounts provided in this section as approved by the
14 department of administration under ss. 16.50 and 20.928, but only after the amounts
15 included in the respective program appropriations for the purposes specified in this
16 section have been exhausted. Every expenditure under this section for purposes
17 normally financed by a program revenue appropriation or segregated revenue
18 appropriation from program receipts shall be charged to the appropriate account, but
19 if there are insufficient moneys available in that account, the expenditure shall be
20 charged to the fund from which the appropriation is made. Those general fund
21 expenditures paid from general purpose revenues for purposes financed by program
22 revenues shall be separately accounted for and the general fund, except as otherwise
23 provided in sub. (2) (d), (j) and (t) and ~~s. 36.52~~, shall be reimbursed for those
24 expenditures as soon as moneys become available in the appropriate account.

ASSEMBLY BILL 40**SECTION 470**

1 **SECTION 470.** 20.865 (1) (c) of the statutes, as affected by 2011 Wisconsin Act
2 32, is amended to read:

3 20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to
4 supplement the appropriations to state agencies for the cost of compensation and
5 related adjustments approved by the legislature under s. 111.92 for represented
6 employees and by the joint committee on employment relations under s. 230.12 and
7 by the legislature, when required, for nonrepresented employees in the classified
8 service and comparable adjustments for nonrepresented employees in the
9 unclassified service, except those nonrepresented employees specified in ss. 20.923
10 (6) (c) and 230.08 (2) (f), as determined under s. 20.928, ~~other than adjustments~~
11 ~~funded under par. (ej).~~ Unclassified employees included under s. 20.923 (2) need not
12 be paid comparable adjustments.

13 **SECTION 471.** 20.865 (1) (ci) of the statutes, as affected by 2011 Wisconsin Act
14 32, is repealed.

15 **SECTION 472.** 20.865 (1) (cj) of the statutes is repealed.

16 **SECTION 473.** 20.865 (1) (i) of the statutes, as affected by 2011 Wisconsin Act
17 32, is amended to read:

18 20.865 (1) (i) *Compensation and related adjustments; program revenues.* From
19 the appropriate program revenue and program revenue - service accounts, a sum
20 sufficient to supplement the appropriations to state agencies for the cost of
21 compensation and related adjustments approved by the legislature under s. 111.92
22 for represented employees and by the joint committee on employment relations
23 under s. 230.12 and the legislature, when required for nonrepresented employees in
24 the classified service and comparable adjustments for nonrepresented employees in
25 the unclassified service, except those nonrepresented employees specified in ss.

ASSEMBLY BILL 40**SECTION 473**

1 20.923 (6) (c) and 230.08 (2) (f), as determined under s. 20.928, ~~other than~~
2 ~~adjustments funded under par. (e)~~. Unclassified employees included under s. 20.923
3 (2) need not be paid comparable adjustments.

4 **SECTION 474.** 20.865 (1) (ic) of the statutes, as affected by 2011 Wisconsin Act
5 32, is repealed.

6 **SECTION 475.** 20.865 (1) (si) of the statutes, as affected by 2011 Wisconsin Act
7 32, is repealed.

8 **SECTION 476.** 20.865 (2) (i) (title) of the statutes is amended to read:

9 20.865 (2) (i) (title) *Integrated business information Enterprise resource*
10 *planning system; program revenues.*

11 **SECTION 477.** 20.865 (2) (r) (title) of the statutes is amended to read:

12 20.865 (2) (r) (title) *Integrated business information Enterprise resource*
13 *planning system; segregated revenues.*

14 **SECTION 478.** 20.866 (1) (u) of the statutes is amended to read:

15 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
16 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (s), 20.190 (1)
17 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
18 20.255 (1) (d), 20.285 (1) (d), (je), and (gj), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7)
19 (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea),
20 (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3)
21 (e), 20.435 (2) (ee), 20.465 (1) (d), 20.485 (1) (f) and ~~(go)~~ (rg), (3) (t) and (4) (qm), 20.505
22 (4) (es), (et), (ha), and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a)
23 and (b) and (3) (a), (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bj), ~~(bk)~~, (bm), (bn),
24 (bp), (bq), (br), (bu), (bv), (g), (h), (i), (kd), and (q) for the payment of principal,
25 interest, premium due, if any, and payment due, if any, under an agreement or

ASSEMBLY BILL 40**SECTION 478**

1 ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt
2 contracted under subchs. I and IV of ch. 18.

3 **SECTION 479.** 20.866 (2) (td) of the statutes is amended to read:

4 20.866 (2) (td) *Safe drinking water loan program.* From the capital
5 improvement fund, a sum sufficient to be transferred to the environmental
6 improvement fund for the safe drinking water loan program under s. 281.61. The
7 state may contract public debt in an amount not to exceed ~~\$54,800,000~~ \$61,900,000
8 for this purpose.

9 **SECTION 480.** 20.866 (2) (tf) of the statutes is amended to read:

10 20.866 (2) (tf) *Natural resources; nonpoint source.* From the capital
11 improvement fund, a sum sufficient for the department of natural resources to fund
12 nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e).
13 The state may contract public debt in an amount not to exceed ~~\$25,000,000~~
14 \$32,000,000 for this purpose.

15 **SECTION 481.** 20.866 (2) (th) of the statutes is amended to read:

16 20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From
17 the capital improvement fund, a sum sufficient for the department of natural
18 resources to provide cost-sharing grants for urban nonpoint source water pollution
19 abatement and storm water management projects under s. 281.66, to provide
20 municipal flood control and riparian restoration cost-sharing grants under s.
21 281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The
22 state may contract public debt in an amount not to exceed ~~\$41,900,000~~ \$46,900,000
23 for this purpose. Of this amount, \$500,000 is allocated in fiscal biennium 2001-03
24 for dam rehabilitation grants under s. 31.387.

25 **SECTION 482.** 20.866 (2) (ti) of the statutes is amended to read:

ASSEMBLY BILL 40

1 20.866 (2) (ti) *Natural resources; contaminated sediment removal.* From the
2 capital improvement fund, a sum sufficient for the department of natural resources
3 to fund removal of contaminated sediment under s. 281.87. The state may contract
4 public debt in an amount not to exceed ~~\$27,000,000~~ \$32,000,000 for this purpose.

5 **SECTION 483.** 20.866 (2) (tx) of the statutes is amended to read:

6 20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital
7 improvement fund, a sum sufficient for the department of natural resources to
8 provide financial assistance to counties, cities, villages, towns, and public inland
9 lake protection and rehabilitation districts for dam safety projects under s. 31.385.
10 The state may contract public debt in an amount not to exceed ~~\$13,500,000~~
11 \$17,500,000 for this purpose.

12 **SECTION 484.** 20.866 (2) (uup) of the statutes is amended to read:

13 20.866 (2) (uup) *Transportation; ~~Marquette interchange, zoo interchange,~~*
14 *~~southeast rehabilitation projects, southeast megaprojects, and I-94 north-south~~*
15 *~~corridor-reconstruction~~ high-cost bridge projects. From the capital improvement*
16 *fund, a sum sufficient for the department of transportation to fund the Marquette*
17 *interchange reconstruction project under s. 84.014, as provided under s. 84.555, the*
18 *reconstruction of the I 94 north-south corridor and the zoo interchange, as provided*
19 *under s. 84.555 (1m), and southeast Wisconsin freeway megaprojects under s.*
20 *84.0145, as provided under s. 84.555 (1m), and high-cost state highway bridge*
21 *projects under s. 84.017, as provided under s. 84.555 (1m). The state may contract*
22 *public debt in an amount not to exceed \$704,750,000 for these purposes. In addition,*
23 *the state may contract public debt in an amount not to exceed \$107,000,000 for the*
24 *reconstruction of the Zoo interchange and I 94 north-south corridor, as provided*
25 *under s. 84.555 (1m), as southeast Wisconsin freeway megaprojects under s. 84.0145,*

ASSEMBLY BILL 40**SECTION 484**

1 and in an amount not to exceed \$200,000,000 for high-cost state highway bridge
2 projects under s. 84.017, as provided under s. 84.555 (1m).

3 **SECTION 485.** 20.866 (2) (uur) of the statutes is amended to read:

4 20.866 (2) (uur) *Transportation; state highway rehabilitation projects,*
5 *southeast megaprojects.* From the capital improvement fund, a sum sufficient for the
6 department of transportation to fund state highway rehabilitation projects, as
7 provided under s. 84.95, and southeast Wisconsin freeway megaprojects under s.
8 84.0145, as provided under s. 84.555 (1m). The state may contract public debt in an
9 amount not to exceed \$250,000,000 for ~~this purpose~~ these purposes. In addition, the
10 state may contract public debt in an amount not to exceed \$50 million for ~~this purpose~~
11 these purposes. In addition, the state may contract public debt in an amount not to
12 exceed \$204,712,200 for ~~this purpose~~ these purposes. In addition, the state may
13 contract public debt in an amount not to exceed \$115,351,500 for ~~this purpose~~ these
14 purposes. In addition, the state may contract public debt in an amount not to exceed
15 \$200,000,000 for southeast Wisconsin freeway megaprojects under s. 84.0145, as
16 provided under s. 84.555 (1m).

17 **SECTION 486.** 20.866 (2) (uv) of the statutes is amended to read:

18 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
19 improvement fund, a sum sufficient for the department of transportation to provide
20 grants for harbor improvements. The state may contract public debt in an amount
21 not to exceed ~~\$76,800,000~~ \$87,500,000 for this purpose.

22 **SECTION 487.** 20.866 (2) (uw) of the statutes is amended to read:

23 20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the
24 capital improvement fund, a sum sufficient for the department of transportation to
25 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and

ASSEMBLY BILL 40**SECTION 487**

1 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).

2 The state may contract public debt in an amount not to exceed \$156,500,000

3 \$216,500,000 for these purposes.

4 **SECTION 488.** 20.866 (2) (we) of the statutes is amended to read:

5 20.866 (2) (we) *Agriculture; soil and water.* From the capital improvement

6 fund, a sum sufficient for the department of agriculture, trade and consumer

7 protection to provide for soil and water resource management under s. 92.14. The

8 state may contract public debt in an amount not to exceed \$47,075,000 \$54,075,000

9 for this purpose.

10 **SECTION 489.** 20.866 (2) (xm) of the statutes is amended to read:

11 20.866 (2) (xm) *Building commission; refunding tax-supported and*

12 *self-amortizing general obligation debt.* From the capital improvement fund, a sum

13 sufficient to refund the whole or any part of any unpaid indebtedness used to finance

14 tax-supported or self-amortizing facilities. In addition to the amount that may be

15 contracted under par. (xe), the state may contract public debt in an amount not to

16 exceed \$1,775,000,000 \$3,785,000,000 for this purpose. Such indebtedness shall be

17 construed to include any premium and interest payable with respect thereto. Debt

18 incurred by this paragraph shall be repaid under the appropriations providing for

19 the retirement of public debt incurred for tax-supported and self-amortizing

20 facilities in proportional amounts to the purposes for which the debt was refinanced.

21 No moneys may be expended under this paragraph unless the true interest costs to

22 the state can be reduced by the expenditure.

23 **SECTION 490.** 20.867 (3) (h) of the statutes is amended to read:

24 20.867 (3) (h) *Principal repayment, interest, and rebates.* A sum sufficient to

25 guarantee full payment of principal and interest costs for self-amortizing or

ASSEMBLY BILL 40**SECTION 490**

1 partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j),
2 20.285 (1) (gj) and (je), 20.370 (7) (eq), 20.485 (1) (~~go~~ rg), and 20.867 (3) (kd) if
3 moneys available in those appropriations are insufficient to make full payment, to
4 make full payment of the amounts determined by the building commission under s.
5 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) (gj)
6 and (je), 20.485 (1) (g), or 20.867 (3) (kd) is insufficient to make full payment of those
7 amounts, and to make payments under an agreement or ancillary arrangement
8 entered into under s. 18.06 (8) (a). All amounts advanced under the authority of this
9 paragraph shall be repaid to the general fund whenever the balance of the
10 appropriation for which the advance was made is sufficient to meet any portion of the
11 amount advanced. The department of administration may take whatever action is
12 deemed necessary including the making of transfers from program revenue
13 appropriations and corresponding appropriations from program receipts in
14 segregated funds and including actions to enforce contractual obligations that will
15 result in additional program revenue for the state, to ensure recovery of the amounts
16 advanced.

17 **SECTION 491.** 20.921 (1) (a) 6. of the statutes is created to read:

18 20.921 (1) (a) 6. Payment into a health savings account established for that
19 officer or employee under s. 40.515.

20 **SECTION 492.** 20.923 (4) (a) 3. of the statutes is repealed.

21 **SECTION 493.** 20.923 (4) (a) 4. of the statutes is repealed.

22 **SECTION 494.** 20.923 (4) (c) 1m. of the statutes is created to read:

23 20.923 (4) (c) 1m. Administration, department of: regional directors of
24 intergovernmental affairs.

25 **SECTION 495.** 20.923 (4) (c) 5. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 495**

1 20.923 (4) (c) 5. Justice, department of: executive director of the office of crime
2 victim services.

3 **SECTION 496.** 20.923 (6) (e) of the statutes is amended to read:

4 20.923 (6) (e) Law library, state: librarian, assistant librarian, clerical and
5 expert assistants.

6 **SECTION 497.** 20.923 (9) of the statutes is amended to read:

7 20.923 (9) ~~EXECUTIVE~~ ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANTS.
8 Salaries for assistant deputy secretaries and executive assistants appointed under
9 ss. 15.05 (3) and 15.06 (4m) shall be set by the appointing authority. The salary for
10 an assistant deputy secretary or an executive assistant appointed under s. 15.05 (3)
11 or 15.06 (4m), other than the salary for the executive assistant to the director of the
12 technical college system, may not exceed the maximum of the salary range 2 ranges
13 below the salary range for the executive salary group to which the department or
14 agency head is assigned. The position of administrative assistant to the lieutenant
15 governor shall be treated as are executive assistants for pay purposes under this
16 subsection. The salary for the executive assistant appointed under s. 230.04 (16)
17 shall be set by the appointing authority. The salary for that position may not exceed
18 the maximum of the salary range 2 ranges below the salary range for the executive
19 salary group to which the appointing authority is assigned.

20 **SECTION 498.** 20.928 (1) of the statutes is amended to read:

21 20.928 (1) Each state agency head shall certify to the department of
22 administration, at such time and in such manner as the secretary of administration
23 prescribes, the sum of money needed by the state agency from the appropriations
24 under s. 20.865 (1) (c), ~~(ei), (ej)~~, (d), (i), ~~(ie)~~, (j), (s), ~~(si)~~, and (t). Upon receipt of the
25 certifications together with such additional information as the secretary of

ASSEMBLY BILL 40**SECTION 498**

1 administration prescribes, the secretary shall determine the amounts required from
2 the respective appropriations to supplement state agency budgets.

3 **SECTION 499.** 20.928 (1m) of the statutes is repealed.

4 **SECTION 500.** 20.928 (4) of the statutes is repealed.

5 **SECTION 501.** 23.0917 (3) (br) of the statutes is renumbered 23.0917 (3) (br)
6 (intro.) and amended to read:

7 23.0917 (3) (br) (intro.) ~~Beginning with fiscal year 2010-11 and ending with~~
8 ~~fiscal year 2019-20, in~~ In obligating moneys under the subprogram for land
9 acquisition, the department shall set aside ~~in each fiscal year~~ not less than
10 ~~\$12,000,000~~ the following amounts that may be obligated only to provide for grants
11 awarded to nonprofit conservation organizations under s. 23.096.:

12 **SECTION 502.** 23.0917 (3) (br) 1. of the statutes is created to read:

13 23.0917 (3) (br) 1. For each fiscal year beginning with 2010-11 and ending with
14 fiscal year 2012-13, \$12,000,000.

15 **SECTION 503.** 23.0917 (3) (br) 2. of the statutes is created to read:

16 23.0917 (3) (br) 2. For fiscal years 2013-14 and 2014-15, \$9,000,000.

17 **SECTION 504.** 23.0917 (3) (br) 3. of the statutes is created to read:

18 23.0917 (3) (br) 3. For each fiscal year beginning with 2015-16 and ending with
19 fiscal year 2019-20, \$12,000,000.

20 **SECTION 505.** 23.0917 (3) (dm) 6g. of the statutes is created to read:

21 23.0917 (3) (dm) 6g. For fiscal years 2013-14 and 2014-15, \$32,000,000.

22 **SECTION 506.** 23.0917 (3) (dm) 7. of the statutes is amended to read:

23 23.0917 (3) (dm) 7. For each fiscal year beginning with ~~2013-14~~ 2015-16 and
24 ending with fiscal year 2019-20, \$42,500,000.

25 **SECTION 507.** 23.0917 (4) (c) 4. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 507**

1 23.0917 (4) (c) 4. Infrastructure improvements to the Kettle Moraine Springs
2 fish hatchery. This subdivision does not apply after June 30, 2017.

3 **SECTION 508.** 23.0917 (4) (d) 1m. c. of the statutes is amended to read:

4 23.0917 (4) (d) 1m. c. For each fiscal year ~~beginning with years~~ 2013-14 and
5 ~~ending with fiscal year 2019-20, \$15,000,000~~ 2014-15, \$25,500,000.

6 **SECTION 509.** 23.0917 (4) (d) 1m. d. of the statutes is created to read:

7 23.0917 (4) (d) 1m. d. For each fiscal year beginning with 2015-16 and ending
8 with fiscal year 2019-20, \$15,000,000.

9 **SECTION 510.** 23.1985 of the statutes is renumbered 23.1985 (1) (intro.) and
10 amended to read:

11 23.1985 (1) (intro.) ~~Beginning in fiscal year 2006-07 and ending in fiscal year~~
12 ~~2019-20, from~~ From the appropriation under s. 20.866 (2) (ta), the department shall
13 set aside ~~\$2,000,000 in each fiscal year~~ the following amounts that may be obligated
14 only to acquire land from the board of commissioners of public lands under s. 24.59
15 (1);

16 **(2)** For purposes of s. 23.0917, moneys provided from the appropriation under
17 s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram under
18 s. 23.0917 (3).

19 **SECTION 511.** 23.1985 (1) (a) of the statutes is created to read:

20 23.1985 (1) (a) For each fiscal year beginning with 2006-07 and ending with
21 fiscal year 2012-13, \$2,000,000.

22 **SECTION 512.** 23.1985 (1) (b) of the statutes is created to read:

23 23.1985 (1) (b) For fiscal years 2013-14 and 2014-15, \$1,000,000.

24 **SECTION 513.** 23.1985 (1) (c) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 513**

1 23.1985 (1) (c) For each fiscal year beginning with 2015-16 and ending with
2 fiscal year 2019-20, \$2,000,000.

3 **SECTION 514.** 23.1987 of the statutes is created to read:

4 **23.1987 Fish hatchery infrastructure project.** From the moneys
5 appropriated under s. 20.866 (2) (ta), the department shall set aside \$7,000,000 in
6 fiscal year 2013-14 and \$7,000,000 in fiscal year 2014-15 that may be obligated only
7 for infrastructure improvements to the Kettle Moraine Springs fish hatchery. For
8 purposes of s. 23.0917, moneys obligated under this section shall be treated as
9 moneys obligated under the property development and local assistance subprogram
10 under s. 23.0917 (4). Section 23.0917 (5g) does not apply with respect to amounts
11 obligated before July 1, 2017, under this section.

12 **SECTION 515.** 25.17 (8) of the statutes is amended to read:

13 25.17 (8) Accept, when necessary to protect a mortgage loan, a quitclaim deed
14 or warranty deed to the mortgaged property in full satisfaction of the mortgage debt,
15 and, subject to prior action under s. 13.48 (14) (am) or 16.848 (1), manage, operate,
16 lease, exchange, sell and convey, by land contract, quitclaim deed or warranty deed,
17 and grant easement rights in, any real property acquired by the board.

18 **SECTION 516.** 25.36 (1) of the statutes is amended to read:

19 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
20 by law shall constitute the veterans trust fund which shall be used for the lending
21 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the
22 veterans operations and programs under ss. 20.485 (1) (r), (rg), and (rm), (2) (m),
23 (tm), (u), (vy), (w), and (z), and (5) (mn), (v), (vo), and (zm), 45.03 (19), 45.07, 45.20,
24 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and 45.82 and administered by the
25 department of veterans affairs, including all moneys received from the federal

ASSEMBLY BILL 40**SECTION 516**

1 government for the benefit of veterans or their dependents; all moneys paid as
2 interest on and repayment of loans under the post-war rehabilitation fund; soldiers
3 rehabilitation fund, veterans housing funds as they existed prior to July 1, 1961; all
4 moneys paid as interest on and repayment of loans under this fund; all moneys paid
5 as expenses for, interest on, and repayment of veterans trust fund stabilization loans
6 under s. 45.356, 1995 stats.; all moneys paid as expenses for, interest on, and
7 repayment of veterans personal loans; the net proceeds from the sale of mortgaged
8 properties related to veterans personal loans; all mortgages issued with the proceeds
9 of the 1981 veterans home loan revenue bond issuance purchased with moneys in the
10 veterans trust fund; all moneys received from the state investment board under s.
11 45.42 (8) (b); all moneys received from the veterans mortgage loan repayment fund
12 under s. 45.37 (7) (a) and (c); all moneys received under ss. 20.485 (1) (m) and 45.51
13 (7) (b) and (8); all moneys received for the care of members under medical assistance,
14 as defined in s. 49.43 (8); all moneys received from the estate of the decedents under
15 s. 45.61 (5) for the burial of veterans and nonveterans in Wisconsin veterans
16 cemeteries under s. 45.61 (1); all moneys received for providing housing services at
17 Wisconsin veterans homes under s. 45.50 and the Northern Wisconsin Center for the
18 Developmentally Disabled; and all gifts of money received by the board of veterans
19 affairs for the purposes of this fund.

20 **SECTION 517.** 25.40 (1) (a) 30. of the statutes is created to read:

21 25.40 (1) (a) 30. Moneys received under s. 85.63 (2) that are deposited in the
22 general fund and credited to the appropriation account under s. 20.395 (3) (jg).

23 **SECTION 518.** 25.40 (1) (a) 31. of the statutes is created to read:

24 25.40 (1) (a) 31. Fees received under s. 84.01 (36) (d) that are deposited in the
25 general fund and credited to the appropriation account under s. 20.395 (3) (eg).

ASSEMBLY BILL 40**SECTION 519**

1 **SECTION 519.** 25.46 (1e) of the statutes is amended to read:

2 25.46 **(1e)** The moneys transferred under s. ~~20.370 (2) (mu)~~ 20.855 (4) (wc) for
3 environmental management.

4 **SECTION 520.** 25.46 (1g) of the statutes is amended to read:

5 25.46 **(1g)** The moneys transferred under s. ~~20.370 (4) (mw)~~ 20.855 (4) (we) for
6 environmental management.

7 **SECTION 521.** 25.46 (7) of the statutes is amended to read:

8 25.46 **(7)** The fees imposed under s. 289.67 (1) for environmental management,
9 except that for each ton of waste, ~~\$3.20~~ of the fees imposed under s. 289.67 (1) (cp)
10 and (cv), \$3.70 for each ton of waste is for nonpoint source water pollution abatement.

11 **SECTION 522.** 25.47 (1m) of the statutes is amended to read:

12 25.47 **(1m)** Any fees imposed under s. ~~101.143~~ 292.63 (2) (em) 1.

13 **SECTION 523.** 25.47 (2) of the statutes is amended to read:

14 25.47 **(2)** The payments under s. ~~101.143~~ 292.63 (4) (h) 1m.

15 **SECTION 524.** 25.47 (3) of the statutes is amended to read:

16 25.47 **(3)** The payments under s. ~~101.143~~ 292.63 (5) (a).

17 **SECTION 525.** 25.47 (4) of the statutes is amended to read:

18 25.47 **(4)** The net recoveries under s. ~~101.143~~ 292.63 (5) (c).

19 **SECTION 526.** 25.47 (4m) of the statutes is amended to read:

20 25.47 **(4m)** The payments under s. ~~101.1435~~ 292.64 (3).

21 **SECTION 527.** 25.47 (5) of the statutes is amended to read:

22 25.47 **(5)** The moneys transferred from the appropriation account under s.
23 ~~20.165 (2) (s)~~ 20.370 (2) (er).

24 **SECTION 528.** 25.47 (6) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 528**

1 25.47 (6) The net proceeds of revenue obligations issued under s. ~~101.143~~
2 292.63 (9m) that are transferred from a separate and distinct fund outside the state
3 treasury, in an account maintained by a trustee, under s. 18.562 (3).

4 **SECTION 529.** 25.47 (7) of the statutes is amended to read:

5 25.47 (7) The fees imposed under s. ~~101.09 (3) (d)~~ 101.02 (18r).

6 **SECTION 530.** 25.47 (8) of the statutes is created to read:

7 25.47 (8) The fees imposed under s. 168.23 (4).

8 **SECTION 531.** 25.60 of the statutes is amended to read:

9 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
10 trust fund designated as the budget stabilization fund, consisting of moneys
11 transferred to the fund from the general fund under ss. ~~13.48 (14) (e)~~, 16.518 (3), and
12 16.72 (4) (b).

13 **SECTION 532.** 25.61 of the statutes is amended to read:

14 **25.61 VendorNet fund.** There is created a separate nonlapsible trust fund
15 designated as the VendorNet fund consisting of all revenues accruing to the state
16 from fees assessed under s. 16.701 (1) and (2) and from gifts, grants, and bequests
17 made for the purposes of s. 16.701 (1) and (2) and moneys transferred to the fund from
18 other funds.

19 **SECTION 533.** 27.01 (7) (a) (intro.) of the statutes is created to read:

20 27.01 (7) (a) (intro.) In this subsection:

21 **SECTION 534.** 27.01 (7) (a) 1. of the statutes is amended to read:

22 27.01 (7) (a) 1. ~~In this subsection “motor~~ “Motor bus” has the meaning specified
23 under s. 340.01 (31).

24 **SECTION 535.** 27.01 (7) (a) 1m. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 535**

1 27.01 (7) (a) 1m. "Service member" means a person who is serving on active
2 duty in the U.S. armed forces.

3 **SECTION 536.** 27.01 (7) (a) 2. of the statutes is amended to read:

4 27.01 (7) (a) 2. ~~In this subsection "vehicle"~~ "Vehicle" means an automobile,
5 motor truck, motor delivery wagon, motor bus, motorcycle or other similar motor
6 vehicle.

7 **SECTION 537.** 27.01 (7) (a) 3. of the statutes is amended to read:

8 27.01 (7) (a) 3. ~~In this subsection "vehicle"~~ "Vehicle admission area" means the
9 Bong area lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the
10 Point Beach state forest, recreational areas in other state forests designated as such
11 by the department, designated use zones within recreation areas established under
12 s. 23.091 (3), and any state park or roadside park except those specified in par. (c) 5.

13 **SECTION 538.** 27.01 (7) (c) 1. of the statutes is amended to read:

14 27.01 (7) (c) 1. Any vehicle in an a vehicle admission area between November
15 1 and March 31, except as the department provides by rule.

16 **SECTION 539.** 27.01 (7) (c) 1m. of the statutes is created to read:

17 27.01 (7) (c) 1m. Any vehicle, except a motor bus, that is in a vehicle admission
18 area on Veterans Day or during the 3-day weekend that includes Memorial Day and
19 that is occupied by a person who produces evidence that shows that he or she is a
20 state resident and a service member.

21 **SECTION 540.** 27.01 (8) (bn) 3. of the statutes is created to read:

22 27.01 (8) (bn) 3. Any person who on Veterans Day or during the 3-day weekend
23 that includes Memorial Day produces evidence that shows that he or she is a state
24 resident and a service member, as defined in sub. (7) (a) 1m.

25 **SECTION 541.** 27.01 (9) of the statutes is renumbered 27.01 (9) (a).

ASSEMBLY BILL 40

1 **SECTION 542.** 27.01 (9) (a) (title) of the statutes is created to read:

2 27.01 (9) (a) (title) *Generally.*

3 **SECTION 543.** 27.01 (9) (bn) of the statutes is created to read:

4 27.01 (9) (bn) *Annual vehicle admission receipt fee waiver.* The department
5 shall waive the fee, including the issuing fee, imposed under sub. (7) for an annual
6 vehicle admission receipt for any vehicle, except a motor bus, that has Wisconsin
7 registration plates and that is owned by a person who produces evidence that he or
8 she is the owner, is a state resident, and is a service member, as defined in sub. (7)
9 (a) 1m. Each person who qualifies for this waiver may receive the waiver only once.
10 For purposes of administering this paragraph, the department shall establish and
11 maintain a list of service members, as defined in sub. (7) (a) 1m., who have received
12 the onetime exemption.

13 **SECTION 544.** 27.01 (9) (c) of the statutes is created to read:

14 27.01 (9) (c) *Annual trail fee waiver.* The department shall waive any annual
15 fee for admission to state trails that is established under sub. (8) (c) for any person
16 who produces evidence that he or she is a state resident and a service member, as
17 defined in sub. (7) (a) 1m. Each person who qualifies for this waiver may receive the
18 waiver only once. For purposes of administering this paragraph, the department
19 shall establish and maintain a list of service members, as defined in sub. (7) (a) 1m.,
20 who have received the onetime exemption.

21 **SECTION 545.** 28.05 (2) of the statutes is renumbered 28.05 (2) (intro.) and
22 amended to read:

23 28.05 (2) PROCEDURE. (intro.) Sales Any sale of cut products or stumpage
24 having an estimated value of \$3,000 \$10,000 or more requires approval by the
25 secretary and shall be by public sale after 2. Before the department may sell timber

ASSEMBLY BILL 40**SECTION 545**

1 with an estimated value of \$10,000 or more from a state forest the department shall
2 announce the sale by one of the following methods:

3 (a) Two publications of a classified advertisement announcing the sale in a
4 newspaper having general circulation in the county in which the timber to be sold
5 is located. ~~Sales with an estimated value of \$3,000 or more requires approval by the~~
6 ~~secretary.~~

7 **SECTION 546.** 28.05 (2) (b) of the statutes is created to read:

8 28.05 (2) (b) Posting an advertisement announcing the sale on the
9 department's Internet site. If the department posts an advertisement on its Internet
10 site, it shall remain posted for at least 48 hours prior to the sale.

11 **SECTION 547.** 28.11 (6) (b) 1. of the statutes is renumbered 28.11 (6) (b) 1. (intro.)
12 and amended to read:

13 28.11 (6) (b) 1. (intro.) Any sale of timber with an estimated value below
14 \$10,000 from a county forest may be made without prior advertising. Any sale of
15 timber sale with an estimated value of \$3,000 \$10,000 or more from a county forest
16 requires approval by the secretary and shall be by sealed bid or public sale after
17 publication. Before a county may sell timber with an estimated value of \$10,000 or
18 more from a county forest it shall announce the sale by one of the following methods:

19 a. Publication of a classified advertisement announcing the sale in a newspaper
20 having general circulation in the county in which the timber to be sold is located. ~~Any~~
21 ~~timber sale with an estimated value below \$3,000 may be made without prior~~
22 ~~advertising. Any timber sale with an estimated value of \$3,000 or more requires~~
23 ~~approval of the secretary.~~

24 **SECTION 548.** 28.11 (6) (b) 1. b. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 548**

1 28.11 (6) (b) 1. b. Posting an advertisement announcing the sale on the county's
2 Internet site. If the advertisement is posted on the county's Internet site, it shall
3 remain posted for at least 48 hours prior to the sale.

4 **SECTION 549.** 28.22 of the statutes is renumbered 28.22 (intro.) and amended
5 to read:

6 **28.22 Timber sales; community forests.** (intro.) Any timber sale from a
7 community forest shall be based on the scale, measure, or count of the cut products.
8 Any timber sale with an estimated value of ~~\$3,000~~ \$10,000 or more from a
9 community forest shall be by public sale after ~~2.~~ Before a city, village, town, or school
10 district may sell timber with an estimated value of \$10,000 or more from a
11 community forest it shall announce the sale by one of the following methods:

12 (1) Two publications of a classified advertisement announcing the sale in a
13 newspaper having general circulation in the county in which the timber to be sold
14 is located.

15 **SECTION 550.** 28.22 (2) of the statutes is created to read:

16 28.22 (2) Posting an advertisement announcing the sale on the Internet site
17 of the city, village, town, or school district that owns the community forest land or
18 operates the community forest. If an advertisement is posted on the city, village,
19 town, or school district Internet site, it shall remain posted for at least 48 hours prior
20 to the sale.

21 **SECTION 551.** 29.020 of the statutes is created to read:

22 **29.020 Deer management assistance program.** (1) The department shall
23 establish a deer management assistance program. Under this program, the
24 department shall provide deer management assistance to participating landowners.
25 The department shall also provide a method for collecting information from

ASSEMBLY BILL 40**SECTION 551**

1 participating landowners about deer health and the deer population in this state and
2 for receiving suggestions from participating landowners about managing the deer
3 population. The department shall analyze the information received and use it to
4 improve deer health and manage the deer population in this state. The department
5 shall promulgate rules to implement this program.

6 (2) The department may establish fees for participation in the deer
7 management assistance program. The department shall credit all fees to the
8 appropriation under s. 20.370 (1) (Lv).

9 **SECTION 552.** 29.040 of the statutes is created to read:

10 **29.040 Deer management report rules.** The department may promulgate
11 rules to implement the recommendations contained in the 2012 final report of the
12 assessment of this state's deer management plans and policies that was conducted
13 under the terms of a contract between the department of administration and a
14 recognized deer management expert.

15 **SECTION 553.** 29.181 (2) of the statutes is renumbered 29.181 (2) (a) (intro.) and
16 amended to read:

17 29.181 (2) (a) (intro.) A bonus deer hunting permit shall authorize the holder
18 of the bonus deer hunting permit to ~~take an additional deer of the sex or type specified~~
19 ~~by the department on the permit.~~ do any of the following:

20 (c) Except as authorized by rule or as provided under par. (d), a person may not
21 apply for or be issued more than one bonus deer hunting permit in a single season.

22 **SECTION 554.** 29.181 (2) (a) 1. of the statutes is created to read:

23 29.181 (2) (a) 1. Take an additional deer of the sex or type specified by the
24 department on the permit.

25 **SECTION 555.** 29.181 (2) (a) 2. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 555**

1 29.181 (2) (a) 2. Take an additional deer in a county or deer management area
2 in which the department has confirmed that a deer has tested positive for chronic
3 wasting disease.

4 **SECTION 556.** 29.181 (2) (d) of the statutes is created to read:

5 29.181 (2) (d) A person may be issued more than one bonus deer hunting permit
6 in a single season if each bonus deer hunting permit authorizes the person to take
7 deer only in a county or deer management area in which a deer has tested positive
8 for chronic wasting disease.

9 **SECTION 557.** 29.181 (2m) (b) of the statutes is amended to read:

10 29.181 (2m) (b) The resident has been issued one bonus deer hunting permit
11 for that season and for that deer management area for which the resident has paid
12 the fee specified under s. 29.563 (2) (c) 1. or 1m.

13 **SECTION 558.** 29.181 (3) of the statutes is created to read:

14 29.181 (3) USE OF MONEY FROM FEES. From the moneys received from the sale
15 of bonus deer hunting permits issued that authorize the taking of deer as provided
16 under sub. (2) (a) 2., the department shall credit an amount equal to \$5 times the
17 number of those bonus deer hunting permits issued to the appropriation under s.
18 20.370 (1) (hx).

19 **SECTION 559.** 29.181 (4) of the statutes is created to read:

20 29.181 (4) RULES. The department shall promulgate rules that establish the
21 fee for a bonus deer hunting permit issued under sub. (2) (a) 2. The fee established
22 in the rule shall be at least \$5.

23 **SECTION 560.** 29.182 (1m) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 560**

1 29.182 **(1m)** OPEN SEASON REQUIREMENT. The department may not establish an
2 open season for hunting elk that begins earlier than the Saturday nearest October
3 15.

4 **SECTION 561.** 29.185 (6) (d) of the statutes is repealed.

5 **SECTION 562.** 29.1945 of the statutes is created to read:

6 **29.1945 Approvals for veterans and military members.** (1) In this
7 section, “war period” means any of the following:

8 (a) A period between September 11, 2001, and the ending date of Operation
9 Enduring Freedom or an operation that is a successor to Operation Enduring
10 Freedom, as established by the department by rule.

11 (b) A period between March 19, 2003, and the ending date of Operation Iraqi
12 Freedom or an operation that is a successor to Operation Iraqi Freedom, as
13 established by the department by rule.

14 **(2)** The department of veterans affairs shall issue a voucher for a hunting or
15 fishing license to each person who applies for the voucher and who is a qualified
16 veteran. The voucher entitles a qualified veteran receiving the voucher to the waiver
17 of the fee, including the issuing fee, and any applicable surcharge imposed under s.
18 29.563 (13) (a) for a single hunting or fishing license. The license may be a resident
19 small game hunting license, a resident deer hunting license, a resident archer
20 hunting license, or a resident annual fishing license. To qualify for the fee waiver,
21 the qualified veteran must submit the voucher to the department of natural
22 resources within 365 days after the date on which the qualified veteran is discharged
23 or released. A voucher may not be presented to a person who is subject to an
24 appointment or a contract as authorized under s. 29.024 (6) (a) 2. to 4. but must be
25 submitted directly to the department. Upon receiving the voucher, the department

ASSEMBLY BILL 40**SECTION 562**

1 shall waive the fees and any applicable surcharge and issue the license. On an
2 annual basis, the department of veterans affairs shall pay to the department of
3 natural resources an amount that equals the total of fees and surcharges that have
4 been waived by the department of natural resources under this subsection.

5 (3) (a) For purposes of this section, a qualified veteran is a resident who is one
6 of the following:

7 1. A veteran, as defined in s. 45.01 (12) (a) to (f), who served in a war period.

8 2. A member of a reserve component of the U.S. armed forces or of the national
9 guard, as defined in 32 USC 101 (3), who has served in a war period and who has
10 served under honorable conditions for at least one year beginning on the member's
11 date of enlistment in a reserve component of the U.S. armed forces or in the national
12 guard.

13 3. A person who served in a war period who was discharged from a reserve
14 component of the U.S. armed forces or from the national guard, as defined in 32 USC
15 101 (3), if that discharge was an honorable discharge or a general discharge under
16 honorable conditions.

17 (b) For purposes of this section, the department of veterans affairs shall
18 establish a procedure for determining who qualifies as a veteran. Before issuing a
19 license, the department of natural resources shall request the department of
20 veterans affairs to verify whether the applicant is a qualified veteran. If the
21 department of veterans affairs verifies that the applicant for a license is a qualified
22 veteran, the department of natural resources shall issue the license without
23 charging a fee.

24 **SECTION 563.** 29.506 (7m) (a) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 563**

1 29.506 (7m) (a) The department shall issue a taxidermy school permit to a
2 person who applies for the permit; who, on August 15, 1991, holds held a valid
3 taxidermist permit issued under this section; and who, on August 15, 1991, ~~operates~~
4 operated a taxidermy school approved by the educational approval board under s.
5 ~~38.50~~ 38.51, 1991 stats.

6 **SECTION 564.** 29.563 (2) (c) 1. of the statutes is amended to read:

7 29.563 (2) (c) 1. Bonus deer issued for the purpose specified in s. 29.181 (2) (a)
8 1.: \$11.25.

9 **SECTION 565.** 29.563 (2) (c) 1m. of the statutes is created to read:

10 29.563 (2) (c) 1m. Bonus deer issued for the purpose specified in s. 29.181 (2)
11 (a) 2.: the amount determined by the department by rule under s. 29.181 (4).

12 **SECTION 566.** 29.563 (2) (d) of the statutes is renumbered 29.563 (2) (d) 1. and
13 amended to read:

14 29.563 (2) (d) 1. *Nonresident permit.* Bonus deer issued for the purpose
15 specified in s. 29.181 (2) (a) 1.: \$19.25.

16 **SECTION 567.** 29.563 (2) (d) 2. of the statutes is created to read:

17 29.563 (2) (d) 2. Bonus deer issued for the purpose specified in s. 29.181 (2) (a)
18 2.: the amount determined by the department by rule under s. 29.181 (4).

19 **SECTION 568.** 29.563 (4) (a) 3. of the statutes is amended to read:

20 29.563 (4) (a) 3. Wolf harvesting: ~~\$99.25~~ \$46.25.

21 **SECTION 569.** 29.563 (4) (b) 3. of the statutes is amended to read:

22 29.563 (4) (b) 3. Wolf harvesting: ~~\$499.25~~ \$248.25.

23 **SECTION 570.** 29.563 (12) (c) 3g. of the statutes is amended to read:

24 29.563 (12) (c) 3g. Wolf harvesting issued to a resident: ~~\$50~~ \$13.

25 **SECTION 571.** 29.563 (12) (c) 3r. of the statutes is repealed.

ASSEMBLY BILL 40

1 **SECTION 572.** 29.563 (14) (c) 4. of the statutes is amended to read:

2 29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is
3 charged under s. 29.563 (2) (c) 1. or 1m. or (d): 75 cents.

4 **SECTION 573.** 29.753 of the statutes is created to read:

5 **29.753 Importation of wild elk.** Notwithstanding ss. 95.20 and 95.55 (6) and
6 rules promulgated under those provisions, the department may import and move elk
7 and introduce the elk into Ashland, Bayfield, Jackson, Price, or Sawyer county if all
8 of the following apply:

9 (1) The elk are taken from the wild and not raised on a farm.

10 (2) The purpose of importing or moving the elk is to protect, develop, or manage
11 wildlife resources in this state.

12 (3) The department determines that the applicable requirements related to
13 chronic wasting disease under ss. 95.20 and 95.55 (6) are met to the fullest extent
14 possible and practical with wild and free-roaming elk.

15 (4) The department tests each elk for tuberculosis and brucellosis before
16 importing or moving the elk in accordance with the applicable disease testing
17 requirements of the department of agriculture, trade and consumer protection.

18 (5) The department does not seek a reduction of road access to public lands in
19 connection with importing, moving, or introducing the elk.

20 **SECTION 574.** 30.025 (1b) (b) of the statutes is amended to read:

21 30.025 (1b) (b) “Permit” means an individual permit, a general permit, an
22 approval, or a contract required under this subchapter or subch. II, a permit or an
23 approval required under ch. 31, a storm water discharge permit required under s.
24 283.33 (1) (a) or (am), or a wetland general permit or wetland individual permit

ASSEMBLY BILL 40**SECTION 574**

1 required under s. 281.36 or under rules promulgated under subch. II of ch. 281 to
2 implement 33 USC 1341 (a).

3 **SECTION 575.** 30.025 (1e) (b) of the statutes is amended to read:

4 30.025 (1e) (b) This section does not apply to a proposal to construct a utility
5 facility if the only permit that the utility facility is required to obtain from the
6 department is a storm water discharge permit under s. 283.33 (1) (a) or (am).

7 **SECTION 576.** 36.09 (1) (e) of the statutes, as affected by 2011 Wisconsin Act 32,
8 is amended to read:

9 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
10 each institution; a dean for each college campus; the state geologist; the director of
11 the laboratory of hygiene; the director of the psychiatric institute; the state
12 cartographer; and the requisite number of officers, other than the vice presidents,
13 associate vice presidents, and assistant vice presidents of the system; faculty;
14 academic staff; and other employees and fix the salaries, subject to the limitations
15 under par. (j) and s. ~~230.12 (3) (e)~~ 36.115, the duties and the term of office for each.
16 The board shall fix the salaries, subject to the limitations under par. (j) and s. ~~230.12~~
17 ~~(3) (e)~~ 36.115, and the duties for each chancellor, vice president, associate vice
18 president, and assistant vice president of the system. No sectarian or partisan tests
19 or any tests based upon race, religion, national origin, or sex shall ever be allowed
20 or exercised in the appointment of the employees of the system.

21 **SECTION 577.** 36.09 (1) (j) of the statutes is amended to read:

22 36.09 (1) (j) Except where such matters are a subject of bargaining with a
23 certified representative of a collective bargaining unit under s. 111.91, the board
24 shall establish salaries for persons prior to July 1 of each year for the next fiscal year,
25 and shall designate the effective dates for payment of the new salaries. In the first

ASSEMBLY BILL 40**SECTION 577**

1 year of the biennium, payments of the salaries established for the preceding year
2 shall be continued until the biennial budget bill is enacted. If the budget is enacted
3 after July 1, payments shall be made following enactment of the budget to satisfy the
4 obligations incurred on the effective dates, as designated by the board, for the new
5 salaries, subject only to the appropriation of funds by the legislature and s. 20.928
6 (3). This paragraph does not limit the authority of the board to establish salaries for
7 new appointments. ~~The board may not increase the salaries of employees under this
8 paragraph unless the salary increase conforms to the proposal as approved under s.
9 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities
10 under par. (h), to fund job reclassifications or promotions, or to recognize competitive
11 factors. The granting of salary increases to recognize competitive factors does not
12 obligate inclusion of the annualized amount of the increases in the appropriations
13 under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each
14 year, the board shall report to the joint committee on finance and the secretary of
15 administration and director of the office of state employment relations concerning
16 the amounts of any salary increases granted to recognize competitive factors, and the
17 institutions at which they are granted, for the 12-month period ending on the
18 preceding June 30.~~

19 **SECTION 578.** 36.09 (1) (L) of the statutes is amended to read:

20 36.09 (1) (L) The board shall possess all powers necessary or convenient for the
21 operation of the system except as limited in this chapter and ss. 13.48 (14) (am) and
22 16.848 (1).

23 **SECTION 579.** 36.11 (1) (b) of the statutes is amended to read:

24 36.11 (1) (b) Except as provided in this paragraph and ss. 13.48 (14) (am) and
25 16.848 (1), the board may purchase, have custody of, hold, control, possess, lease,

ASSEMBLY BILL 40**SECTION 579**

1 grant easements and enjoy any lands, buildings, books, records and all other
2 property of any nature which may be necessary and required for the purposes, objects
3 and uses of the system authorized by law. Any lease by the board is subject to the
4 powers of the University of Wisconsin Hospitals and Clinics Authority under s.
5 233.03 (13) and the rights of the authority under any lease agreement, as defined in
6 s. 233.01 (6). The board shall not permit a facility that would be privately owned or
7 operated to be constructed on state-owned land without obtaining prior approval of
8 the building commission under s. 13.48 (12). The Subject to prior action under s.
9 13.48 (14) (am) or 16.848 (1), the board may sell or dispose of such property as
10 provided by law, or any part thereof when in its judgment it is for the best interests
11 of the system and the state. All purchases ~~and sales~~ of real property shall be subject
12 to the approval of the building commission. The provision of all leases of real
13 property to be occupied by the board shall be the responsibility of the department of
14 administration under s. 16.84 (5).

15 **SECTION 580.** 36.11 (1) (e) of the statutes is amended to read:

16 36.11 (1) (e) The Subject to prior action under s. 13.48 (14) (am) or 16.848 (1),
17 the board, with the approval of the building commission, may sell or lease
18 state-owned residence halls to another state agency or nonstate nonprofit agency for
19 purposes of alternate use.

20 **SECTION 581.** 36.11 (3) (b) of the statutes is amended to read:

21 36.11 (3) (b) The Subject to s. 36.31 (2m), the board shall establish policies for
22 the appropriate transfer of credits between institutions within the system, including
23 the designation of those courses which shall be transferable between and within
24 institutions without loss of credit toward graduation or toward completion of a
25 specific course of study.

ASSEMBLY BILL 40**SECTION 582**

1 **SECTION 582.** 36.11 (3) (c) of the statutes is amended to read:

2 36.11 (3) (c) ~~The Subject to s. 36.31 (2m), the~~ board may establish policies for
3 the appropriate transfer of credits with other educational institutions outside the
4 system.

5 **SECTION 583.** 36.11 (3) (cm) 5. of the statutes is created to read:

6 36.11 (3) (cm) 5. Core general education courses that are subject to the
7 agreement required under s. 36.31 (2m).

8 **SECTION 584.** 36.11 (22) (d) of the statutes is amended to read:

9 36.11 (22) (d) Annually, each institution shall report to the ~~office of justice~~
10 ~~assistance in the department of administration~~ department of justice statistics on
11 sexual assaults and on sexual assaults by acquaintances of the victims that occurred
12 on each campus of the institution in the previous year. ~~The office of justice assistance~~
13 department of justice shall include the statistics in appropriate crime reports
14 published by the ~~office~~ department.

15 **SECTION 585.** 36.11 (28) of the statutes is amended to read:

16 36.11 (28) LEASE AGREEMENT WITH THE UNIVERSITY OF WISCONSIN HOSPITALS AND
17 CLINICS AUTHORITY. Subject to 1995 Wisconsin Act 27, section 9159 (2) (k), and subject
18 to any prior lease entered into under s. 13.48 (14) (am) or 16.848 (1), the board shall
19 negotiate and enter into a lease agreement with the University of Wisconsin
20 Hospitals and Clinics Authority that meets the requirements under s. 233.04 (7) and
21 shall comply with s. 233.04 (7g).

22 **SECTION 586.** 36.115 (title) of the statutes is amended to read:

23 **36.115 (title) Personnel systems; compensation.**

24 **SECTION 587.** 36.115 (7) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 587**

1 36.115 (7) (a) The board shall establish compensation plans for all system
2 employees except system employees assigned to the University of
3 Wisconsin-Madison.

4 (b) The chancellor shall establish compensation plans for all system employees
5 assigned to the University of Wisconsin-Madison.

6 **SECTION 588.** 36.25 (13s) of the statutes is renumbered 36.25 (13s) (a) and
7 amended to read:

8 36.25 (13s) (a) The board shall allocate \$400,000 in each fiscal year for the
9 department of family medicine and practice in the University of Wisconsin School of
10 Medicine and Public Health to support the Wisconsin Academy for Rural Medicine,
11 the Academy for Center-city Medical Education, and the Wisconsin Scholars
12 Academy programs. The board may not expend any moneys allocated under this
13 subsection paragraph in a fiscal year unless the board receives \$400,000 in gifts and
14 grants from private sources in that fiscal year for supporting such programs.

15 **SECTION 589.** 36.25 (13s) (b) of the statutes is created to read:

16 36.25 (13s) (b) From the appropriation under s. 20.285 (1) (a), annually the
17 board shall allocate \$1,500,000 for the Wisconsin Academy for Rural Medicine and
18 the Training in Urban Medicine and Public Health Program at the University of
19 Wisconsin School of Medicine and Public Health.

20 **SECTION 590.** 36.25 (13w) of the statutes is created to read:

21 36.25 (13w) TRANSLATIONAL IMAGING RESEARCH. (a) In this subsection, "center"
22 means the University of Wisconsin Carbone Cancer Center.

23 (b) Subject to par. (c), the board shall use the moneys appropriated under s.
24 20.285 (1) (f) for costs incurred by the center that relate to translational imaging

ASSEMBLY BILL 40**SECTION 590**

1 research, research imaging and scanning, research imaging equipment, and the
2 Wisconsin Oncology Network.

3 (c) The center shall submit a plan to the secretary of administration for raising
4 funds, in an amount equal to the amount appropriated under s. 20.285 (1) (f), from
5 federal, private, or other sources to help defray the costs specified in par. (b). No
6 moneys may be released from the appropriation under s. 20.285 (1) (f) unless the
7 secretary approves the plan.

8 **SECTION 591.** 36.25 (52) of the statutes is created to read:

9 36.25 (52) INCENTIVE GRANTS. (a) From the appropriation under s. 20.285 (1)
10 (e), the board shall award grants to institutions to provide funding for the following
11 programs:

- 12 1. Economic development programs, as defined in s. 36.11 (29r) (a).
- 13 2. Programs that have as their objective the development of an educated and
14 skilled workforce, such as increasing the number of degrees awarded in fields for
15 which the occupational demand is high or in fields that are determined to be
16 high-demand fields under s. 38.28 (2) (be) 1. b., increasing the number of
17 opportunities available to students to gain work experience in their fields through
18 internships or cooperative work experiences, and increasing or enhancing research
19 and development.
- 20 3. Programs to improve the affordability of postsecondary education for
21 resident undergraduates, including reducing the time required to obtain a degree,
22 increasing the opportunities available for high school pupils to earn credit toward a
23 postsecondary degree, and improving the transfer of credit between institutions of
24 higher education.

ASSEMBLY BILL 40**SECTION 591**

1 (b) Annually, the board shall submit a report to the secretary of administration
2 on the programs awarded a grant under this subsection. The report shall include the
3 goals, results, and budget for each program. The report shall also include a
4 systemwide summary of this information.

5 **SECTION 592.** 36.27 (3n) (a) 1m. a. and b. of the statutes are amended to read:

6 36.27 (3n) (a) 1m. a. A person who has served on active duty under honorable
7 conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed
8 forces, in the national guard, or in a reserve component of the U.S. armed forces; who
9 was a resident of this state at the time of entry into that service or resided in this state
10 for at least 5 consecutive years; and who, while a resident of this state, died on active
11 duty, died as the result of a service-connected disability, or died in the line of duty
12 while on active or inactive duty for training purposes.

13 b. A person who was a resident of this state at the time of entry into service
14 described in subd. 1m. a. or resided in this state for at least 5 consecutive years, and
15 who the U.S. department of veteran affairs has awarded at least a 30 percent
16 service-connected disability rating under 38 USC 1114 or 1134.

17 **SECTION 593.** 36.27 (3n) (am) of the statutes is created to read:

18 36.27 (3n) (am) In determining a person's residency at the time of entry into
19 service under par. (a) 1m. a. or b., the state from which the person entered service
20 is irrelevant.

21 **SECTION 594.** 36.27 (3n) (b) (intro.) of the statutes is amended to read:

22 36.27 (3n) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
23 board shall grant full remission of academic fees and segregated fees for 128 credits
24 or 8 semesters, whichever is longer, less the number of credits or semesters for which
25 the person received remission of fees under s. 38.24 (7) and less the amount of any

ASSEMBLY BILL 40**SECTION 594**

1 academic fees or segregated fees paid under 38 USC 3319, to any resident student
2 who maintains a cumulative grade point average of at least 2.0 and is also any of the
3 following:

4 **SECTION 595.** 36.27 (3n) (b) 1. of the statutes is amended to read:

5 36.27 (3n) (b) 1. A spouse of an eligible veteran. ~~The remission under this~~
6 ~~subdivision applies only during the first 10 years after the eligible veteran received~~
7 ~~the service-connected disability rating.~~

8 **SECTION 596.** 36.27 (3n) (b) 2. of the statutes is amended to read:

9 36.27 (3n) (b) 2. ~~Except as provided in subd. 2m., an~~ An unremarried surviving
10 spouse of an eligible veteran. ~~The remission under this subdivision applies only~~
11 ~~during the first 10 years after the veteran died.~~

12 **SECTION 597.** 36.27 (3n) (b) 2m. of the statutes is repealed.

13 **SECTION 598.** 36.27 (3p) (a) 1r. (intro.) of the statutes is amended to read:

14 36.27 (3p) (a) 1r. (intro.) "Veteran" means a person who is verified by the
15 department of veterans affairs as being a resident of this state for purposes of
16 receiving benefits under ch. 45; as being a resident of this state at the time of his or
17 her entry into the U.S. armed forces or forces incorporated in the U.S. armed forces,
18 or as being a resident of this state for at least 5 consecutive years; and as meeting
19 any of the following conditions:

20 **SECTION 599.** 36.27 (3p) (am) of the statutes is created to read:

21 36.27 (3p) (am) In determining a person's residence at the time of entry into
22 service under par. (a) 1r., the state from which the person entered service is
23 irrelevant.

24 **SECTION 600.** 36.27 (3p) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 600**

1 36.27 **(3p)** (b) Except as provided in par. (bg), the board shall grant full
2 remission of nonresident tuition, academic fees, and segregated fees charged for 128
3 credits or 8 semesters, whichever is longer, less the number of credits or semesters
4 for which the person received remission of fees under s. 38.24 (8) and less the amount
5 of any academic fees or segregated fees paid under 10 USC 2107 (c), 38 USC 3104 (a)
6 (7) (A), or 38 USC 3313, to any student who is a veteran and maintains a cumulative
7 grade point average of at least 2.0.

8 **SECTION 601.** 36.31 (2m) of the statutes is created to read:

9 36.31 **(2m)** (a) In this subsection:

10 1. "Association" means the Wisconsin Association of Independent Colleges and
11 Universities.

12 2. "Core general education courses" means courses generally required for an
13 undergraduate degree that are prerequisite or otherwise in addition to the courses
14 required for an undergraduate degree in a specific course of study.

15 3. "Private school" means a private, nonprofit institution of higher education
16 that is a member of the association.

17 (b) Notwithstanding s. 36.09 (4), the Board of Regents and the technical college
18 system board shall, and the governing boards of tribally controlled colleges in this
19 state and the association, on behalf of private schools, may, enter into and implement
20 an agreement that identifies core general education courses totaling not fewer than
21 30 credits and establishes policies for ensuring that, beginning in the 2014-15
22 academic year, credits for completing the courses are transferable, without loss of
23 credit toward graduation or toward completion of a specific course of study, between
24 and within each institution, college campus, and technical college, and each tribally
25 controlled college and private school that elects to participate in the agreement.

ASSEMBLY BILL 40**SECTION 601**

1 (c) The Board of Regents and the technical college system board shall ensure
2 that the governing bodies of tribally controlled colleges and the association, on behalf
3 of private schools, have an opportunity to elect to participate in the agreement
4 specified in par. (b).

5 **SECTION 602.** 36.33 (title) and (1) of the statutes are amended to read:

6 **36.33 (title) Sale or lease and relocation of agricultural lands. (1)**

7 LEGISLATIVE INTENT. The legislature finds and determines that, because of the
8 problems resulting from the development of the city of Madison around certain
9 agricultural lands of the University of Wisconsin-Madison, the desirability of
10 consolidating lands used for agricultural instruction, research and extension
11 purposes, the desirability of disposing of agricultural lands no longer needed by the
12 university and the need for land of better quality and of greater quantity for the
13 purpose of improving and expanding agricultural research, it is in the public interest
14 for the board to sell or lease, in whole or in part, and subject to any prior action under
15 s. 13.48 (14) (am) or 16.848 (1), the agricultural lands and improvements thereon
16 owned by the board and located in sections 19, 20 and 30, township 7 north, range
17 9 east, Dane County; sections 25 and 27, township 7 north, range 8 east, Dane
18 County; sections 34 and 35, township 38 north, range 11 east, Oneida County; and
19 section 22, township 22 north, range 8 east, Portage County; and to purchase other
20 agricultural lands outside of the Madison urban area and to construct thereon the
21 necessary buildings and improvements. The foregoing policy determination is made
22 without reference to or intention of limiting the powers which the board may
23 otherwise have.

24 **SECTION 603.** 36.33 (2) (title) and (a) (intro.) of the statutes are amended to
25 read:

ASSEMBLY BILL 40**SECTION 603**

1 36.33 (2) (title) METHOD OF SALE OR LEASE; ASSESSMENTS. (a) (intro.) The Subject
2 to any prior action under s. 13.48 (14) (am) or 16.848 (1), the board, in selling or
3 leasing any part of the agricultural lands and improvements thereon, mentioned in
4 sub. (1), shall sell or lease on the basis of either of the following:

5 **SECTION 604.** 36.33 (3) of the statutes is amended to read:

6 36.33 (3) BUILDING COMMISSION APPROVAL. The sale, lease and purchase of
7 agricultural lands mentioned in sub. (1) is subject to prior action under s. 13.48 (14)
8 (am) or 16.848 (1) and shall be subject to the approval of the building commission.

9 **SECTION 605.** 36.52 of the statutes, as affected by 2011 Wisconsin Act 32, is
10 repealed.

11 **SECTION 606.** 36.585 (2) of the statutes is amended to read:

12 36.585 (2) The board may use telecommunications services procured by the
13 board only for the purpose of carrying out its mission. The Except as provided in sub.
14 (3m), the board shall not offer, resell, or provide telecommunications services, that
15 are available from a private telecommunications carrier to the general public or to
16 any other public or private entity.

17 **SECTION 607.** 36.585 (3) (a) of the statutes is renumbered 36.585 (3), and 36.585
18 (3) (intro.), as renumbered, is amended to read:

19 36.585 (3) (intro.) Beginning Except as provided in sub. (3m), beginning July
20 1, 2013, the board may not be, and shall ensure that no institution or college campus
21 is and that the extension is not, a member, shareholder, or partner in or with any
22 third-party entity or other person that offers, resells, or provides
23 telecommunications services to the general public or to any public or private entity
24 unless at least one of the following applies:

25 **SECTION 608.** 36.585 (3m) of the statutes is created to read:

ASSEMBLY BILL 40

1 36.585 **(3m)** (a) In this subsection, “third-party entity” does not include
2 WiscNet.

3 (b) The board, an institution or college campus, or the extension may serve as
4 a member, shareholder, or partner in or with a third-party entity that satisfies any
5 of the following:

6 1. The third-party entity advances research or higher education and the board,
7 institution, college campus, or extension served as a member, shareholder, or partner
8 in or with the third-party entity on February 1, 2013.

9 2. Prior to service as a member, shareholder, or partner, the secretary of
10 administration issues a determination to the board, institution, college campus, or
11 extension that the third-party entity advances research or higher education

12 (c) The board, an institution or college campus, or the extension may use the
13 services of a third-party entity that satisfies par. (b) 1. or 2.

14 (d) The board, an institution or college campus, or the extension may
15 participate in the operations of, or provide telecommunications services or technical
16 support services to, a third-party entity that satisfies par. (b) 1. or 2., but only in
17 connection with the use of services under par. (c).

18 **SECTION 609.** 36.65 (3) of the statutes is created to read:

19 36.65 **(3)** CORE GENERAL EDUCATION CREDIT TRANSFERS. The board shall include
20 in the report required under sub. (2) a description of the agreement entered into
21 under s. 36.31 (2m) and a summary of the board’s implementation of the agreement.
22 This subsection first applies to the report required under sub. (2) that applies to the
23 2014-15 academic year.

24 **SECTION 610.** 38.04 (4) (cm) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 610**

1 38.04 (4) (cm) The board shall enter into the agreement required under s. 36.31
2 (2m). The board shall submit an annual report to the governor and to the legislature
3 under s. 13.172 (2) that describes the agreement entered into under s. 36.31 (2m) and
4 a summary of the board's implementation of the agreement.

5 **SECTION 611.** 38.04 (13) (a) 1. of the statutes is amended to read:

6 38.04 (13) (a) 1. The board shall accept and process applications from district
7 boards and local community organizations to provide services, which may include
8 but are not limited to personal counseling and outreach, to or on behalf of displaced
9 homemakers. The board shall may make grants for these purposes. Amounts
10 awarded shall be paid from the appropriation under s. 20.292 (1) ~~(b)~~ (f). Grants under
11 this subsection shall may be distributed on a statewide basis and shall supplement
12 rather than replace funds received under any other law to provide services to
13 displaced homemakers. To the extent possible while maintaining statewide
14 distribution, except as provided in subd. 2., in awarding grants preference shall be
15 given to district boards. If a particular district board does not apply for a grant under
16 this subsection, the board may award a grant to a local community organization
17 located in that district which submits an application. No grant may equal more than
18 90% of approved expenditures. Any cost to the board of administering this
19 subsection shall be paid from the appropriation under s. 20.292 (1) (a).

20 **SECTION 612.** 38.04 (20) of the statutes is amended to read:

21 38.04 (20) BASIC SKILLS INSTRUCTION IN JAILS AND PRISONS. From the
22 appropriation under s. 20.292 (1) ~~(ee)~~ (f), the board shall may award grants to district
23 boards for providing basic skills instruction in jails and prisons.

24 **SECTION 613.** 38.04 (28) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 613**

1 38.04 **(28)** HEALTH CARE EDUCATION PROGRAMS. From the appropriation under
2 s. 20.292 (1) ~~(eh)~~ (f), the board shall may award grants to district boards to expand
3 health care education programs.

4 **SECTION 614.** 38.04 (32) of the statutes is created to read:

5 38.04 **(32)** GRANTS; REPORT. (a) The board may award grants to district boards
6 for activities the board determines are related to the performance criteria specified
7 in s. 38.28 (2) (be) 1. Amounts awarded shall be paid from the appropriation under
8 s. 20.292 (1) (f).

9 (b) Annually, the board shall submit a report to the department of
10 administration that describes how the moneys appropriated under s. 20.292 (1) (f)
11 will be distributed to the district boards in the current fiscal year and the programs
12 that the moneys will fund.

13 **SECTION 615.** 38.14 (4) of the statutes is repealed.

14 **SECTION 616.** 38.16 (1) of the statutes is amended to read:

15 38.16 **(1)** Annually by October 31, or within 10 days after receipt of the
16 equalized valuations from the department of revenue, whichever is later, the district
17 board may levy a tax, ~~not exceeding 1.5 mills~~ on the full value of the taxable property
18 of the district, for the purpose purposes of making capital improvements, acquiring
19 equipment ~~and~~, operating and maintaining the schools of the district, ~~except that the~~
20 ~~mill limitation is not applicable to taxes levied for the purpose of~~ and paying principal
21 and interest on valid bonds or notes now or hereafter outstanding as provided in s.
22 67.035. The district board secretary shall file with the clerk of each city, village and
23 town, any part of which is located in the district, a certified statement showing the
24 amount of the levy and the proportionate amount of the tax to be spread upon the tax
25 rolls for collection in each city, village and town. Such proportion shall be ascertained

ASSEMBLY BILL 40**SECTION 616**

1 on the basis of the ratio of full value of the taxable property of that part of the city,
2 village or town located in the district to the full value of all taxable property in the
3 district, as certified to the district board secretary by the department of revenue.
4 Upon receipt of the certified statement from the district board secretary, the clerk of
5 each city, village and town shall spread the amounts thereof upon the tax rolls for
6 collection. When the taxes are collected, such amounts shall be paid by the treasurer
7 of each city, village and town to the district board treasurer.

8 **SECTION 617.** 38.16 (3) (a) 2. of the statutes is amended to read:

9 38.16 (3) (a) 2. "Excess levy" means the amount by which a district board's tax
10 levy exceeds the limit under ~~par. (b)~~ this subsection.

11 **SECTION 618.** 38.16 (3) (a) 2m. of the statutes is created to read:

12 38.16 (3) (a) 2m. "Municipality" means a city, village, or town.

13 **SECTION 619.** 38.16 (3) (a) 4. of the statutes is created to read:

14 38.16 (3) (a) 4. "Valuation factor" means a percentage equal to the greater of
15 either zero percent or the percentage change in the district's January 1 equalized
16 value due to the aggregate new construction, less improvements removed, in
17 municipalities wholly located in the district between the previous year and the
18 current year, as determined by the department of revenue.

19 **SECTION 620.** 38.16 (3) (be) of the statutes is created to read:

20 38.16 (3) (be) Notwithstanding sub. (1), no district board may increase its tax
21 levy in 2013 or in any year thereafter by a percentage that exceeds the district's
22 valuation factor, except as provided in pars. (bg) and (br).

23 **SECTION 621.** 38.16 (3) (bg) of the statutes is renumbered 38.16 (3) (bg) 1. and
24 amended to read:

ASSEMBLY BILL 40**SECTION 621**

1 38.16 (3) (bg) 1. The limit otherwise applicable to a district board under ~~par.~~
2 ~~(b) this subsection~~ is increased by an amount equal to the amount of any refunded
3 or rescinded property taxes paid by the district board in the year of the levy if the
4 refunded or rescinded property taxes result in a redetermination of the district's
5 equalized valuation by the department of revenue under s. 74.41.

6 **SECTION 622.** 38.16 (3) (bg) 2. of the statutes is created to read:

7 38.16 (3) (bg) 2. If a district board's allowable levy under this subsection in
8 2013, or any year thereafter, is greater than its actual levy in that year, the limit
9 otherwise applicable to the district board under this subsection in the succeeding
10 year is increased by the difference between the prior year's allowable levy and the
11 prior year's actual levy, as determined by the department of revenue, up to a
12 maximum increase of 0.5 percent of the actual levy in that prior year, if the district
13 board approves the increase by a three-fourths vote.

14 **SECTION 623.** 38.16 (3) (br) 1. of the statutes is amended to read:

15 38.16 (3) (br) 1. If a district board wishes to exceed the limit under ~~par. (b)~~
16 otherwise applicable to the district ~~in 2011 or 2012~~ under this subsection, it shall
17 adopt a resolution supporting inclusion in the final district budget of an amount
18 equal to the proposed excess levy. The resolution shall be filed as provided in s. 8.37.
19 Within 10 days after adopting the resolution, the district board shall notify the board
20 of the scheduled date of the referendum and submit a copy of the resolution to the
21 board. The district board shall call a special referendum for the purpose of
22 submitting the resolution to the electors of the district for approval or rejection. In
23 lieu of a special referendum, the district board may specify that the referendum be
24 held at the next succeeding spring primary or election or partisan primary or general
25 election, if such election is to be held not sooner than ~~42~~ 70 days after the filing of the

ASSEMBLY BILL 40**SECTION 623**

1 resolution of the district board. The district board shall certify the results of the
2 referendum to the board within 10 days after the referendum is held.

3 **SECTION 624.** 38.16 (3) (br) 3. of the statutes is amended to read:

4 38.16 (3) (br) 3. The referendum shall be held in accordance with chs. 5 to 12.
5 The district board shall provide the election officials with all necessary election
6 supplies. The form of the ballot shall correspond substantially with the standard
7 form for referendum ballots prescribed by the government accountability board
8 under ss. 5.64 (2) and 7.08 (1) (a). The question submitted shall be whether the limit
9 under ~~par. (b)~~ this subsection may be exceeded by a specified amount. The limit
10 otherwise applicable to the district under ~~par. (b)~~ this subsection is increased by the
11 amount approved by a majority of those voting on the question.

12 **SECTION 625.** 38.16 (3) (c) (intro.) of the statutes is amended to read:

13 38.16 (3) (c) (intro.) Except as provided in par. (d), if the board determines that
14 a district board imposed an excess levy ~~in 2011 or 2012~~, the board shall do all of the
15 following:

16 **SECTION 626.** 38.16 (3) (c) 3. of the statutes is amended to read:

17 38.16 (3) (c) 3. Ensure that the amount of the excess levy is not included in
18 determining the limit ~~described under par. (b)~~ under this subsection for the district
19 board for the following year.

20 **SECTION 627.** 38.16 (3) (e) of the statutes is repealed.

21 **SECTION 628.** 38.24 (7) (a) 1m. a. and b. of the statutes are amended to read:

22 38.24 (7) (a) 1m. a. A person who has served on active duty under honorable
23 conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed
24 forces, in the national guard, or in a reserve component of the U.S. armed forces; who
25 was a resident of this state at the time of entry into that service or resided in this state

ASSEMBLY BILL 40

1 for at least 5 consecutive years; and who, while a resident of this state, died on active
2 duty, died as the result of a service-connected disability, or died in the line of duty
3 while on active or inactive duty for training purposes.

4 b. A person who was a resident of this state at the time of entry into service
5 described in subd. 1m. a. or resided in this state for at least 5 consecutive years, and
6 who the U.S. department of veteran affairs has awarded at least a 30 percent
7 service-connected disability rating under 38 USC 1114 or 1134.

8 **SECTION 629.** 38.24 (7) (am) of the statutes is created to read:

9 38.24 (7) (am) In determining a person's residency at the time of entry into
10 service under par. (a) 1m. a. or b., the state from which the person entered service
11 is irrelevant.

12 **SECTION 630.** 38.24 (7) (b) (intro.) of the statutes is amended to read:

13 38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bg), the
14 district board shall grant full remission of fees for 128 credits or 8 semesters,
15 whichever is longer, less the number of credits or semesters for which the person
16 received remission of fees from any other district board under this subsection and
17 from the Board of Regents under s. 36.27 (3n) (b) and less the amount of any fees paid
18 under 38 USC 3319, to any resident student who maintains a cumulative grade point
19 average of at least 2.0 and is also any of the following:

20 **SECTION 631.** 38.24 (7) (b) 1. of the statutes is amended to read:

21 38.24 (7) (b) 1. A spouse of an eligible veteran. ~~The remission under this~~
22 ~~subdivision applies only during the first 10 years after the eligible veteran received~~
23 ~~the service-connected disability rating.~~

24 **SECTION 632.** 38.24 (7) (b) 2. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 632**

1 38.24 (7) (b) 2. ~~Except as provided in subd. 2m., an An unremarried surviving~~
2 spouse of an eligible veteran. ~~The remission under this subdivision applies only~~
3 ~~during the first 10 years after the veteran died.~~

4 **SECTION 633.** 38.24 (7) (b) 2m. of the statutes is repealed.

5 **SECTION 634.** 38.24 (8) (a) 1r. (intro.) of the statutes is amended to read:

6 38.24 (8) (a) 1r. (intro.) "Veteran" means a person who is verified by the
7 department of veterans affairs as being a resident of this state for purposes of
8 receiving benefits under ch. 45; as being a resident of this state at the time of his or
9 her entry into the U.S. armed forces or forces incorporated in the U.S. armed forces,
10 or as being a resident of this state for at least 5 consecutive years; and as meeting
11 any of the following conditions:

12 **SECTION 635.** 38.24 (8) (am) of the statutes is created to read:

13 38.24 (8) (am) In determining a person's residence at the time of entry into
14 service under par. (a) 1r., the state from which the person entered service is
15 irrelevant.

16 **SECTION 636.** 38.24 (8) (b) of the statutes is amended to read:

17 38.24 (8) (b) Except as provided in par. (bg), the district board shall grant full
18 remission of the fees charged for 128 credits or 8 semesters, whichever is longer, less
19 the number of credits or semesters for which the person received remission of fees
20 from any other district board under this subsection and from the Board of Regents
21 under s. 36.27 (3p) and less the amount of any fees paid under 10 USC 2107 (c), 38
22 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran and maintains
23 a cumulative grade point average of at least 2.0.

24 **SECTION 637.** 38.26 (3) (c) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 637**

1 38.26 **(3)** (c) Amounts awarded under par. (b) shall be paid from the
2 appropriation under s. 20.292 (1) ~~(e)~~ (f) and may be paid to the district board in
3 installments. Amounts awarded shall range from 25% to 75% of the total project cost.
4 The board shall require the district board to provide the remaining percentage share
5 of total project cost.

6 **SECTION 638.** 38.27 (2) (c) of the statutes is amended to read:

7 38.27 **(2)** (c) Amounts awarded under this section shall be paid from the
8 appropriation under s. 20.292 (1) ~~(de)~~ (f) and may be paid in installments. Except as
9 provided under par. (cm), amounts awarded for the purposes of sub. (1) (b) to (d) and
10 (g) shall range from 25% to 75% of the total project cost. The board shall require the
11 district board to provide the remaining percentage share of total project cost.

12 **SECTION 639.** 38.272 (3) of the statutes is amended to read:

13 38.272 **(3)** The board ~~shall~~ may award grants under this section. Amounts
14 awarded shall be paid from the appropriation under s. 20.292 (1) ~~(dd)~~ (f).

15 **SECTION 640.** 38.28 (1m) (a) 1. of the statutes is amended to read:

16 38.28 **(1m)** (a) 1. "District aidable cost" means the annual cost of operating a
17 technical college district, including debt service charges for district bonds and
18 promissory notes for building programs or capital equipment, but excluding all
19 expenditures relating to auxiliary enterprises and community service programs, all
20 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
21 ~~(6)~~ and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), and 118.55 (7r), all receipts from
22 grants awarded under ss. 38.04 (8), ~~(20)~~, (28), and (31), 38.14 (11), 38.26, 38.27, 38.33,
23 and 38.38, all fees collected under s. 38.24, and driver education and chauffeur
24 training aids.

25 **SECTION 641.** 38.28 (1m) (am) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 641**

1 38.28 (1m) (am) “Dual enrollment programs” means programs or courses of
2 study that are designed to allow high school pupils gain advanced standing in
3 technical college districts’ associate degree programs upon graduation from high
4 school, and includes programs or courses of study established under s. 118.34 or
5 provided under contracts under s. 38.14 (3).

6 **SECTION 642.** 38.28 (1m) (c) of the statutes is created to read:

7 38.28 (1m) (c) “Industry-validated curriculum” means a curriculum that is
8 developed with business or industry input and that is based on competencies and
9 assessments that reflect the skills and knowledge necessary for a specific job or jobs
10 within a specific type of business or industry.

11 **SECTION 643.** 38.28 (2) (b) (intro.) of the statutes is amended to read:

12 38.28 (2) (b) (intro.) ~~Each Subject to par. (bm), each~~ district’s share of aids under
13 ~~this section~~ the amount appropriated under s. 20.292 (1) (d) shall be computed as
14 follows:

15 **SECTION 644.** 38.28 (2) (b) 5. of the statutes is renumbered 38.28 (2) (bs) and
16 amended to read:

17 38.28 (2) (bs) The board shall reduce each district’s aid payment under subd.
18 par. (b) 2., or the amount allocated to each district under the plan administered under
19 par. (be) 2., by the district’s share of the amount necessary to produce and distribute
20 the statewide guide under s. 38.04 (18), as determined by the board.

21 **SECTION 645.** 38.28 (2) (be) of the statutes is created to read:

22 38.28 (2) (be) 1. Subject to par. (bm), the board shall establish a formula for
23 allocating the amount appropriated under s. 20.292 (1) (d) in a fiscal year to each
24 district based on a district’s performance in the previous fiscal year with respect to
25 all of the following criteria:

ASSEMBLY BILL 40

- 1 a. The placement rate of students in jobs related to students' programs of study.
- 2 b. The number of degrees and certificates awarded in high-demand fields. The
- 3 board and the department of workforce development shall jointly determine what
- 4 constitutes high-demand fields and revise the determination as necessary.
- 5 c. The number of programs or courses with industry-validated curriculum.
- 6 d. The transition of adult students from basic education to skills training.
- 7 e. Participation in dual enrollment programs.
- 8 f. The workforce training provided to businesses and individuals.
- 9 2. No later than December 31, 2013, the board shall submit a plan for making
- 10 allocations pursuant to the formula established under subd. 1. to the secretary of
- 11 administration. The secretary shall approve or modify the plan or formula. Upon
- 12 approval or modification by the secretary, the board shall administer the plan.
- 13 3. In each fiscal year, beginning in fiscal year 2014-15, the board shall submit
- 14 a report to the secretary of administration that describes how the amount
- 15 appropriated under s. 20.292 (1) (d) is allocated to each district under the plan
- 16 administered under subd. 2. The report shall describe all of the following:
- 17 a. The amount allocated to each district in the fiscal year under the formula
- 18 administered under the plan.
- 19 b. The performance of each district with respect to each criterion specified in
- 20 subd. 1. a. to f.
- 21 c. The methodologies used to make a district's allocation described under subd.
- 22 3. a. based on the district's performance described under subd. 3. b.
- 23 d. The performance of the technical college system as a whole with respect to
- 24 each criterion specified in subd. 1. a. to f.
- 25 e. Any other information used to administer the plan.

ASSEMBLY BILL 40**SECTION 645**

1 4. The board shall make the report submitted under subd. 3. available to the
2 public. Each district board that maintains an Internet site shall make the report
3 available to the public at the Internet site.

4 5. The board shall include in its biennial budget request under s. 16.42 any
5 legislative proposals that the board recommends that relate to the criteria specified
6 in subd. 1. a. to f. or to the plan or formula approved or modified by the secretary of
7 administration under subd. 2.

8 **SECTION 646.** 38.28 (2) (bm) of the statutes is created to read:

9 38.28 (2) (bm) 1. In this paragraph, "amount appropriated" means the amount
10 appropriated under s. 20.292 (1) (d).

11 2. In fiscal year 2014-15, 90 percent of the amount appropriated shall be
12 distributed under par. (b) and 10 percent of the amount appropriated shall be
13 distributed under par. (be). In fiscal year 2015-16, 80 percent of the amount
14 appropriated shall be distributed under par. (b) and 20 percent of the amount
15 appropriated shall be distributed under par. (be). In fiscal year 2016-17, 70 percent
16 of the amount appropriated shall be distributed under par. (b) and 30 percent of the
17 amount appropriated shall be distributed under par. (be). In fiscal year 2017-18, 60
18 percent of the amount appropriated shall be distributed under par. (b) and 40 percent
19 of the amount appropriated shall be distributed under par. (be). In fiscal year
20 2018-19, 50 percent of the amount appropriated shall be distributed under par. (b)
21 and 50 percent of the amount appropriated shall be distributed under par. (be). In
22 fiscal year 2019-20 and each fiscal year thereafter, 100 percent of the amount
23 appropriated shall be distributed under par. (be).

24 **SECTION 647.** 38.28 (2) (c) of the statutes is repealed.

25 **SECTION 648.** 38.28 (2) (d) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 648**

1 38.28 (2) (d) Notwithstanding ~~par. pars. (b), (be), and (bm)~~, the board may
2 withhold, suspend or reduce in whole or in part payment of state aid under this
3 subsection to any district board whose program or educational personnel does not
4 meet minimum standards set by the board or which violates this chapter or any rule
5 promulgated by the board under the authority of this chapter. The board shall
6 discontinue aids to those programs which are no longer necessary to meet needs
7 within the state.

8 **SECTION 649.** 38.28 (2) (g) of the statutes is repealed.

9 **SECTION 650.** 38.28 (3) of the statutes is repealed.

10 **SECTION 651.** 38.28 (4) of the statutes is amended to read:

11 38.28 (4) From the appropriation under s. 20.292 (1) ~~(dm)~~ (f), the board shall
12 ~~annually~~ may pay to any district that does not have an institution or college campus
13 located within the district an amount equal to that portion of the instructional costs
14 of the district's collegiate transfer program not supported by fees and tuition that is
15 equal to the state support of similar programs in the University of Wisconsin System,
16 as determined by the board. In this subsection, "institution" and "college campus"
17 have the meanings specified under s. 36.05.

18 **SECTION 652.** 38.28 (6) of the statutes is repealed.

19 **SECTION 653.** 38.29 (1) of the statutes is amended to read:

20 38.29 (1) The board ~~shall annually notify each district board receiving state aid~~
21 ~~under s. 38.28 (2) (g) of the amounts available for grants under this section. Grants~~
22 may award grants to district boards under this section ~~may be awarded only for the~~
23 development of advanced chauffeur training facilities, the acquisition of
24 instructional equipment for such facilities, operational costs associated with the

ASSEMBLY BILL 40**SECTION 653**

1 maintenance of such facilities and equipment and costs incurred in the coordination
2 of the training programs.

3 **SECTION 654.** 38.29 (2) (c) of the statutes is amended to read:

4 38.29 (2) (c) Amounts awarded shall be paid from the appropriation under s.
5 20.292 (1) ~~(fg)~~ (f).

6 **SECTION 655.** 38.32 (2) of the statutes is amended to read:

7 38.32 (2) The board shall review proposals submitted by district boards that
8 are consistent with sub. (1). From the appropriation under s. 20.292 (1) ~~(e)~~ (f), the
9 board shall may award grants to district boards to partially pay the salaries of
10 teachers participating in approved proposals. Any funds received by a district board
11 under this subsection shall be equally matched by the district board.

12 **SECTION 656.** 38.33 (1) (intro.) of the statutes is amended to read:

13 38.33 (1) (intro.) From the appropriation under s. 20.292 (1) ~~(eg)~~ (f), the board
14 shall may award grants to district boards to establish faculty development programs.
15 The programs shall promote all of the following:

16 **SECTION 657.** 38.38 of the statutes is amended to read:

17 **38.38 Services for handicapped students.** Annually the board shall may
18 award a grant to each district board, from the appropriation under s. 20.292 (1) ~~(de)~~
19 (f), to assist in funding transitional services for handicapped students. Each district
20 board shall ~~receive an amount equal to one-sixteenth of the amount appropriated~~
21 ~~and shall contribute matching funds equal to 25% of the amount awarded.~~

22 **SECTION 658.** 38.40 (4m) (a) of the statutes is amended to read:

23 38.40 (4m) (a) The board may approve an innovative school-to-work program
24 provided by a nonprofit organization for children at risk, as defined in s. 118.153 (1)
25 (a), in a county having a population of 500,000 or more to assist those children at risk

ASSEMBLY BILL 40**SECTION 658**

1 in acquiring employability skills and occupational-specific competencies before
2 leaving high school. If the board approves a program under this paragraph, the
3 board may award a grant, from the appropriation under s. 20.292 (1) ~~(ef)~~ (f), to the
4 nonprofit organization providing the program and the nonprofit organization shall
5 use the funds received under the grant to provide the program.

6 **SECTION 659.** 38.41 (3) (a) of the statutes is amended to read:

7 38.41 (3) (a) ~~The board shall award grants~~ Amounts awarded under this section
8 shall be paid from the appropriation under s. 20.292 (1) ~~(eh)~~ (f).

9 **SECTION 660.** 38.50 (title) of the statutes is renumbered 440.55 (title).

10 **SECTION 661.** 38.50 (1) (intro.) of the statutes is renumbered 440.55 (1) (intro.).

11 **SECTION 662.** 38.50 (1) (a) of the statutes is renumbered 440.55 (1) (a) and
12 amended to read:

13 440.55 (1) (a) ~~Notwithstanding s. 38.01 (2), “board”~~ “Board” means the
14 educational approval board.

15 **SECTION 663.** 38.50 (1) (b) of the statutes is renumbered 440.55 (1) (b).

16 **SECTION 664.** 38.50 (1) (c) of the statutes is renumbered 440.55 (1) (c).

17 **SECTION 665.** 38.50 (1) (d) of the statutes is renumbered 440.55 (1) (d).

18 **SECTION 666.** 38.50 (1) (e) of the statutes is renumbered 440.55 (1) (e).

19 **SECTION 667.** 38.50 (1) (f) of the statutes is renumbered 440.55 (1) (f).

20 **SECTION 668.** 38.50 (1) (g) of the statutes is renumbered 440.55 (1) (g).

21 **SECTION 669.** 38.50 (2) of the statutes is renumbered 440.55 (2).

22 **SECTION 670.** 38.50 (3) of the statutes is renumbered 440.55 (3).

23 **SECTION 671.** 38.50 (5) of the statutes is renumbered 440.55 (5) and amended
24 to read:

ASSEMBLY BILL 40**SECTION 671**

1 440.55 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform
2 the duties of an executive secretary and any other persons under the classified
3 service that may be necessary to carry out the board's responsibilities. The person
4 performing the duties of the executive secretary shall be in charge of the
5 administrative functions of the board. The board shall, to the maximum extent
6 practicable, keep its office with the ~~technical college system board~~ department.

7 **SECTION 672.** 38.50 (7) of the statutes is renumbered 440.55 (7).

8 **SECTION 673.** 38.50 (8) of the statutes is renumbered 440.55 (8).

9 **SECTION 674.** 38.50 (10) (title) of the statutes is renumbered 440.55 (10) (title).

10 **SECTION 675.** 38.50 (10) (a) of the statutes is renumbered 440.55 (10) (a) and
11 amended to read:

12 440.55 (10) (a) *Authority.* All proprietary schools shall be examined and
13 approved by the board before operating in this state. Approval shall be granted to
14 schools meeting the criteria established by the board for a period not to exceed one
15 year. No school may advertise in this state unless approved by the board. All
16 approved schools shall submit quarterly reports, including information on
17 enrollment, number of teachers and their qualifications, course offerings, number of
18 graduates, number of graduates successfully employed, and such other information
19 as the board considers necessary. If a school closure results in losses to students,
20 parents, or sponsors, the board may authorize the full or partial payment of those
21 losses from the appropriation under s. ~~20.292 (2)~~ 20.165 (3) (gm).

22 **SECTION 676.** 38.50 (10) (b) of the statutes is renumbered 440.55 (10) (b).

23 **SECTION 677.** 38.50 (10) (c) of the statutes is renumbered 440.55 (10) (c).

24 **SECTION 678.** 38.50 (10) (cm) of the statutes is renumbered 440.55 (10) (cm).

25 **SECTION 679.** 38.50 (10) (d) of the statutes is renumbered 440.55 (10) (d).

ASSEMBLY BILL 40**SECTION 680**

1 **SECTION 680.** 38.50 (10) (e) of the statutes is renumbered 440.55 (10) (e).

2 **SECTION 681.** 38.50 (10) (f) of the statutes is renumbered 440.55 (10) (f).

3 **SECTION 682.** 38.50 (11) (title) of the statutes is renumbered 440.55 (11) (title).

4 **SECTION 683.** 38.50 (11) (a) of the statutes is renumbered 440.55 (11) (a).

5 **SECTION 684.** 38.50 (11) (b) of the statutes is renumbered 440.55 (11) (b).

6 **SECTION 685.** 38.50 (11) (c) of the statutes is renumbered 440.55 (11) (c).

7 **SECTION 686.** 38.50 (11) (d) of the statutes is renumbered 440.55 (11) (d) and
8 amended to read:

9 440.55 (11) (d) The board or association shall preserve a student record that
10 comes into the possession of the board or association under par. (b) 1. or 2. and shall
11 keep the student record confidential as provided under 20 USC 1232g and 34 CFR
12 part 99. A student record in the possession of the board is not open to public
13 inspection or copying under s. 19.35 (1). Upon request of the person who is the subject
14 of a student record or an authorized representative of that person, the board or
15 association shall provide a copy of the student record to the requester. The board or
16 association may charge a fee for providing a copy of a student record. The fee shall
17 be based on the administrative cost of taking possession of, preserving, and providing
18 the copy of the student record. All fees collected by the board under this paragraph
19 shall be credited to the appropriation account under s. ~~20.292(2)~~ 20.165(3) (i).

20 **SECTION 687.** 38.50 (12) of the statutes is renumbered 440.55 (12).

21 **SECTION 688.** 38.50 (13) (title) of the statutes is renumbered 440.55 (13) (title).

22 **SECTION 689.** 38.50 (13) (a) of the statutes is renumbered 440.55 (13) (a).

23 **SECTION 690.** 38.50 (13) (b) of the statutes is renumbered 440.55 (13) (b).

24 **SECTION 691.** 38.50 (13) (c) of the statutes is renumbered 440.55 (13) (c).

ASSEMBLY BILL 40**SECTION 692**

1 **SECTION 692.** 38.50 (13) (d) of the statutes is renumbered 440.55 (13) (d) and
2 amended to read:

3 440.55 **(13)** (d) The board may charge a fee for evaluating an educational
4 institution under par. (a) 2. e. in an amount that is sufficient to cover all costs that
5 the board incurs in evaluating the institution. All fees collected by the board under
6 this paragraph shall be credited to the appropriation account under s. ~~20.292 (2)~~
7 20.165 (3) (g).

8 **SECTION 693.** 39.435 (7) (a) 1. of the statutes is amended to read:

9 39.435 **(7)** (a) 1. For purposes of calculating the amount to be appropriated
10 under s. 20.235 (1) (fe) for fiscal year ~~2013-14~~ 2015-16, “base amount” means the
11 amount shown in the schedule under s. 20.005 for that appropriation for fiscal year
12 ~~2012-13~~ 2014-15.

13 **SECTION 694.** 39.435 (7) (a) 2. of the statutes is amended to read:

14 39.435 **(7)** (a) 2. For purposes of calculating the amount to be appropriated
15 under s. 20.235 (1) (fe) for each fiscal year after fiscal year ~~2013-14~~ 2015-16, “base
16 amount” means the appropriation amount calculated under par. (b) for the previous
17 fiscal year.

18 **SECTION 695.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

19 39.435 **(7)** (b) (intro.) Biennially, beginning on February 1, ~~2013~~ 2015, the board
20 shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next
21 biennium as follows:

22 **SECTION 696.** 40.015 (1) of the statutes is amended to read:

23 40.015 **(1)** The Wisconsin retirement system is established as a governmental
24 plan and as a qualified plan for federal income tax purposes under the ~~internal~~
25 ~~revenue code~~ Internal Revenue Code and shall be so maintained and administered.

ASSEMBLY BILL 40**SECTION 697**

1 **SECTION 697.** 40.015 (2) of the statutes is amended to read:

2 40.015 **(2)** No benefit plan authorized under this chapter may be administered
3 in a manner which violates an ~~internal revenue code~~ Internal Revenue Code
4 provision that authorizes or regulates that benefit plan or which would cause an
5 otherwise tax exempt benefit to become taxable under the ~~internal revenue code~~
6 Internal Revenue Code.

7 **SECTION 698.** 40.015 (3) of the statutes is created to read:

8 40.015 **(3)** For the purposes of compliance with the Internal Revenue Code, the
9 plan year is January 1 through December 31.

10 **SECTION 699.** 40.02 (13m) of the statutes is created to read:

11 40.02 **(13m)** “Craft employee” means a state employee who is a skilled
12 journeyman craftsman, including the skilled journeyman craftsman’s apprentices
13 and helpers, but does not include employees who are not in direct line of progression
14 in the craft. Craft employees may be either nonrepresented or in a collective
15 bargaining unit for which a representative is recognized or certified under ch. 111.

16 **SECTION 700.** 40.02 (18g) of the statutes is amended to read:

17 40.02 **(18g)** “Deferred compensation plan” means a plan which is in accordance
18 with section 457 of the ~~internal revenue code~~ Internal Revenue Code, under which
19 an employer executes an agreement by which an employee voluntarily agrees to
20 defer a part of gross compensation for payment at a later date. Deferred
21 compensation plan does not include annuity plans specified under section 403 (b) of
22 the ~~internal revenue code~~ Internal Revenue Code.

23 **SECTION 701.** 40.02 (31) of the statutes is created to read:

24 40.02 **(31)** “Federal annual compensation limits” means any annual
25 compensation limit under section 401 (a) (17) of the Internal Revenue Code, as

ASSEMBLY BILL 40**SECTION 701**

1 adjusted for any cost of living increases under section 401 (a) (17) (B) of the Internal
2 Revenue Code, but only with respect to plan years beginning after December 31,
3 1995, and only with respect to individuals who first became participating employees
4 in plan years beginning after December 31, 1995. This subsection shall be applied
5 in compliance with section 401 (a) (31) of the Internal Revenue Code pursuant to any
6 applicable federal regulations or guidance adopted under the Internal Revenue
7 Code.

8 **SECTION 702.** 40.02 (33) (a) 1. of the statutes is amended to read:

9 40.02 (33) (a) 1. The participant's total earnings received or considered to be
10 received under sub. (22) (e), (ef), or (em) and for which contributions are made under
11 s. 40.05 (1) and (2) during the 3 annual earnings periods (excluding any period more
12 than 3 years prior to the effective date for any participating employer) in which the
13 earnings were the highest, subject to the federal annual compensation limits under
14 ~~26 USC 401 (a) (17) for a participating employee who first becomes a participating~~
15 ~~employee on or after January 1, 1996; by~~

16 **SECTION 703.** 40.02 (33) (b) 1. of the statutes is amended to read:

17 40.02 (33) (b) 1. For a state elected official who is prohibited by law from
18 receiving an increase in compensation during the official's term of office and who so
19 elects, one-twelfth of the annual salary, subject to the federal annual compensation
20 limits under ~~26 USC 401 (a) (17) for a participating employee who first becomes a~~
21 ~~participating employee on or after January 1, 1996~~, which would have been payable
22 to the participant during the last completed month in which the participant was a
23 participating employee in such a position if the participant had not been prohibited
24 by law from receiving an increase in salary during his or her term of office, but only
25 with respect to service as a state elected official.

ASSEMBLY BILL 40**SECTION 704**

1 **SECTION 704.** 40.02 (33) (c) of the statutes is amended to read:

2 40.02 **(33)** (c) For a participant who makes an election under s. 40.30 (2), the
3 monthly rate of earnings applicable under par. (a) or (b), increased as provided under
4 s. 40.30 (4) (b) but subject to the federal annual compensation limits ~~under 26 USC~~
5 401 (a) (17) for a participating employee who first becomes a participating employee
6 on or after January 1, 1996.

7 **SECTION 705.** 40.02 (37m) of the statutes is created to read:

8 40.02 **(37m)** “Health savings account” means a health savings account
9 described in 26 USC 223.

10 **SECTION 706.** 40.02 (37r) of the statutes is created to read:

11 40.02 **(37r)** “High-deductible health plan” has the meaning given in 26 USC
12 223 (c) (2).

13 **SECTION 707.** 40.02 (39m) of the statutes is amended to read:

14 40.02 **(39m)** “Internal revenue code Revenue Code” means the federal internal
15 revenue code Internal Revenue Code of 1986, under Title 26, USC, as amended, and
16 applicable federal regulations adopted by the federal department of the treasury,
17 including temporary regulations.

18 **SECTION 708.** 40.02 (48g) of the statutes is renumbered 40.02 (25g) and
19 amended to read:

20 40.02 **(25g)** “Public Eligible retired public safety officer” has the meaning given
21 in 26 USC section 402 (I) (1) (4) (C) (B) of the Internal Revenue Code.

22 **SECTION 709.** 40.02 (48m) (e) of the statutes is amended to read:

23 40.02 **(48m)** (e) The determination of the alternate payee share does not
24 require that benefits be paid to the alternate payee if those benefits are also required
25 to be paid to another alternate payee or to the internal revenue service under a lien

ASSEMBLY BILL 40**SECTION 709**

1 placed on the participant's account under ~~26 USC~~ section 64 of the Internal Revenue
2 Code.

3 **SECTION 710.** 40.03 (1) (am) of the statutes is amended to read:

4 40.03 (1) (am) Shall ensure that the Wisconsin retirement system complies
5 with the ~~internal revenue code~~ Internal Revenue Code as a qualified plan for income
6 tax purposes and shall ensure that each benefit plan is administered in a manner
7 consistent with all ~~internal revenue code~~ Internal Revenue Code provisions that
8 authorize and regulate the benefit plan.

9 **SECTION 711.** 40.03 (2) (ig) of the statutes is amended to read:

10 40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,
11 all rules required for the administration of the group health, long-term care, income
12 continuation or life insurance plans established under subchs. IV to VI and health
13 savings accounts under subch. IV.

14 **SECTION 712.** 40.03 (2) (t) of the statutes is amended to read:

15 40.03 (2) (t) Shall ensure that the Wisconsin retirement system complies with
16 the ~~internal revenue code~~ Internal Revenue Code as a qualified plan for income tax
17 purposes and shall ensure that each benefit plan is administered in a manner
18 consistent with all ~~internal revenue code~~ Internal Revenue Code provisions that
19 authorize and regulate the benefit plan.

20 **SECTION 713.** 40.03 (2) (vm) of the statutes is created to read:

21 40.03 (2) (vm) Annually, before July 1, shall submit a report to the secretary
22 of administration and the joint committee on finance on the department's progress
23 in modernizing its business processes and integrating its information technology
24 systems.

25 **SECTION 714.** 40.03 (6) (c) of the statutes is repealed and recreated to read:

ASSEMBLY BILL 40**SECTION 714**

1 40.03 (6) (c) Shall not enter into any agreement to modify or expand benefits
2 under any group insurance plan, unless the modification or expansion is required by
3 law or would maintain or reduce premium costs for the state or its employees in the
4 current or any future year. A reduction in premium costs in future years includes
5 a reduction in any increase in premium costs that would have otherwise occurred
6 without the modification or expansion. This paragraph shall not be construed to
7 prohibit the group insurance board from encouraging participation in wellness or
8 disease management programs or providing optional coverages if the premium costs
9 for those coverages are paid by the employees.

10 **SECTION 715.** 40.03 (6) (cm) of the statutes is created to read:

11 40.03 (6) (cm) 1. Notwithstanding ss. 111.321, 111.322, and 111.35, beginning
12 in 2014, the group insurance board shall impose a premium surcharge for health care
13 coverage under ss. 40.51 (6) and 40.515 for eligible employees who use tobacco
14 products and may terminate the health care coverage of any eligible employee who
15 falsely claims that he or she does not use tobacco products.

16 2. The premium surcharges paid by annuitants who use tobacco products shall
17 be used to reduce future health care coverage premiums for annuitants and to
18 reimburse the department for costs incurred by the department in providing health
19 care coverage to annuitants. Annually, the secretary of administration shall
20 determine the surcharge amounts that are to be used to reimburse the department
21 for costs incurred by the department in providing health care coverage to annuitants
22 and shall transfer that amount to the appropriation account under s. 20.515 (1) (w).

23 **SECTION 716.** 40.03 (6) (k) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 716**

1 40.03 (6) (k) Shall establish health savings accounts for state employees who
2 select a high-deductible health plan under s. 40.515 for their health care coverage
3 plan.

4 **SECTION 717.** 40.04 (10) of the statutes is amended to read:

5 40.04 (10) An accumulated sick leave conversion account shall be maintained
6 within the fund, to which shall be credited all money received under s. 40.05 (4) (b),
7 (bc), (bf), (bm), (br), and (bw) for health insurance premiums, as dividends or
8 premium credits arising from the operation of health insurance plans and from
9 investment income on any reserves established in the fund for health insurance
10 purposes for retired employees and their surviving dependents, and for the payment
11 of any employer share of OASDHI contributions for sick leave credits used to pay
12 health insurance premiums for dependents who are not tax dependents under the
13 Internal Revenue Code. Premium payments to health insurers authorized in s. 40.05
14 (4) (b), (bc), (bf), (bm), and (bw) shall be charged to this account. This subsection does
15 not prohibit the direct payment of premiums to insurers when appropriate
16 administrative procedures have been established for direct payments.

17 **SECTION 718.** 40.04 (11) of the statutes is amended to read:

18 40.04 (11) A health insurance premium credit account shall be maintained
19 within the fund, to which shall be credited all moneys received under s. 40.05 (4) (by)
20 for the payment of health insurance premiums, as dividends or premium credits
21 arising from the operation of health insurance plans and from investment income on
22 any reserves established in the fund for health insurance purposes for retired
23 employees and their surviving dependents, and for the payment of any employer
24 share of OASDHI contributions for health insurance premium credits used to pay
25 health insurance premiums for dependents who are not tax dependents under the

ASSEMBLY BILL 40**SECTION 718**

1 Internal Revenue Code. Premium payments to health insurers authorized in subch.
2 IX may only be charged to this account after all other health insurance premium
3 credits under s. 40.05 (4) (b), (bc), (bf), (bm) and (bw) are exhausted. This subsection
4 does not prohibit the direct payment of premiums to insurers when appropriate
5 administrative procedures have been established for direct payments.

6 **SECTION 719.** 40.04 (12) of the statutes is created to read:

7 40.04 (12) The department shall establish and maintain a separate account in
8 the fund to which shall be credited all moneys received from employees and
9 employers in connection with health savings accounts established under s. 40.515.

10 **SECTION 720.** 40.05 (1) (intro.) of the statutes is amended to read:

11 40.05 (1) EMPLOYEE RETIREMENT CONTRIBUTIONS. (intro.) For Wisconsin
12 retirement system purposes employee contributions on earnings for service credited
13 as creditable service shall be subject to the federal annual compensation limits under
14 ~~26 USC 401 (a) (17) for a participating employee who first becomes a participating~~
15 ~~employee on or after January 1, 1996,~~ and shall be made as follows:

16 **SECTION 721.** 40.05 (1) (a) 5. of the statutes is amended to read:

17 40.05 (1) (a) 5. Additional contributions may be made by any participant by
18 deduction from earnings or otherwise or may be provided on behalf of any participant
19 in any calendar year in which the participant has earnings, subject to any limitations
20 imposed on contributions by the ~~internal revenue code~~ Internal Revenue Code,
21 applicable regulations adopted under the ~~internal revenue code~~ Internal Revenue
22 Code and rules of the department.

23 **SECTION 722.** 40.05 (1) (a) 6. of the statutes is amended to read:

24 40.05 (1) (a) 6. Under the rules promulgated under s. 40.03 (2) (r), additional
25 contributions, ~~other than the first \$5,000 of contributions, or a beneficiary's prorated~~

ASSEMBLY BILL 40**SECTION 722**

1 share thereof, that are attributable to a death benefit paid under s. 40.73, may be
2 made to the core annuity division by any participant by rollover contribution of a
3 payment or distribution from a pension or annuity qualified under section 401 of the
4 Internal Revenue Code, subject to any limitations imposed on contributions by the
5 Internal Revenue Code, applicable regulations adopted under the Internal Revenue
6 Code, and rules of the department.

7 **SECTION 723.** 40.05 (2) (intro.) of the statutes is amended to read:

8 40.05 (2) EMPLOYER RETIREMENT CONTRIBUTIONS. (intro.) For Wisconsin
9 retirement system purposes and subject to the federal annual compensation limits
10 under ~~26 USC 401 (a) (17)~~ for a participating employee who first becomes a
11 participating employee on or after January 1, 1996:

12 **SECTION 724.** 40.05 (2r) (a) of the statutes is amended to read:

13 40.05 (2r) (a) Contributions made under this section are subject to the
14 limitations under s. 40.32 and the ~~internal revenue code~~ Internal Revenue Code.

15 **SECTION 725.** 40.05 (2r) (b) (intro.) of the statutes is amended to read:

16 40.05 (2r) (b) (intro.) If a participant in the Wisconsin retirement system also
17 participates in a different retirement plan offered by an employer that is subject to
18 section 401 of the ~~internal revenue code~~ Internal Revenue Code and the internal
19 revenue service seeks to disqualify one or more of the plans because the aggregate
20 contributions to the plans exceed the contribution limits under section 415 of the
21 ~~internal revenue code~~ Internal Revenue Code, the internal revenue service, if it
22 permits state law to determine the order of disqualification of such retirement plans,
23 shall disqualify the retirement plans in the following order:

24 **SECTION 726.** 40.05 (4) (ag) 2. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 726**

1 40.05 (4) (ag) 2. For eligible employees not specified in subd. 1. and s. 40.02 (25)
2 (b) 2., an amount not more than 88 percent of the average premium cost of plans
3 offered in the each tier with the lowest employee premium cost under s. 40.51 (6), as
4 determined annually by the director of the office of state employment relations under
5 par. (ah).

6 **SECTION 727.** 40.05 (4) (ah) of the statutes is renumbered 40.05 (4) (ah) 1.

7 **SECTION 728.** 40.05 (4) (ah) 2. of the statutes is created to read:

8 40.05 (4) (ah) 2. For purposes of establishing the amount that employees are
9 required to pay for health insurance premiums, if a tier under s. 40.51 (6) contains
10 no health insurance plans, but that tier is used to establish the premium amounts
11 for employees who work and reside outside of the state, the amount these employees
12 are required to pay shall be based on the premium contribution amount for that tier
13 in the prior year, adjusted by the average percentage change of the premium
14 contribution amount of the other tiers from the prior year.

15 **SECTION 729.** 40.05 (4) (ah) 3. of the statutes is created to read:

16 40.05 (4) (ah) 3. A craft employee shall pay 100 percent of health insurance
17 premiums, unless otherwise determined by the director.

18 **SECTION 730.** 40.05 (4) (ah) 4. of the statutes is created to read:

19 40.05 (4) (ah) 4. Annually, the director shall determine the amount of
20 contributions, if any, that the state must contribute into an employee's health
21 savings account under s. 40.515 and the amount that employees are required to pay
22 for health insurance premiums for a high-deductible health plan under s. 40.515.

23 **SECTION 731.** 40.05 (4) (ah) 5. of the statutes is created to read:

24 40.05 (4) (ah) 5. For purposes of establishing the amount that employees are
25 required to pay for health insurance premiums, the director shall consider the

ASSEMBLY BILL 40**SECTION 731**

1 amount of premium surcharges that employees are required to pay under s. 40.03 (6)
2 (cm) 1.

3 **SECTION 732.** 40.05 (4r) of the statutes is amended to read:

4 40.05 (4r) PAYMENT OF CERTAIN INSURANCE PREMIUMS. If an annuitant is ~~a~~ an
5 eligible retired public safety officer and receives health care coverage or long-term
6 care coverage under a plan other than one offered under subch. IV, and if the
7 annuitant so elects by providing written notice to the department, the premium shall
8 be paid as a deduction under s. 40.06 (1) (a) from the annuitant's annuity. If the
9 annuitant receives an annuity that is not sufficient to cover premium payments, the
10 annuitant shall make premium payments directly to the insurer. The department
11 shall establish procedures to permit an annuitant who is ~~a~~ an eligible retired public
12 safety officer to elect to have his or her premium paid as a deduction under s. 40.06
13 (1) (a) from his or her annuity. The annuitant shall provide the department with all
14 necessary information to permit the department to make the payment in a timely
15 manner.

16 **SECTION 733.** 40.07 (1r) of the statutes is created to read:

17 40.07 (1r) Upon request of the department of revenue, the department may
18 disclose information, including social security numbers, to the department of
19 revenue concerning an annuity only for the following purposes:

20 (a) To administer the payment of state taxes.

21 (am) To aid in collecting debts owed to the department of revenue.

22 (b) To locate participants, or the assets of participants, who have failed to file
23 tax returns, underreported their taxable income, or who are delinquent debtors.

24 (c) To identify fraudulent tax returns and credit claims.

25 (d) To provide information for tax-related prosecutions.

ASSEMBLY BILL 40**SECTION 734**

1 **SECTION 734.** 40.08 (2) (b) of the statutes is amended to read:

2 40.08 (2) (b) If permitted under a deferred compensation plan established
3 under subch. VII, insurance premiums for health or long-term care insurance
4 coverage for ~~a~~ an eligible retired public safety officer may be deducted from an
5 amount distributed under a deferred compensation plan and paid directly to an
6 insurer.

7 **SECTION 735.** 40.08 (14) of the statutes is amended to read:

8 40.08 (14) ROLLOVERS TO OTHER RETIREMENT PLANS. If a participant who is
9 entitled to receive a lump sum payment or a monthly annuity certain under s. 40.24
10 (1) (f) for which the participant has specified a term of less than 120 months or an
11 annuity certain of less than 10 years in duration from the Wisconsin retirement
12 system and who has an account established under any other retirement plan located
13 in the United States so directs in writing, on a form prescribed by the department,
14 the department shall pay the lump sum payment or the monthly annuity directly to
15 the participant's account under that other retirement plan for credit under that other
16 retirement plan. The department shall cease payment of the monthly annuity
17 payments to the annuitant's account under the other retirement plan within 30 days
18 of the written request of the annuitant or written notice of the annuitant's death.
19 This subsection shall be applied in compliance with section 401 (a) (31) of the
20 Internal Revenue Code pursuant to any applicable federal regulations or guidance
21 adopted under the Internal Revenue Code.

22 **SECTION 736.** 40.19 (5) of the statutes is created to read:

23 40.19 (5) For the purpose of complying with section 401 (a) (7) of the Internal
24 Revenue Code, a participant shall be 100 percent vested in, and have a nonforfeitable
25 right to, his or her retirement benefits upon attaining eligibility for the retirement

ASSEMBLY BILL 40**SECTION 736**

1 benefits. A participant shall also be 100 percent vested in, and have a nonforfeitable
2 right to, his or her accumulated employee contributions at all times. In the event of
3 a termination of, or a complete discontinuance of employer contributions to the
4 Wisconsin retirement system, a participant shall be 100 percent vested in, and have
5 a nonforfeitable right to, his or her accrued retirement benefits. All such benefits are
6 nonforfeitable to the extent funded. For the purpose of complying with section 401
7 (a) (8) of the Internal Revenue Code, any forfeitures of benefits by participants or
8 former participants of the Wisconsin retirement system may not be used to pay
9 benefit increases.

10 **SECTION 737.** 40.22 (2) (a) of the statutes is amended to read:

11 40.22 (2) (a) Except as provided in sub. (2m), the employee was initially
12 ~~employed by a participating employer~~ a participating employee before July 1, 2011,
13 and is not expected to work at least one-third of what is considered full-time
14 employment by the department, as determined by rule.

15 **SECTION 738.** 40.22 (2m) (intro.) of the statutes is amended to read:

16 40.22 (2m) (intro.) An employee who was ~~initially employed by a participating~~
17 ~~employer~~ a participating employee before July 1, 2011, who is not expected to work
18 at least one-third of what is considered full-time employment by the department,
19 as determined by rule, and who is not otherwise excluded under sub. (2) from
20 becoming a participating employee shall become a participating employee if he or she
21 is subsequently employed by the state agency or other participating employer for
22 either of the following periods:

23 **SECTION 739.** 40.23 (4) (a) of the statutes is amended to read:

24 40.23 (4) (a) Subject to all requirements under ~~the internal revenue code~~
25 section 401 (a) (9) of the Internal Revenue Code and federal regulations applicable

ASSEMBLY BILL 40**SECTION 739**

1 to that section, which relate to a governmental plan, as defined in section 414 (d) of
2 the Internal Revenue Code, the department shall distribute to the participant the
3 entire amount that is credited to the account of a participant under the Wisconsin
4 retirement system no later than the required beginning date, unless the department
5 distributes this amount as an annuity or in more than one payment. If the
6 department distributes this amount as an annuity or in more than one payment, the
7 department shall begin the distribution no later than the required beginning date.

8 **SECTION 740.** 40.23 (4) (b) (intro.) of the statutes is amended to read:

9 40.23 (4) (b) (intro.) In the calendar year immediately preceding the calendar
10 year of a participant's required beginning date, if the department distributes the
11 amount that is credited to the account of a participant under the Wisconsin
12 retirement system in a form other than as a lump sum payment, the department,
13 subject to all requirements under the ~~internal revenue code~~ Internal Revenue Code,
14 shall calculate the distribution to the participant according to one of the following:

15 **SECTION 741.** 40.23 (4) (e) of the statutes is amended to read:

16 40.23 (4) (e) 1. Subject to subds. 2. to 4. and section 401 (a) (9) of the Internal
17 Revenue Code, if a participant dies before the distribution of benefits has commenced
18 and the participant's beneficiary is the spouse or domestic partner, the department
19 shall begin the distribution within 5 years after the date of the participant's death.

20 2. If Subject to section 401 (a) (9) of the Internal Revenue Code, if the spouse
21 or domestic partner files a subsequent beneficiary designation with the department,
22 the payment of the distribution may be deferred until the January 1 of the year in
23 which the participant would have attained the age of 70.5 years.

24 3. If Subject to section 401 (a) (9) of the Internal Revenue Code, if the spouse
25 or domestic partner does not apply for a distribution, the distribution shall begin as

ASSEMBLY BILL 40**SECTION 741**

1 an automatic distribution as provided under subd. 1. or under par. (c), whichever
2 distribution date is earlier.

3 4. If Subject to section 401 (a) (9) of the Internal Revenue Code, if the spouse
4 or domestic partner dies, but has designated a new beneficiary, the birth date of the
5 spouse or domestic partner shall be used for the purposes of determining the required
6 beginning date.

7 5. The department shall specify by rule all procedures relating to an automatic
8 distribution to the spouse or domestic partner. These rules shall comply with the
9 ~~internal revenue code~~ Internal Revenue Code.

10 **SECTION 742.** 40.23 (4) (f) (intro.) of the statutes is amended to read:

11 40.23 (4) (f) (intro.) If a participant dies before the distribution of benefits has
12 commenced and the ~~partieipant's beneficiary is not the spouse or domestic partner~~
13 beneficiary cannot delay the automatic payment of benefits under section 401 (a) (9)
14 of the Internal Revenue Code, the beneficiary shall do one of the following:

15 **SECTION 743.** 40.23 (4) (h) of the statutes is created to read:

16 40.23 (4) (h) Death and disability benefits provided under this chapter are
17 limited by the incidental benefit rule under section 401 (a) (9) (G) of the Internal
18 Revenue Code and applicable federal regulations and guidance adopted under the
19 Internal Revenue Code.

20 **SECTION 744.** 40.23 (4) (i) of the statutes is created to read:

21 40.23 (4) (i) Distributions of benefits shall conform to a reasonable and good
22 faith interpretation of section 401 (a) (9) of the Internal Revenue Code.

23 **SECTION 745.** 40.23 (4) (j) of the statutes is created to read:

24 40.23 (4) (j) Pursuant to a qualified domestic relations order, the department
25 may establish separate benefits for a participant and an alternate payee.

ASSEMBLY BILL 40**SECTION 746**

1 **SECTION 746.** 40.26 (1) of the statutes is amended to read:

2 40.26 (1) Except as provided in sub. (1m) and ss. 40.05 (2) (g) 2. and 40.23 (1)
3 (am), if a participant receiving a retirement annuity, or a disability annuitant who
4 has attained his or her normal retirement date, receives earnings that are subject
5 to s. 40.05 (1) or that would be subject to s. 40.05 (1) except for the exclusion specified
6 in s. 40.22 (2) (L), the annuity shall be terminated and no annuity payment shall be
7 payable after the month in which the participant files with the department a written
8 election to be included within the provisions of the Wisconsin retirement system as
9 a participating employee.

10 **SECTION 747.** 40.26 (1m) of the statutes is created to read:

11 40.26 (1m) If a participant receiving a retirement annuity, or a disability
12 annuitant who has attained his or her normal retirement date, is employed in a
13 position in covered employment in which he or she is expected to work at least
14 two-thirds of what is considered full-time employment by the department, as
15 determined under s. 40.22 (2r), the participant's annuity shall be terminated and no
16 annuity payment shall be payable until after the participant terminates covered
17 employment.

18 **SECTION 748.** 40.26 (2) (intro.) of the statutes is amended to read:

19 40.26 (2) (intro.) Upon termination of an annuity under sub. (1) or (1m), the
20 retirement account of the participant whose annuity is so terminated shall be
21 reestablished on the following basis:

22 **SECTION 749.** 40.26 (5) (intro.) of the statutes is amended to read:

23 40.26 (5) (intro.) If a participant applies for an annuity or lump sum payment
24 during the period in which less than ~~30~~ 75 days have elapsed between the
25 termination of employment with a participating employer and becoming a

ASSEMBLY BILL 40**SECTION 749**

1 participating employee with any participating employer, all of the following shall
2 apply:

3 **SECTION 750.** 40.30 (4) (b) of the statutes is amended to read:

4 40.30 (4) (b) Subject to the federal annual compensation limits under 26 USC
5 401 (a) (17) for a participating employee who first becomes a participating employee
6 on or after January 1, 1996, the final average salary or final average earnings used
7 in the benefit formula computation for each retirement system under par. (a) shall
8 be the individual's final average salary or final average earnings under the
9 respective retirement system, determined in accordance with the provisions of that
10 retirement system based on the earnings covered by that retirement system and on
11 all service permitted under that retirement system to be used in determining the
12 final average salary or final average earnings, increased by the percentage increase
13 in the average of the total wages, as determined under 42 USC 415 (b) (3) (A),
14 between the date on which the individual terminated all employment covered by that
15 retirement system and the date on which the individual terminated all employment
16 covered by any of those retirement systems.

17 **SECTION 751.** 40.31 (1) of the statutes is amended to read:

18 40.31 (1) GENERAL LIMITATION. The maximum retirement benefits payable to
19 a participant in a calendar year, excluding benefits attributable to contributions
20 subject to any limitations under s. 40.23 (2) (a), ~~(2m) (e) and (3)~~ the limit under s.
21 40.32, may not exceed the maximum benefit limitation established under section 415
22 (b) of the Internal Revenue Code, as adjusted under section 415 (d) of the Internal
23 Revenue Code and any applicable regulations or guidance adopted under the
24 Internal Revenue Code, except that the limit for an individual who first became a
25 participant before January 1, 1990, may not be less than the accrued benefits of the

ASSEMBLY BILL 40**SECTION 751**

1 participant, as determined without regard to any changes to the retirement system
2 after October 14, 1987.

3 **SECTION 752.** 40.32 (1) of the statutes is amended to read:

4 40.32 (1) The sum of all employee post-tax contributions allocated to a
5 participant's account ~~under each defined contribution plan sponsored by the~~
6 ~~employer, including all employer contributions and picked-up contributions~~
7 ~~credited with interest at the effective rate under ss. 40.04 (4) (a) and (5) (b) and 40.05~~
8 ~~(2) (g) and all employee contributions made under ss. 40.02 (17) and 40.05 (1), may~~
9 not in any calendar year exceed the maximum contribution limitation established
10 under section 415 (c) of the Internal Revenue Code, as adjusted under section 415 (d)
11 of the Internal Revenue Code and any applicable regulations adopted by the federal
12 department of the treasury.

13 **SECTION 753.** 40.515 of the statutes is created to read:

14 **40.515 Health savings accounts; high-deductible health plan.** (1) In
15 addition to the health care coverage plans offered under s. 40.51 (6), beginning on
16 January 1, 2015, the group insurance board shall offer to all state employees the
17 option of receiving health care coverage through a high-deductible health plan and
18 the establishment of a health savings account. Under this option, each employee
19 shall receive health care coverage through a high-deductible health plan. The state
20 shall make contributions into each employee's health savings account in an amount
21 specified by the director of the office of state employment relations under s. 40.05 (4)
22 (ah) 4. In designing a high-deductible health plan, the group insurance board shall
23 ensure that the plan may be used in conjunction with a health savings account.

ASSEMBLY BILL 40**SECTION 753**

1 **(2)** The group insurance board may contract with any person to provide
2 administrative and other services relating to health savings accounts established
3 under this section.

4 **(3)** The group insurance board may collect fees from state agencies to pay all
5 administrative costs relating to the establishment and operation of health savings
6 accounts established under this section. The group insurance board shall develop a
7 methodology for determining each state agency's share of the administrative costs.
8 Moneys collected under this subsection shall be credited to the appropriation account
9 under s. 20.515 (1) (tm).

10 **(4)** Beginning on January 1, 2015, to the extent practicable, any agreement
11 with any insurer or provider to provide health care coverage to state employees
12 under s. 40.51 (6) shall require the insurer or provider to also offer a high-deductible
13 health plan that may be used in conjunction with a health savings account.

14 **SECTION 754.** 40.72 (4r) of the statutes is amended to read:

15 40.72 **(4r)** At any time after an insured employee's amount of life insurance is
16 reduced under subs. (2) and (3) and life insurance premiums are no longer required
17 under s. 40.05 (6) (b), the employee may convert the present value of the life
18 insurance to pay the premiums for health or long-term care insurance provided
19 under subch. IV, but only if the department determines that the value of the
20 conversion is exempt from taxation under the ~~internal revenue code~~ Internal
21 Revenue Code.

22 **SECTION 755.** 40.80 (2) (g) of the statutes is amended to read:

23 40.80 **(2)** (g) Serve as trustee of any deferred compensation plan established
24 under this section, hold the assets and income of the plan in trust for the exclusive
25 benefit of the employees who participate in the plan and their beneficiaries, and

ASSEMBLY BILL 40**SECTION 755**

1 maintain the plan as an eligible deferred compensation plan, as defined in ~~26 USC~~
2 section 457 (b) of the Internal Revenue Code, and as a governmental plan for eligible
3 employers, as defined in ~~26 USC section 457 (e) (1) (A) of the Internal Revenue Code~~.

4 **SECTION 756.** 40.80 (2t) of the statutes is amended to read:

5 40.80 (2t) The deferred compensation board may require a deferred
6 compensation plan under this subchapter, upon election by a participant who is a an
7 eligible retired public safety officer, to allow for the deduction of insurance premiums
8 for health or long-term care insurance coverage from an amount distributed from a
9 participant's account and for the payment of the premiums directly to an insurer.

10 **SECTION 757.** 40.81 (2) of the statutes is amended to read:

11 40.81 (2) Any local government employer, or 2 or more employers acting jointly,
12 may also elect under procedures established by the employer or employers to
13 contract directly with a deferred compensation plan provider to administer a
14 deferred compensation plan or to manage any compensation deferred under the plan
15 and may also provide a plan under section 403 (b) of the ~~internal revenue code~~
16 Internal Revenue Code under procedures established by the local government
17 employer or employers.

18 **SECTION 758.** 40.86 (intro.) of the statutes is amended to read:

19 **40.86 Covered expenses.** (intro.) An employee-funded reimbursement
20 account plan may provide reimbursement to an employee for only the following
21 expenses that are actually incurred and paid by an employee and that the board
22 determines are consistent with the applicable requirements of the ~~internal revenue~~
23 ~~code~~ Internal Revenue Code:

24 **SECTION 759.** 41.23 of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 759**

1 **41.23 Sale of excess or surplus property.** The department may acquire
2 excess or surplus property from the department of administration under ss. 16.72 (4)
3 (b) and 16.98 (1) or from the department of transportation under s. 84.09 (5s) and,
4 subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), the department may
5 sell the property acquired under this section to any person at a price determined by
6 the department of tourism. All proceeds received by the department of tourism from
7 the sale of property under this section shall be credited to the appropriation account
8 under s. 20.380 (1) (h).

9 **SECTION 760.** 41.41 (7) (b) of the statutes is amended to read:

10 41.41 (7) (b) ~~Lease~~ Subject to any prior action under s. 13.48 (14) (am) or 16.848
11 (1), lease land that is part of the Kickapoo valley reserve to any person for purposes
12 consistent with the management of the reserve under sub. (3), or for agricultural
13 purposes, and lease other land that is acquired by the board for any lawful purpose.

14 **SECTION 761.** 42.106 (3) of the statutes is created to read:

15 42.106 (3) The state fair park board shall enter into a memorandum of
16 understanding with the department of administration regarding the provision of
17 police and security services to state fair park.

18 **SECTION 762.** 44.015 (1) of the statutes is amended to read:

19 44.015 (1) Acquire any interest in real or personal property by gift, bequest or
20 otherwise in any amount and, subject to prior action under s. 13.48 (14) (am) or
21 16.848 (1), may operate, manage, sell, or rent or convey real estate acquired by gift,
22 bequest, foreclosure or other means, upon such terms and conditions as the board of
23 curators deems for its interests but may not sell, mortgage, transfer or dispose of in
24 any manner or remove from its buildings, except for temporary purposes, any article
25 therein without authority of law.

ASSEMBLY BILL 40**SECTION 763**

1 **SECTION 763.** 44.16 (1) of the statutes is amended to read:

2 44.16 (1) The Subject to any prior action under s. 13.48 (14) (am) or 16.848 (1),
3 the historical society may enter into a lease agreement with the Circus World
4 Museum Foundation, Inc., for the purpose of operating Circus World Museum,
5 located in Baraboo, Wisconsin. The lease agreement shall not include any provision
6 for the payment of a percentage of gross admissions income at Circus World Museum
7 to the historical society. If a lease agreement under this subsection is not in effect,
8 the historical society shall operate and maintain Circus World Museum as provided
9 in s. 44.20 (1).

10 **SECTION 764.** 44.20 (1) of the statutes is amended to read:

11 44.20 (1) The historical society shall operate and maintain the historic sites
12 known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline
13 Island Museum, Old World Wisconsin, H.H. Bennett Studies Studio, and, if the First
14 Capitol state park has been transferred to the historical society under 1993
15 Wisconsin Act 16, section 9142 (1e), First Capitol. If a lease agreement under s. 44.16
16 (1) is not in effect, the historical society shall also operate and maintain Circus World
17 Museum.

18 **SECTION 765.** 45.02 (2) (intro.) of the statutes is amended to read:

19 45.02 (2) (intro.) Except as provided in sub. (3) and s. 45.51 (6m), to be eligible
20 for benefits under this chapter an applicant shall be a resident of and living in this
21 state at the time of making application or the veteran from whom the applicant
22 derives eligibility is deceased, and the veteran from whom eligibility is derived meets
23 one of the following conditions:

24 **SECTION 766.** 45.03 (5) (c) 1. a. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 766**

1 45.03 (5) (c) 1. a. Without limitation by reason of any other provisions of the
2 statutes except s. ss. 13.48 (14) (am) and 16.848 (1), unless otherwise required by law,
3 the power to sell and to convey title in fee simple to a nonprofit corporation any land
4 and any existing buildings owned by the state that are under the jurisdiction of the
5 department for the consideration and upon the terms and conditions as in the
6 judgment of the board are in the public interest.

7 **SECTION 767.** 45.04 (1) (a) of the statutes is amended to read:

8 45.04 (1) (a) “Duly authorized representative” means any person authorized
9 in writing by the veteran to act for the veteran, the veteran’s guardian if the veteran
10 is adjudicated incompetent, or a legal representative if the veteran is deceased.
11 ~~Where for proper reason no representative~~ If no person is so authorized and no
12 guardian or legal representative has been or will be appointed, the veteran’s spouse,
13 an adult child of the veteran, or, if the veteran is unmarried, either a parent or adult
14 sibling of the veteran shall be recognized as the duly authorized representative.

15 **SECTION 768.** 45.20 (1) (d) of the statutes is amended to read:

16 45.20 (1) (d) “Tuition,” when referring to the University of Wisconsin System,
17 means academic fees and segregated fees; when referring to the technical colleges,
18 means “program fees” and “additional fees” as described in s. 38.24 (1m) and (1s); and
19 when referring to a high school, a school that is approved under s. 45.03 (11), or a
20 proprietary school that is approved under s. ~~38.50~~ 440.55, means the charge for the
21 courses for which a person is enrolled.

22 **SECTION 769.** 45.20 (2) (a) 1. of the statutes is amended to read:

23 45.20 (2) (a) 1. The department shall administer a tuition reimbursement
24 program for eligible veterans enrolling as undergraduates in any institution of
25 higher education in this state, enrolling in a school that is approved under s. 45.03

ASSEMBLY BILL 40**SECTION 769**

1 (11), enrolling in a proprietary school that is approved under s. ~~38.50~~ 440.55,
2 enrolling in a public or private high school, enrolling in a tribal school, as defined in
3 s. 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident
4 tuition under s. 39.47.

5 **SECTION 770.** 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

6 45.20 (2) (a) 2. (intro.) A veteran who is a resident of this state and otherwise
7 qualified to receive benefits under this subsection may receive the benefits under
8 this subsection upon the completion of any correspondence courses or part-time
9 classroom study from an institution of higher education located outside this state,
10 from a school that is approved under s. 45.03 (11), or from a proprietary school that
11 is approved under s. ~~38.50~~ 440.55, if any of the following applies:

12 **SECTION 771.** 45.20 (2) (c) 1. of the statutes is amended to read:

13 45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b)
14 1. may be reimbursed upon satisfactory completion of an undergraduate semester in
15 any institution of higher education in this state, or upon satisfactory completion of
16 a course at any school that is approved under s. 45.03 (11), any proprietary school
17 that is approved under s. ~~38.50~~ 440.55, any public or private high school, any tribal
18 school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or any
19 institution from which the veteran receives a waiver of nonresident tuition under s.
20 39.47. Except as provided in par. (e), the amount of reimbursement may not exceed
21 the total cost of the veteran's tuition minus any grants or scholarships that the
22 veteran receives specifically for the payment of the tuition, or, if the tuition is for an
23 undergraduate semester in any institution of higher education, the standard cost of
24 tuition for a state resident for an equivalent undergraduate semester at the
25 University of Wisconsin-Madison, whichever is less.

ASSEMBLY BILL 40**SECTION 772**

1 **SECTION 772.** 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

2 45.20 **(2)** (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for
3 reimbursement under this subsection at any institution of higher education in this
4 state, at a school that is approved under s. 45.03 (11), at a proprietary school that is
5 approved under s. ~~38.50~~ 440.55, at a public or private high school, at a tribal school,
6 as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an
7 institution where he or she is receiving a waiver of nonresident tuition under s. 39.47
8 is limited to the following:

9 **SECTION 773.** 45.205 of the statutes is created to read:

10 **45.205 Tuition reimbursement for students at tribal colleges. (1)**

11 DEFINITIONS. In this section:

12 (a) "Tribal college" means any of the following:

- 13 1. The College of Menominee Nation.
14 2. Lac Courte Oreilles Ojibwa Community College.

15 (b) "Tuition" means the amount charged to a student to enroll in a degree credit
16 course. "Tuition" does not include fees or the cost of room and board, books, supplies,
17 or equipment.

18 **(2) TUITION REIMBURSEMENT PROGRAM.** (a) *Application.* Any veteran enrolled
19 in a tribal college may apply to the department for tuition reimbursement under this
20 subsection on a form prescribed by the department. The application shall contain
21 information, as determined by the department, establishing the applicant's
22 eligibility for tuition reimbursement under this subsection.

23 (b) *Eligibility.* A veteran is eligible for tuition reimbursement under this
24 subsection if he or she meets all of the following conditions:

ASSEMBLY BILL 40

1 1. The veteran is enrolled as a member of a federally recognized American
2 Indian tribe or band in this state.

3 2. The veteran's annual household income does not exceed \$50,000 plus \$1,000
4 for each dependent in excess of 2 dependents.

5 3. The veteran is a resident of this state at the time of application under par.
6 (a).

7 4. The veteran was a resident of this state at the time of his or her entry into
8 service or was a resident of this state for any consecutive 12-month period after entry
9 into service and before the date of application under par. (a). If a veteran who
10 submits an application under par. (a) meets that consecutive 12-month residency
11 requirement, the department may not require the veteran to reestablish that he or
12 she meets that residency requirement when he or she later applies for any other
13 benefit under this chapter for which that residency requirement applies.

14 5. The veteran does not have a bachelor's or higher degree from an institution
15 of higher education, as defined in 20 USC 1001 (a).

16 (c) *Benefits.* 1. Subject to the limitations under par. (d), if a veteran submits
17 an application under par. (a) and establishes his or her eligibility for tuition
18 reimbursement under par. (b), the department shall reimburse the veteran for the
19 total amount of his or her tribal college tuition from the appropriation under s. 20.485
20 (2) (km).

21 2. If in any fiscal year the total amount of reimbursement payments to be paid
22 under subd. 1. exceeds the moneys available for the payments from the appropriation
23 under s. 20.485 (2) (km), the department shall prorate the available moneys among
24 the applicants for reimbursement in proportion to the approved reimbursement
25 amounts.

ASSEMBLY BILL 40**SECTION 773**

1 (d) *Limitations.* 1. The department may not reimburse a veteran under this
2 subsection for more than the following number of credits or semesters at a tribal
3 college:

4 a. If the veteran served on active duty, except service on active duty for training
5 purposes, for 90 to 180 days, 30 credits or 2 semesters.

6 b. If the veteran served on active duty, except service on active duty for training
7 purposes, for 181 to 730 days, 60 credits or 4 semesters.

8 c. If the veteran served on active duty, except service on active duty for training
9 purposes, for more than 730 days, 120 credits or 8 semesters, except that, for courses
10 a veteran begins later than 10 years after the veteran's separation from service, the
11 department may not reimburse a veteran for more than 60 credits or 4 semesters.

12 3. The department may not provide reimbursement under this subsection to
13 a veteran who is delinquent in child support or maintenance payments or who owes
14 past support, medical expenses, or birth expenses, as established by appearance of
15 the veteran's name on the statewide support lien docket under s. 49.854 (2) (b), unless
16 the veteran provides the department with one of the following:

17 a. A repayment agreement that the veteran has entered into, that has been
18 accepted by the county child support agency under s. 59.53 (5), and that has been
19 kept current for the 6-month period immediately preceding the date of the
20 application under par. (a).

21 b. A statement that the veteran is not delinquent in child support or
22 maintenance payments and does not owe past support, medical expenses, or birth
23 expenses, signed by the department of children and families or its designee within
24 7 working days before the date of the application under par. (a).

ASSEMBLY BILL 40**SECTION 773**

1 4. The department may not provide reimbursement under this subsection for
2 any semester in which the veteran is eligible for or received a grant under s. 321.40
3 or under 10 USC 2007.

4 5. The department may not provide reimbursement under this subsection for
5 any semester for which the veteran received reimbursement under s. 45.20.

6 6. The department may not provide reimbursement under this subsection for
7 any semester in which the veteran fails to receive at least a 2.0 grade point average
8 or an average grade of "C."

9 7. The department shall reduce the reimbursement amount under par. (c) by
10 the amount of any grant or scholarship the veteran receives specifically for the
11 payment of college tuition.

12 **(3) RULES.** The department shall promulgate rules to implement this section.

13 **SECTION 774.** 45.21 (2) (a) of the statutes is amended to read:

14 45.21 (2) (a) The veteran is enrolled in a training course in a technical college
15 under ch. 38 or in a proprietary school in the state approved by the educational
16 approval board under s. ~~38.50~~ 440.55, other than a proprietary school offering a
17 4-year degree or 4-year program, or is engaged in a structured on-the-job training
18 program that meets program requirements promulgated by the department by rule.

19 **SECTION 775.** 45.41 (2) (a) of the statutes is amended to read:

20 45.41 (2) (a) If the total amount paid under sub. (3) is from \$1 to \$2,499
21 \$119,999, the organization shall receive an amount equal to 50 percent of the amount
22 paid.

23 **SECTION 776.** 45.41 (2) (b) of the statutes is repealed.

24 **SECTION 777.** 45.41 (2) (c) of the statutes is repealed.

25 **SECTION 778.** 45.41 (2) (d) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 778**

1 45.41 (2) (d) If the total amount paid under sub. (3) is \$120,000 or more, the
2 organization shall receive \$30,000 \$70,000.

3 **SECTION 779.** 45.41 (2) (e) of the statutes is created to read:

4 45.41 (2) (e) An organization that receives a payment under par. (a) or (d) shall
5 maintain records as required by the department concerning the organization's
6 expenditure of the payment. That organization shall give the department access to
7 those records upon request of the department, and the department may audit those
8 records.

9 **SECTION 780.** 45.41 (3m) of the statutes is amended to read:

10 45.41 (3m) If the total amount of payments required to be paid under sub. (2)
11 (a) to ~~(e)~~ and (d) exceeds the amount available for the payments from the
12 appropriation under s. 20.485 (2) (vw), the department shall prorate the
13 reimbursement payments among the state veterans organizations receiving the
14 payments.

15 **SECTION 781.** 45.41 (4) of the statutes is renumbered 45.41 (4) (a) and amended
16 to read:

17 45.41 (4) (a) From the appropriation under s. 20.485 (2) (s), the department
18 shall annually provide a payment of \$100,000 \$120,000 to the Wisconsin department
19 of the Disabled American Veterans for the provision of transportation services to
20 veterans.

21 **SECTION 782.** 45.41 (4) (b) of the statutes is created to read:

22 45.41 (4) (b) The Wisconsin department of the Disabled American Veterans
23 shall maintain records as required by the department concerning its expenditure of
24 the payment under par. (a). The Wisconsin department of the Disabled American
25 Veterans shall give the department access to those records upon request of the

ASSEMBLY BILL 40**SECTION 782**

1 department and the department may audit those records to ensure that the
2 Wisconsin department of the Disabled American Veterans is using the payment
3 under par. (a) to provide transportation services to veterans.

4 **SECTION 783.** 45.41 (5) of the statutes is created to read:

5 45.41 (5) From the appropriation under s. 20.485 (2) (vw), the department may
6 annually grant up to \$50,000 to the Wisconsin department of the American Legion
7 for the operation of Camp American Legion.

8 **SECTION 784.** 45.43 (1) of the statutes is amended to read:

9 45.43 (1) The department shall administer a program to provide assistance to
10 persons who served in the U.S. armed forces or in forces incorporated as part of the
11 U.S. armed forces and who were discharged under conditions other than
12 dishonorable. The department shall provide assistance under this section to persons
13 whose need for services is based upon homelessness, incarceration, or other
14 circumstances designated by the department by rule. The eligibility requirements
15 under s. 45.02 (2) do not apply to a person applying for assistance under this section.

16 The department shall designate the assistance available under this section, which
17 may include assistance in receiving medical care, dental care, education,
18 employment, single room occupancy housing, and transitional housing. The
19 department may provide payments to facilitate the provision of services under this
20 section. ~~From the appropriation under s. 20.485 (2) (ac), the department shall~~
21 ~~provide \$15,000 annually during fiscal years 2007-08 and 2008-09 to the Center for~~
22 ~~Veterans Issues, Ltd., of Milwaukee, to provide outreach services to homeless~~
23 ~~veterans with post-traumatic stress disorder.~~

24 **SECTION 785.** 45.43 (3) of the statutes is repealed.

25 **SECTION 786.** 45.44 (1) (a) 5. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 786**

1 45.44 (1) (a) 5. A license, certification, registration, or permit issued under s.
2 94.10 (2), (3), or (3g), 94.50 (2), 94.704, 95.60, 97.17 (2), 97.175 (2), 97.22 (2), 98.145,
3 98.146, ~~or 98.18 (1) (a)~~, or 168.23 (3).

4 **SECTION 787.** 45.44 (1) (a) 11m. of the statutes is created to read:

5 45.44 (1) (a) 11m. A registration issued under s. 202.13 or 202.14.

6 **SECTION 788.** 45.45 of the statutes is created to read:

7 **45.45 Grant to VETransfer, Inc. (1) PAYMENT.** From the appropriation under
8 s. 20.485 (2) (vm), the department shall pay \$500,000 to VETransfer, Inc., in fiscal
9 year 2013-14, subject to the requirements under subs. (2) to (5).

10 **(2) GRANTS TO VETERAN-OWNED START-UP BUSINESSES.** Of the moneys VETransfer,
11 Inc., receives under sub. (1), VETransfer, Inc., shall grant at least \$300,000 to
12 veterans who are residents of this state or to businesses owned by veterans who are
13 residents of this state. A veteran or a veteran's business that is awarded a grant
14 under this subsection may use the grant only to pay for costs associated with the
15 start-up of a business located in this state that the veteran owns.

16 **(3) VETERAN ENTREPRENEURSHIP TRAINING.** Of the moneys VETransfer, Inc.,
17 receives under sub. (1), VETransfer, Inc., may use up to \$200,000 to provide
18 entrepreneurial training and related services to veterans who are residents of this
19 state.

20 **(4) REPORTING AND AUDIT REQUIREMENTS.** (a) Annually, by March 1, until 2018
21 or one year following the date established by the department under sub. (5) (a),
22 VETransfer, Inc., shall submit to the secretary, the governor, and the secretary of
23 administration a report that includes all of the following:

24 (a) The most recent financial statement for VETransfer, Inc.

ASSEMBLY BILL 40

1 (b) A detailed description of the criteria VETransfer, Inc., used to determine
2 who received a grant under sub. (2) during the previous year.

3 (c) A verified statement describing in detail the grants VETransfer, Inc., made
4 under sub. (2), and the expenditures VETransfer, Inc., made under sub. (3), during
5 the previous year, signed by an independent certified public accountant and the
6 director or principal officer of VETransfer, Inc., to attest to the accuracy of the
7 verified statement. The verified statement shall include all of the following
8 concerning each award of a grant VETransfer, Inc., made under sub. (2) during the
9 previous year:

10 1. The name and address of the grant recipient and the name and address of
11 the start-up business.

12 2. The names and addresses of all of the start-up business's owners, including
13 an identification of the business's owners who are veterans, and, if the grant
14 recipient was a business other than the start-up business, the names and addresses
15 of the grant recipient's owners, including an identification of the business's owners
16 who are veterans.

17 3. The names and addresses of the start-up business's board of directors and
18 key management employees and, if the grant recipient was a business other than the
19 start-up business, the names and addresses of the grant recipient's board of
20 directors and key management employees.

21 4. A description of the nature of the start-up business.

22 5. Any information the grant recipient submitted to VETransfer, Inc., to apply
23 for the grant.

24 6. The amount of the grant and the date VETransfer, Inc., awarded the grant.

ASSEMBLY BILL 40**SECTION 788**

1 7. A statement of the number of employees the start-up business employed on
2 January 1 of the previous year and the number of employees the start-up business
3 employed on December 31 of the previous year.

4 (d) A summary of all investments and grants of any kind that VETransfer, Inc.,
5 made during the previous year.

6 (e) VETransfer, Inc., shall maintain records, as required by the department,
7 concerning its expenditures of the moneys it receives under sub. (1). VETransfer,
8 Inc., shall give the department access to those records upon request of the
9 department, and the department may audit those records to ensure compliance with
10 the requirements under this section.

11 **(5) SUNSET.** (a) Except as provided under par. (b), VETransfer, Inc., may not
12 expend any moneys it receives under sub. (1) after June 30, 2017, or a later date
13 established by the department.

14 (b) VETransfer, Inc., shall pay to the secretary of administration for deposit in
15 the general fund any moneys it receives under sub. (1) but does not expend by June
16 30, 2017, or by a later date established by the department under par. (a).

17 **SECTION 789.** 45.50 (2m) (e) of the statutes is amended to read:

18 45.50 **(2m)** (e) All moneys received as reimbursement for services to veterans
19 homes employees or as payment for meals served to guests at veterans homes shall
20 be accumulated in an account named "employee maintenance credits" and shall be
21 paid into the general fund within one week after receipt and credited to the
22 appropriation account under s. 20.485 (1) ~~(gk)~~ (r). This paragraph does not apply to
23 any agreement entered into pursuant to par. (c).

24 **SECTION 790.** 45.50 (11) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 790**

1 45.50 (11) MEDICAL ASSISTANCE ASSESSMENT EXEMPTION. A Wisconsin veterans
2 home is exempt from paying any assessment imposed on the licensed beds in the
3 home under s. 50.14 (2) (am).

4 **SECTION 791.** 45.51 (2) (b) 1. of the statutes is repealed.

5 **SECTION 792.** 45.51 (2) (b) 5. of the statutes is amended to read:

6 45.51 (2) (b) 5. Has care needs that the veterans home is able to provide within
7 the resources allocated for the care of members of the veterans home, ~~including~~
8 ~~chronic alcoholism, drug addiction, psychosis, or active tuberculosis.~~

9 **SECTION 793.** 45.51 (3) (a) of the statutes is renumbered 45.51 (3) (a) 2.

10 **SECTION 794.** 45.51 (3) (a) 1. of the statutes is created to read:

11 45.51 (3) (a) 1. In this paragraph, “physical care” includes skilled rehabilitation
12 services following a hospital stay that meets the qualifications under 42 CFR 409.30.

13 **SECTION 795.** 45.51 (3) (c) 1. (intro.) of the statutes is amended to read:

14 45.51 (3) (c) 1. (intro.) The categories for the order of priority for admission to
15 a veterans home shall be as follows:

16 **SECTION 796.** 45.51 (3) (c) 1m. of the statutes is created to read:

17 45.51 (3) (c) 1m. Within each category specified in subd. 1., the following order
18 of priority shall apply:

19 a. A person who is a resident of the state on the date of application for
20 membership in a veterans home and who has been residing continuously in the state
21 for a period of more than 6 months immediately preceding the date of application for
22 membership has first priority for admission.

23 b. A person who is a resident of the state on the date of application for
24 membership in a veterans home and who has been residing continuously in the state

ASSEMBLY BILL 40**SECTION 796**

1 for a period of 6 months or less immediately preceding the date of application for
2 membership has 2nd priority for admission.

3 c. A person who is not a resident of the state on the date of application for
4 membership in a veterans home has 3rd priority for admission.

5 **SECTION 797.** 45.51 (5) (intro.) of the statutes is amended to read:

6 45.51 (5) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SURVIVING SPOUSE. (intro.)
7 The surviving spouse of a person under sub. (2) (a) 1. or 2. ~~who was a resident of this~~
8 ~~state at the time of the veteran's death~~ is eligible if the surviving spouse meets the
9 requirements of sub. (2) (b) 3. to 5. and if the surviving spouse satisfies all of the
10 following conditions:

11 **SECTION 798.** 45.51 (5) (f) of the statutes is repealed.

12 **SECTION 799.** 45.51 (6) (intro.) of the statutes is amended to read:

13 45.51 (6) ADDITIONAL ELIGIBILITY REQUIREMENTS OF PARENTS. (intro.) The parent
14 of a person under sub. (2) (a) 1. or 2. ~~who was a resident of this state at the time of~~
15 ~~the person's death or, the parent of a living person under sub. (2) (a) 1. or 2. who is~~
16 eligible for membership, or the parent of a person who died while in the service is
17 eligible if the parent meets the requirements of sub. (2) (b) 3. to 5. and if the parent
18 satisfies all of the following conditions:

19 **SECTION 800.** 45.51 (6) (b) of the statutes is repealed.

20 **SECTION 801.** 45.51 (6m) of the statutes is created to read:

21 45.51 (6m) RESIDENCY. In order to be eligible for benefits under this subchapter,
22 a person specified under sub. (2) (a) 1., 2., or 3. does not have to be a resident of this
23 state on the date of application for membership.

24 **SECTION 802.** 45.51 (12) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 802**

1 45.51 **(12)** ~~POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS.~~ A
2 commandant, the secretary, or the secretary's designee may receive, disburse, and
3 account for funds of members.

4 **SECTION 803.** 45.61 (2) (f) of the statutes is created to read:

5 45.61 **(2)** (f) A person who is a member of a veterans home under s. 45.50.

6 **SECTION 804.** 45.61 (3) of the statutes is amended to read:

7 45.61 **(3)** **FEEES AND COSTS.** The department may charge a fee for burials under
8 this section and may promulgate rules for the assessment of any fee. The cost of
9 preparing the grave and the erection of a marker for a person described under sub.
10 (2) (a), (b), (d), or (e) shall be paid from the appropriation under s. 20.485 (1) ~~(gk)~~ (r).

11 **SECTION 805.** 45.61 (4) of the statutes is renumbered 45.61 (4) (a).

12 **SECTION 806.** 45.61 (4) (b) of the statutes is created to read:

13 45.61 **(4)** (b) In processing applications for burial plots, the department shall
14 maintain a waiting list for each of the cemeteries operated under sub. (1) and shall
15 give priority to state residents on each waiting list.

16 **SECTION 807.** 45.61 (5) (a) of the statutes is amended to read:

17 45.61 **(5)** (a) Expenses incident to the burial under this section of persons
18 described in sub. (2) (a) and (b) to (e) shall be paid from the estate of the decedent,
19 except that if there is no estate or the estate is insufficient, the expense of burial, or
20 necessary part of the burial, shall be paid from the appropriation under s. 20.485 (1)
21 ~~(gk)~~ (r) for members of veterans homes, and the amount expended for those expenses
22 shall not exceed the amount established for funeral and burial expenses under s.
23 49.785 (1) (b).

24 **SECTION 808.** 45.70 (1) of the statutes is renumbered 45.70 (1m).

25 **SECTION 809.** 45.70 (1b) (title) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 809**

1 45.70 (1b) (title) ESTABLISHMENT AND MODIFICATIONS OF MEMORIALS.

2 **SECTION 810.** 45.70 (1b) (b) of the statutes is created to read:

3 45.70 (1b) (b) The board may act under par. (a) only if the department estimates
4 that the cost of implementing the proposal for an established or future state
5 memorial will exceed \$25,000.

6 **SECTION 811.** 45.70 (2) (a) of the statutes is renumbered 45.70 (1b) (a) and
7 amended to read:

8 45.70 (1b) (a) The board may approve, recommend, and veto any proposed
9 plans, modifications, and changes or policies with respect to established state
10 memorials, ~~including the Camp Randall Memorial Park, Madison, Wisconsin, as~~
11 ~~described in par. (c),~~ and any future veterans state memorials, and may recommend
12 the creation and establishment of future veterans state memorials.

13 **SECTION 812.** 45.70 (2) (b) of the statutes is amended to read:

14 45.70 (2) (b) No structures, other than memorials approved by the board, and
15 no walks, roads, or subterranean footings may be placed or erected upon Camp
16 Randall Memorial Park, Madison, Wisconsin, as described in par. (c), unless
17 authorized by the legislature; nor shall the park be used for any purpose other than
18 a memorial park.

19 **SECTION 813.** 45.82 (4) of the statutes is amended to read:

20 45.82 (4) The department shall provide grants to the governing bodies of
21 federally recognized American Indian tribes and bands from the appropriation
22 under s. 20.485 (2) (km) or (vw) if that governing body enters into an agreement with
23 the department regarding the creation, goals, and objectives of a tribal veterans
24 service officer, appoints a veteran to act as a tribal veterans service officer, and gives
25 that veteran duties similar to the duties described in s. 45.80 (5), except that the

ASSEMBLY BILL 40**SECTION 813**

1 veteran shall report to the governing body of the tribe or band. The department may
2 make annual grants of up to ~~\$8,500~~ \$15,000 per grant under this subsection and shall
3 promulgate rules to implement this subsection.

4 **SECTION 814.** 46.03 (30) (a) of the statutes is amended to read:

5 46.03 (30) (a) To provide for an orderly reduction of state institutional primary
6 psychiatric services the department may approve the institutes entering into
7 contracts with county departments under s. 51.42 for providing primary psychiatric
8 care. If excess capacity exists at state operated mental health institutes, the
9 department shall, subject to s. ss. 13.48 (14) (am) and 16.848 (1), explore the possible
10 sale or lease of such excess facilities to a county department under s. 51.42.

11 **SECTION 815.** 46.035 (2) (a) of the statutes is amended to read:

12 46.035 (2) (a) Without limitation by reason of any other provisions of the
13 statutes except s. ss. 13.48 (14) (am) and 16.848 (1), the power to sell and to convey
14 title in fee simple to a nonprofit corporation any land and any existing buildings
15 thereon owned by, or owned by the state and held for, the department or of any of the
16 institutions under the jurisdiction of the department for such consideration and
17 upon such terms and conditions as in the judgment of the secretary are in the public
18 interest.

19 **SECTION 816.** 46.057 (2) of the statutes is amended to read:

20 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
21 department of corrections shall transfer to the appropriation account under s. 20.435
22 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.
23 20.410 (3) (hm), the department of corrections shall transfer to the appropriation
24 account under s. 20.435 (2) (kx) ~~\$2,890,700~~ \$2,707,100 in fiscal year ~~2011-12~~
25 2013-14 and ~~\$2,964,000~~ \$2,772,800 in fiscal year ~~2012-13~~ 2014-15, for services for

ASSEMBLY BILL 40**SECTION 816**

1 juveniles placed at the Mendota juvenile treatment center. The department of health
2 services may charge the department of corrections not more than the actual cost of
3 providing those services.

4 **SECTION 817.** 46.06 (4) of the statutes is amended to read:

5 46.06 (4) SALES. The department may, with the approval of the building
6 commission, and subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), sell
7 and convey such lands under the jurisdiction of the department as the secretary
8 deems to be in excess of the present or future requirements of the department for
9 either the operation of its facilities or programs, for the maintenance of buffer zones
10 adjacent to its facilities or for other public purposes. The proceeds of such sales are
11 subject to s. 13.48 (14) (c).

12 **SECTION 818.** 46.07 of the statutes is amended to read:

13 **46.07 Property of patients or residents.** All money including wages and
14 other property delivered to an officer or employee of any institution for the benefit
15 of a patient or resident shall immediately be delivered to the steward, who shall enter
16 the money upon the steward's books to the credit of the patient or resident. The
17 property shall be used only under the direction and with the approval of the
18 superintendent and for the crime victim and witness assistance surcharge under s.
19 973.045 (4), the delinquency victim and witness assistance surcharge under s. 938.34
20 (8d) (c), the deoxyribonucleic acid analysis surcharge under s. 973.046 (1r), the child
21 pornography surcharge under s. 973.042, the drug offender diversion surcharge
22 under s. 973.043, or the benefit of the patient or resident. If the money remains
23 uncalled for for one year after the patient's or resident's death or departure from the
24 institution, the superintendent shall deposit the money in the general fund. If any
25 patient or resident leaves property, other than money, uncalled for at an institution

ASSEMBLY BILL 40**SECTION 818**

1 for one year, the superintendent shall sell the property, and the proceeds shall be
2 deposited in the general fund. If any person satisfies the department, within 5 years
3 after the deposit, of his or her right to the deposit, the department shall direct the
4 department of administration to draw its warrant in favor of the claimant and it shall
5 charge the same to the appropriation made by s. 20.913 (3) (c).

6 **SECTION 819.** 46.21 (1) (d) of the statutes is amended to read:

7 46.21 (1) (d) "Human services" means the total range of services to people,
8 including mental illness treatment, developmental disabilities services, physical
9 disabilities services, income maintenance, youth probation, extended supervision
10 and parole services, alcohol and drug abuse services, services to children, youth and
11 families, family counseling, early intervention services for children from birth to the
12 age of 3, and manpower services. "Human services" does not include child welfare
13 services administered by the department of children and families under s. 48.48 (17)
14 ~~administered by the department in a county having a population of 500,000 or more.~~

15 **SECTION 820.** 46.215 (1) (intro.) of the statutes is amended to read:

16 46.215 (1) CREATION; POWERS AND DUTIES. (intro.) ~~In~~ Except as provided in ss.
17 49.155 (3g), 49.78 (1r), 49.825, and 49.826, in a county with a population of 500,000
18 750,000 or more the administration of welfare services, other than child welfare
19 services administered by the department of children and families under s. 48.48 (17)
20 ~~administered by the department and except as provided in ss. 49.155 (3g), 49.78 (1r),~~
21 ~~49.825, and 49.826,~~ is vested in a county department of social services under the
22 jurisdiction of the county board of supervisors under s. 46.21 (2m) (b) 1. a. Any
23 reference in any law to a county department of social services under this section
24 applies to a county department under s. 46.21 (2m) in its administration under s.
25 46.21 (2m) of the powers and duties of the county department of social services.

ASSEMBLY BILL 40**SECTION 820**

1 Except as provided in ss. 49.155 (3g), 49.78 (1r), 49.825, and 49.826, the county
2 department of social services shall have the following functions, duties, and powers,
3 and such other welfare functions as may be delegated to it:

4 **SECTION 821.** 46.27 (7g) (a) 1m. of the statutes is created to read:

5 46.27 (7g) (a) 1m. "Decedent" means a deceased client or a deceased nonclient
6 surviving spouse, whichever is applicable.

7 **SECTION 822.** 46.27 (7g) (a) 4. of the statutes is created to read:

8 46.27 (7g) (a) 4. "Nonclient surviving spouse" means any person who was
9 married to a client while the client was receiving services for which the cost may be
10 recovered under par. (c) 1. and who survived the client.

11 **SECTION 823.** 46.27 (7g) (a) 5. of the statutes is created to read:

12 46.27 (7g) (a) 5. a. "Property of a decedent" means all real and personal
13 property to which the client held any legal title or in which the client had any legal
14 interest immediately before death, to the extent of that title or interest, including
15 assets transferred to a survivor, heir, or assignee through joint tenancy, tenancy in
16 common, survivorship, life estate, living trust, or any other arrangement.

17 b. Notwithstanding subd. 5. a., "property of a decedent" includes all real and
18 personal property in which the nonclient surviving spouse had an ownership interest
19 at the client's death and in which the client had a marital property interest with that
20 nonclient surviving spouse at any time within 5 years before the client applied for
21 long-term community support services funded under sub. (7) or during the time that
22 the client was eligible for long-term community support services funded under sub.
23 (7).

24 **SECTION 824.** 46.27 (7g) (c) 1. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 824**

1 46.27 (7g) (c) 1. Except as provided in subd. 4., the department shall file a claim
2 against the estate of a client ~~or, and~~ against the estate of the a nonclient surviving
3 spouse ~~of a client,~~ for the amount of long-term community support services funded
4 under sub. (7) paid on behalf of the client after the client attained 55 years of age,
5 unless already recovered by the department under this subsection.

6 **SECTION 825.** 46.27 (7g) (c) 2m. of the statutes is created to read:

7 46.27 (7g) (c) 2m. a. Property that is subject to the department's claim under
8 subd. 1. in the estate of a client or in the estate of a nonclient surviving spouse is all
9 property of a decedent that is included in the estate.

10 b. There is a presumption, which may be rebutted by clear and convincing
11 evidence, that all property in the estate of the nonclient surviving spouse was marital
12 property held with the client and that 100 percent of the property in the estate of the
13 nonclient surviving spouse is subject to the department's claim under subd. 1.

14 **SECTION 826.** 46.27 (7g) (c) 3. (intro.) of the statutes is amended to read:

15 46.27 (7g) (c) 3. (intro.) The court shall reduce the amount of a claim under
16 subd. 1. by up to the amount specified in s. 861.33 (2) if necessary to allow the ~~client's~~
17 decedent's heirs or the beneficiaries of the ~~client's~~ decedent's will to retain the
18 following personal property:

19 **SECTION 827.** 46.27 (7g) (c) 5. a. of the statutes is amended to read:

20 46.27 (7g) (c) 5. a. If the department's claim is not allowable because of subd.
21 4. and the estate includes an interest in real property, including a home, the court
22 exercising probate jurisdiction shall, in the final judgment or summary findings and
23 order, assign the interest in the ~~home~~ real property subject to a lien in favor of the
24 department for the amount described in subd. 1. The personal representative or

ASSEMBLY BILL 40**SECTION 827**

1 petitioner for summary settlement or summary assignment of the estate shall record
2 the final judgment as provided in s. 863.29, 867.01 (3) (h), or 867.02 (2) (h).

3 **SECTION 828.** 46.27 (7g) (c) 5. b. of the statutes is amended to read:

4 46.27 (7g) (c) 5. b. If the department's claim is not allowable because of subd.
5 4., the estate includes an interest in real property, including a home, and the personal
6 representative closes the estate by sworn statement under s. 865.16, the personal
7 representative shall stipulate in the statement that the ~~home~~ real property is
8 assigned subject to a lien in favor of the department for the amount described in subd.
9 1. The personal representative shall record the statement in the same manner as
10 described in s. 863.29, as if the statement were a final judgment.

11 **SECTION 829.** 46.27 (7g) (c) 6. (intro.) of the statutes is amended to read:

12 46.27 (7g) (c) 6. (intro.) The department may not enforce the a lien under subd.
13 5. as long as any of the following survive the decedent:

14 **SECTION 830.** 46.27 (7g) (c) 6m. of the statutes is created to read:

15 46.27 (7g) (c) 6m. All of the following apply to a lien under subd. 5. that the
16 department may not enforce because of subd. 6.:

17 a. If the decedent's surviving spouse or child who is under age 21 or disabled
18 refinances a mortgage on the real property, the lien is subordinate to the new
19 encumbrance.

20 b. The department shall release the lien in the circumstances described in s.
21 49.848 (5) (f).

22 **SECTION 831.** 46.27 (7g) (g) of the statutes is amended to read:

23 46.27 (7g) (g) The department shall promulgate rules establishing standards
24 for determining whether the application of this subsection would work an undue
25 hardship in individual cases. If the department determines that the application of

ASSEMBLY BILL 40**SECTION 831**

1 this subsection would work an undue hardship in a particular case, the department
2 shall waive application of this subsection in that case. This paragraph does not apply
3 with respect to claims against the estates of nonclient surviving spouses.

4 **SECTION 832.** 46.286 (1m) of the statutes is created to read:

5 46.286 **(1m)** INCOME AND ASSETS EXCLUDED. For purposes of determining a
6 person's financial eligibility under sub. (1) (b) and cost-sharing requirements under
7 sub. (2), to the extent approved by the federal government, the department or its
8 designee shall exclude any assets accumulated in an independence account, as
9 defined in s. 49.472 (1) (c), and any income or assets from retirement benefits earned
10 or accumulated from employment income or employer contributions while the person
11 was employed and eligible for and receiving medical assistance under s. 49.472.

12 **SECTION 833.** 46.286 (7) of the statutes is amended to read:

13 46.286 **(7)** RECOVERY OF FAMILY CARE BENEFIT PAYMENTS, ~~RULES~~. The department
14 shall ~~promulgate rules relating~~ apply to the recovery from persons who receive the
15 family care benefit, including by liens and affidavits and from estates, of correctly
16 ~~and incorrectly~~ paid family care benefits, ~~that are substantially similar to the~~
17 applicable provisions under ss. 49.496 and 49.497, 49.848, and 49.849.

18 **SECTION 834.** 46.287 (2) (a) 1. k. of the statutes is amended to read:

19 46.287 **(2)** (a) 1. k. Recovery of family care benefit payments ~~under s. 46.286~~
20 ~~(7)~~.

21 **SECTION 835.** 46.48 (30) (a) of the statutes is amended to read:

22 46.48 **(30)** SUBSTANCE ABUSE TREATMENT GRANTS. (a) From the appropriation
23 account under s. 20.435 ~~(7)~~ (5) (bc), the department shall distribute grants on a
24 competitive basis to county departments of social services and to private nonprofit
25 organizations, as defined in s. 103.21 (2), for the provision of alcohol and other drug

ASSEMBLY BILL 40**SECTION 835**

1 abuse treatment services in counties with a population of 500,000 or more. Grants
2 distributed under this subsection may be used only to provide treatment for alcohol
3 and other drug abuse to individuals who are eligible for federal temporary assistance
4 for needy families under 42 USC 601 et. seq. and who have a family income of not
5 more than 200% of the poverty line, as defined in s. 49.001 (5).

6 **SECTION 836.** 46.48 (31) of the statutes is created to read:

7 46.48 (31) PEER RUN RESPITE CENTERS. The department may distribute not more
8 than \$1,200,000 in each fiscal year, beginning in fiscal year 2014-15, to regional peer
9 run respite centers for individuals with mental health and substance abuse
10 concerns.

11 **SECTION 837.** 46.52 of the statutes is amended to read:

12 **46.52 Systems change grants.** From the appropriation under s. 20.435 (7)
13 (5) (md), the department shall distribute funds to each grant recipient under this
14 section so as to permit initial phasing in of recovery-oriented system changes,
15 prevention and early intervention strategies, and consumer and family involvement
16 for individuals with mental illness. At least 10% of the funds distributed shall be for
17 children with mental illness.

18 **SECTION 838.** 46.53 of the statutes is amended to read:

19 **46.53 Mental health treatment provider training.** From the
20 appropriation under s. 20.435 (7) (5) (md), the department may not distribute more
21 than \$182,000 in each fiscal year to provide training for mental health treatment
22 professionals on new mental health treatment approaches in working with special
23 populations, including seriously mentally ill individuals and children with serious
24 emotional disturbances, and on the use of new mental health treatment medications.

25 **SECTION 839.** 46.54 of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 839****1 46.54 Consumer and family self-help and peer-support programs.**

2 From the appropriation under s. 20.435 ~~(7)~~ (5) (md), the department shall distribute
3 \$874,000 in each fiscal year to increase support for mental health family support
4 projects, employment projects operated by consumers of mental health services,
5 mental health crisis intervention and drop-in projects, and public mental health
6 information activities.

7 **SECTION 840.** 46.55 (3m) of the statutes is amended to read:

8 46.55 **(3m)** Within the limits of available funding under s. 20.435 ~~(7)~~ (5) (mb),
9 the department shall award grants under this section in a total amount for all grants
10 of not more than \$250,000 in each fiscal year.

11 **SECTION 841.** 46.56 (1) (hm) of the statutes is created to read:

12 46.56 **(1)** (hm) “Multi-entity initiative” means an initiative including more
13 than one county or tribe that is established under sub. (2) (b).

14 **SECTION 842.** 46.56 (2) of the statutes is renumbered 46.56 (2) (a) and amended
15 to read:

16 46.56 **(2)** (a) If Except as provided in par. (b), if a county board of supervisors
17 establishes an initiative under s. 59.53 (7) or if a tribe establishes an initiative, the
18 county board or tribe shall appoint a coordinating committee and designate an
19 administering agency. The initiative may be funded by the county or tribe or the
20 county board of supervisors or tribe may apply for funding by the state in accordance
21 with sub. (15).

22 **SECTION 843.** 46.56 (2) (b) of the statutes is created to read:

23 46.56 **(2)** (b) A county may enter into an agreement with one or more other
24 counties or tribes to establish an initiative and a tribe may enter into an agreement
25 with one or more counties or tribes to establish an initiative. The parties to the

ASSEMBLY BILL 40**SECTION 843**

1 agreement shall designate in the agreement a single lead administrative county or
2 lead administrative tribe. The county board of the lead administrative county or the
3 lead administrative tribe shall appoint a coordinating committee and designate an
4 administering agency. The initiative may be funded by the participating entities, or
5 the county board of supervisors of the lead administrative county or the lead
6 administrative tribe may apply for funding by the state in accordance with sub. (15).

7 **SECTION 844.** 46.56 (3) (bm) of the statutes is created to read:

8 46.56 (3) (bm) 1. The coordinating committee of a multi-entity initiative shall
9 include representatives described under par. (a) 1. to 7. who are from any county or
10 tribe included in the multi-entity initiative, except that, of the representatives
11 described under par. (a) 1. to 7., the committee shall include at least one
12 representative from each county or tribe included in the initiative.

13 2. For purposes of a coordinating committee appointed for a multi-entity
14 initiative, a representative under par. (b) 1., 2., 4., 5., 6., 7., and 11. may be from any
15 county or tribe included in the multi-entity initiative.

16 **SECTION 845.** 46.56 (3) (d) 6. of the statutes is amended to read:

17 46.56 (3) (d) 6. If a county or tribe or a multi-entity initiative applies for
18 funding under sub. (15), assist the administering agency in developing the
19 application required under sub. (15) (b).

20 **SECTION 846.** 46.56 (3) (d) 14. of the statutes is amended to read:

21 46.56 (3) (d) 14. Establish target groups of children who are involved in 2 or
22 more systems of care and their families to be served by the initiative. For a county
23 or tribe or a multi-entity initiative that applies for funding under sub. (15), severely
24 emotionally disturbed children are required to be a priority target group.

25 **SECTION 847.** 46.56 (3) (f) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 847**

1 46.56 (3) (f) This subsection does not apply with respect to multi-entity
2 initiatives to the extent that the department has adopted requirements under sub.
3 (14) (e) that conflict with those contained in this subsection.

4 **SECTION 848.** 46.56 (4) (intro.) of the statutes is amended to read:

5 46.56 (4) ROLE OF ADMINISTERING AGENCY. (intro.) The Except when otherwise
6 provided in requirements established by the department under sub. (14) (e) that
7 apply with respect to multi-entity initiatives, the administering agency designated
8 under sub. (2) shall do all of the following:

9 **SECTION 849.** 46.56 (4) (d) of the statutes is amended to read:

10 46.56 (4) (d) If the county board of supervisors or tribe or a multi-entity
11 initiative decides to seek state funding under sub. (15), develop the application in
12 cooperation with the coordinating committee.

13 **SECTION 850.** 46.56 (5) (intro.) of the statutes is amended to read:

14 46.56 (5) INTERAGENCY AGREEMENT. (intro.) An Except when otherwise provided
15 in requirements established by the department under sub. (14) (e) that apply with
16 respect to multi-entity initiatives, an interagency agreement shall include all of the
17 following:

18 **SECTION 851.** 46.56 (6) (cr) of the statutes is renumbered 46.56 (6) (cr) 1. and
19 amended to read:

20 46.56 (6) (cr) 1. Every Except as provided in subd. 2., every county and tribe
21 that operates any initiative shall develop written policies and procedures specifying
22 the selection process for the initiative coordinator.

23 **SECTION 852.** 46.56 (6) (cr) 2. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 852**

1 46.56 (6) (cr) 2. For a multi-entity initiative, the lead administrative county
2 or the lead administrative tribe shall develop the written policies and procedures
3 under subd. 1. specifying the selection process for the initiative coordinator.

4 **SECTION 853.** 46.56 (6) (e) of the statutes is created to read:

5 46.56 (6) (e) This subsection does not apply with respect to multi-entity
6 initiatives to the extent that the department has adopted requirements under sub.
7 (14) (e) that conflict with those contained in this subsection.

8 **SECTION 854.** 46.56 (7) (intro.) of the statutes is amended to read:

9 46.56 (7) ELIGIBILITY OF CHILDREN AND FAMILIES. (intro.) ~~Children~~ Except when
10 otherwise provided in requirements established by the department under sub. (14)
11 (e) that apply with respect to multi-entity initiatives, children who are involved in
12 2 of or more systems of care and their families shall be eligible for the initiative,
13 except that the coordinating committee may establish specific additional criteria for
14 eligibility for services and may establish certain target groups of children who are
15 involved in 2 or more systems of care to receive services. If target groups are
16 established, only children falling within the target groups may be enrolled in the
17 initiative. Any eligibility criteria shall meet all of the following conditions:

18 **SECTION 855.** 46.56 (8) (t) of the statutes is created to read:

19 46.56 (8) (t) This subsection does not apply with respect to multi-entity
20 initiatives to the extent that the department has adopted requirements under sub.
21 (14) (e) that conflict with those contained in this subsection.

22 **SECTION 856.** 46.56 (9) to (13) of the statutes are amended to read:

23 46.56 (9) IMMEDIATE CARE. Individual county departments, tribal agencies,
24 other agencies, and other service providers shall provide immediate services and
25 other resources as necessary and appropriate to children who are involved in 2 or

ASSEMBLY BILL 40**SECTION 856**

1 more systems of care and their families who have been referred for an evaluation of
2 eligibility for and appropriateness of enrollment in the initiative while assessment
3 and planning take place. This subsection does not apply with respect to multi-entity
4 initiatives to the extent that the department has adopted requirements under sub.
5 (14) (e) that conflict with those contained in this subsection.

6 **(10) RELATION TO OTHER SUPPORT PROGRAMS.** In any county or for a tribe that has
7 a family support program under s. 46.985 or other support programs, including
8 comprehensive community services or ~~office of justice assistance~~ department of
9 justice or department of corrections programs, the initiative shall coordinate its
10 activities with the support programs. This subsection does not apply with respect
11 to multi-entity initiatives to the extent that the department has adopted
12 requirements under sub. (14) (e) that conflict with those contained in this subsection.

13 **(11) CONFLICT MANAGEMENT.** The department, administering agency, service
14 coordination agencies, and service coordinators shall establish and use informal
15 means for conflict management, including consultation, mediation, and independent
16 assessment, whenever possible. A formal conflict management policy shall be
17 established in writing by the coordinating committee for use by families, providers,
18 and other individuals involved in the initiative. This subsection does not apply with
19 respect to multi-entity initiatives to the extent that the department has adopted
20 requirements under sub. (14) (e) that conflict with those contained in this subsection.

21 **(12) ADMINISTRATIVE APPEALS.** Decisions by the service coordination agency
22 regarding eligibility, enrollment, denial, termination, reduction, or appropriateness
23 of services and decisions by the individuals designated by the coordinating
24 committee regarding eligibility, enrollment, or denial may be appealed to the
25 coordinating committee by a child who is a service applicant or recipient or by the

ASSEMBLY BILL 40**SECTION 856**

1 parent or guardian or guardian ad litem of the applicant or recipient. Decisions of
2 the coordinating committee may be appealed to the department under ch. 227. This
3 subsection does not apply with respect to multi-entity initiatives to the extent that
4 the department has adopted requirements under sub. (14) (e) that conflict with those
5 contained in this subsection.

6 **(13) REVIEW OF ACTIONS BY INDIVIDUAL AGENCIES.** Nothing in this section shall
7 limit, modify, or expand the rights, remedies, or procedures established in federal
8 statutes or regulations or state statutes or rules for individuals or families receiving
9 services provided by individual organizations that are participating in the
10 coordinated services plan of care. This subsection does not apply with respect to
11 multi-entity initiatives to the extent that the department has adopted requirements
12 under sub. (14) (e) that conflict with those contained in this subsection.

13 **SECTION 857.** 46.56 (14) (b) (intro.) of the statutes is amended to read:

14 46.56 **(14)** (b) (intro.) The department shall provide, either directly or through
15 purchase of services, the following support services to the counties and tribes that
16 elect to participate in the initiative and to multi-entity initiatives:

17 **SECTION 858.** 46.56 (14) (d) of the statutes is amended to read:

18 46.56 **(14)** (d) Notwithstanding eligibility requirements for enrollment in the
19 initiative, if the state is funding the initiative in a particular county or for a tribe or
20 is funding a multi-entity initiative under sub. (15), the department may permit the
21 county ~~or~~, tribe, or multi-entity initiative to serve under this section any individual
22 who has a severe disability and who has not attained 22 years of age, and his or her
23 family, if the individual's mental, physical, sensory, behavioral, emotional, or
24 developmental disability or whose combination of multiple disabilities meets the
25 requirements specified in sub. (1) (om) 1. to 4.

ASSEMBLY BILL 40**SECTION 859**

1 **SECTION 859.** 46.56 (14) (e) of the statutes is created to read:

2 46.56 (14) (e) The department may establish additional requirements to apply
3 with respect to multi-entity initiatives, including requirements that conflict with
4 any requirements in subs. (3) to (13).

5 **SECTION 860.** 46.56 (15) (b) (intro.) of the statutes is amended to read:

6 46.56 (15) (b) (intro.) In order to apply for funds under this subsection, the
7 county board of supervisors or tribe or, for a multi-entity initiative, the county board
8 of the lead administrative county or the lead administrative tribe shall do all of the
9 following:

10 **SECTION 861.** 46.56 (15) (b) 4. of the statutes is amended to read:

11 46.56 (15) (b) 4. Submit a description of the existing services and other
12 resources in the county or tribe or in the area or areas served by a multi-entity
13 initiative for children who are involved in 2 or more systems of care, an assessment
14 of any gaps in services, and a plan for using the funds received under this subsection
15 or funds from other sources to develop or expand the initiative.

16 **SECTION 862.** 46.56 (15) (c) of the statutes is amended to read:

17 46.56 (15) (c) In order for a county or tribe or a multi-entity initiative to obtain
18 funds under this subsection, all of the participating agencies and organizations shall
19 provide matching funds that, in total, equal 20% of the requested funding. The
20 match may be cash or in-kind. The department shall determine what may be used
21 as in-kind match.

22 **SECTION 863.** 46.56 (15) (d) of the statutes is amended to read:

23 46.56 (15) (d) In order to apply for funding, a county or tribe or a multi-entity
24 initiative shall have a coordinating committee that meets the requirements under

ASSEMBLY BILL 40**SECTION 863**

1 sub. (3) (a) and (b), and, if applicable, sub. (3) (bm) that will carry out the
2 responsibilities under sub. (3) (d).

3 **SECTION 864.** 46.86 (1) of the statutes is amended to read:

4 46.86 (1) From the appropriation under s. 20.435 ~~(7)~~ (5) (md) the department
5 may award not more than \$125,500 in each fiscal year as grants to counties and
6 private nonprofit entities for treatment for pregnant women and mothers with
7 alcohol and other drug abuse treatment needs; mothers who have alcohol and other
8 drug abuse treatment needs and dependent children up to the age of 5 years; and the
9 dependent children up to the age of 5 years of those mothers. The grants shall be
10 awarded in accordance with the department's request-for-proposal procedures. The
11 grants shall be used to establish community-based programs, residential
12 family-centered treatment programs or home-based treatment programs. The
13 program under a grant must include alcohol and other drug abuse treatment
14 services, parent education, support services for the children of the women who are
15 enrolled in the program, vocational assistance and housing assistance. Any program
16 funded under this subsection must also provide follow-up aftercare services to each
17 woman and her children for at least 2 years after the date on which a woman has left
18 the program.

19 **SECTION 865.** 46.86 (2m) (b) of the statutes is amended to read:

20 46.86 (2m) (b) From the appropriation under s. 20.435 ~~(7)~~ (5) (md), the
21 department shall distribute not more than \$79,500 in each fiscal year for residential
22 long-term treatment for alcohol and other drug abuse, including treatment with
23 respect to family relationships, antisocial behavior and employability, in a treatment
24 facility, as defined in s. 51.01 (19), in a 1st class city.

25 **SECTION 866.** 46.86 (3m) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 866**

1 46.86 **(3m)** From the appropriation under s. 20.435 ~~(7)~~ (5) (md), the department
2 may not distribute more than \$900,000 in each fiscal year to fund a multidisciplinary
3 prevention and treatment team in Milwaukee County for cocaine-abusing women
4 and their children. The multidisciplinary prevention and treatment team must
5 coordinate its activities with other prevention and treatment programs in
6 Milwaukee County for cocaine-abusing women and their children. Residents from
7 other counties may be served by the multidisciplinary prevention and treatment
8 team. The department may carry forward funds distributed under this subsection,
9 but not encumbered by December 31, for distribution for the purpose under this
10 subsection in the following calendar year.

11 **SECTION 867.** 46.86 (5) of the statutes is amended to read:

12 46.86 **(5)** From the appropriation under s. 20.435 ~~(7)~~ (5) (md), the department
13 may not distribute more than \$235,000 in each fiscal year as a grant to ARC
14 Community Services, Inc., for women and children in Dane County, to provide
15 funding for staff of the center and transportation and meal expenses for chemically
16 dependent women who receive services from the center.

17 **SECTION 868.** 46.86 (6) (a) (intro.) of the statutes is amended to read:

18 46.86 **(6)** (a) (intro.) From the appropriation account under s. 20.435 ~~(7)~~ (5)
19 (md), the department may award up to \$1,330,800 in each fiscal year, and from the
20 appropriation account under s. 20.435 (5) (gb), the department may award not more
21 than \$319,500 in each fiscal year, as grants to counties and private entities to provide
22 community-based alcohol and other drug abuse treatment programs that do all of
23 the following:

24 **SECTION 869.** 46.90 (5m) (br) 5g. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 869**

1 46.90 **(5m)** (br) 5g. Refer the case to the department of financial institutions
2 if the financial exploitation, neglect, self-neglect, or abuse involves an individual
3 who is required to be registered under s. 202.13 or 202.14.

4 **SECTION 870.** 46.96 (2) of the statutes is amended to read:

5 46.96 **(2)** The department shall make grants from the appropriations under s.
6 20.435 (7) (c) ~~or (ke)~~ to independent living centers for nonresidential services to
7 severely disabled individuals.

8 **SECTION 871.** 47.02 (3m) (p) of the statutes is created to read:

9 47.02 **(3m)** (p) 1. From the appropriation under s. 20.445 (5) (n), in each fiscal
10 year, allocate \$600,000 of moneys received from the federal social security
11 administration for reimbursement of grants to independent living centers. The
12 department shall make grants to independent living centers for nonresidential
13 services to severely disabled individuals as defined in s. 46.96 (1) (b).

14 2. To be eligible to receive a grant under subd. 1., an independent living center
15 shall comply with the requirements under s. 46.96 (3m) (a) 1. to 3. and (am) 1. and
16 2.

17 **SECTION 872.** 48.06 (1) (title) of the statutes is amended to read:

18 48.06 **(1)** (title) COUNTIES WITH A POPULATION OF ~~500,000~~ 750,000 OR MORE.

19 **SECTION 873.** 48.06 (1) (a) 1. of the statutes is amended to read:

20 48.06 **(1)** (a) 1. In counties with a population of ~~500,000~~ 750,000 or more, the
21 department shall provide the court with the services necessary for investigating and
22 supervising child welfare and unborn child welfare cases under this chapter. The
23 department is charged with providing child welfare and unborn child welfare intake
24 and dispositional services and with administration of the personnel and services of
25 the child welfare and unborn child welfare intake and dispositional sections of the

ASSEMBLY BILL 40**SECTION 873**

1 department. The department shall include investigative services for all children and
2 unborn children alleged to be in need of protection or services to be provided by the
3 department.

4 **SECTION 874.** 48.06 (2) (title) of the statutes is amended to read:

5 48.06 (2) (title) COUNTIES WITH A POPULATION UNDER ~~500,000~~ 750,000.

6 **SECTION 875.** 48.06 (2) (a) of the statutes is amended to read:

7 48.06 (2) (a) In counties having less than ~~500,000~~ 750,000 population, the
8 county board of supervisors shall authorize the county department or court or both
9 to provide intake services required by s. 48.067 and the staff needed to carry out the
10 objectives and provisions of this chapter under s. 48.069. Intake services shall be
11 provided by employees of the court or county department and may not be
12 subcontracted to other individuals or agencies, except any county which had intake
13 services subcontracted from the county sheriff's department on April 1, 1980, may
14 continue to subcontract intake services from the county sheriff's department. Intake
15 workers shall be governed in their intake work, including their responsibilities for
16 recommending the filing of a petition and entering into an informal disposition, by
17 general written policies which shall be formulated by the circuit judges for the
18 county, subject to the approval of the chief judge of the judicial administrative
19 district.

20 **SECTION 876.** 48.06 (3) of the statutes is amended to read:

21 48.06 (3) INTAKE SERVICES. The court, the department in a county having a
22 population of ~~500,000~~ 750,000 or more, or the county department responsible for
23 providing intake services under s. 48.067 shall specify one or more persons to provide
24 intake services. If there is more than one such worker, one of the workers shall be
25 designated as chief worker and shall supervise other workers.

ASSEMBLY BILL 40**SECTION 877**

1 **SECTION 877.** 48.06 (4) of the statutes is amended to read:

2 48.06 (4) STATE AID. State aid to any county for court services under this section
3 shall be at the same net effective rate that each county is reimbursed for county
4 administration under s. 48.569. Counties having a population of less than 500,000
5 750,000 may use funds received under s. 48.569 (1) (d), including county or federal
6 revenue sharing funds allocated to match funds received under s. 48.569 (1) (d), for
7 the cost of providing court attached intake services in amounts not to exceed ~~50%~~ 50
8 percent of the cost of providing court attached intake services or \$30,000 per county
9 per calendar year, whichever is less.

10 **SECTION 878.** 48.069 (1) (intro.) of the statutes is amended to read:

11 48.069 (1) (intro.) The staff of the department, the court, a county department
12 or a licensed child welfare agency designated by the court to carry out the objectives
13 and provisions of this chapter, or, in a county having a population of ~~500,000~~ 750,000
14 or more, the department or an agency under contract with the department to provide
15 dispositional services, shall:

16 **SECTION 879.** 48.069 (2) of the statutes is amended to read:

17 48.069 (2) Except in a county having a population of ~~500,000~~ 750,000 or more,
18 licensed child welfare agencies and the department shall provide services under this
19 section only upon the approval of the agency from whom services are requested. In
20 a county having a population of ~~500,000~~ 750,000 or more, the department or, with the
21 approval of the department, a licensed child welfare agency shall provide services
22 under this section.

23 **SECTION 880.** 48.069 (3) of the statutes is amended to read:

24 48.069 (3) A court or county department responsible for disposition staff or, in
25 a county having a population of ~~500,000~~ 750,000 or more, the department may agree

ASSEMBLY BILL 40**SECTION 880**

1 with the court or county department responsible for providing intake services that
2 the disposition staff may be designated to provide some or all of the intake services.

3 **SECTION 881.** 48.07 (5) (b) 2. of the statutes is amended to read:

4 48.07 (5) (b) 2. On receipt of an application from a prospective court-appointed
5 special advocate, the court-appointed special advocate program, with the assistance
6 of the department of justice, shall conduct a background investigation of the
7 applicant. If the court-appointed special advocate program determines that any
8 information obtained as a result of the background investigation provides a
9 reasonable basis for further investigation, the court-appointed special advocate
10 program may require the applicant to be fingerprinted on 2 fingerprint cards, each
11 bearing a complete set of the applicant's fingerprints, or by other technologies
12 approved by law enforcement agencies. The department of justice may provide for
13 the submission of the fingerprint cards or fingerprints by other technologies to the
14 federal bureau of investigation for the purposes of verifying the identification of the
15 applicant and obtaining the applicant's criminal arrest and conviction record. The
16 court-appointed special advocate program shall keep confidential all information
17 received from the department of justice and the federal bureau of investigation under
18 this subdivision.

19 **SECTION 882.** 48.345 (6m) of the statutes is amended to read:

20 48.345 (6m) If the report prepared under s. 48.33 (1) recommends that the child
21 is in need of a coordinated services plan of care and if an initiative under s. 46.56 has
22 been established ~~in~~ for the county or, for a child who is a member of a tribe, as defined
23 in s. 46.56 (1) (q), ~~by~~ for a tribe, the judge may order an assessment of the child and
24 the child's family for eligibility for and appropriateness of the initiative, and if

ASSEMBLY BILL 40**SECTION 882**

1 eligible for enrollment in the initiative, that a coordinated services plan of care be
2 developed and implemented.

3 **SECTION 883.** 48.355 (4) of the statutes is renumbered 48.355 (4) (a) and
4 amended to read:

5 48.355 (4) (a) Except as provided under s. 48.368, an order under this section
6 or s. 48.357 or 48.365 made before the child reaches 18 years of age that places or
7 continues the placement of the child in his or her home shall terminate ~~at the end~~
8 ~~of one year after its entry~~ the date on which the order is entered unless the judge
9 specifies a shorter period of time or the judge terminates the order sooner.

10 (b) Except as provided under s. 48.368, an order under this section or s. 48.357
11 or 48.365 made before the child reaches 18 years of age that places or continues the
12 placement of the child in a foster home, group home, or residential care center for
13 children and youth or in the home of a relative other than a parent shall terminate
14 ~~when on the latest of the following dates, unless the judge specifies a shorter period~~
15 ~~or the judge terminates the order sooner:~~

16 1. The date on which the child reaches 18 years of age, ~~at the end of~~.

17 2. The date that is one year after its entry, or, if the date on which the order is
18 entered.

19 3. If the child is a full-time student at a secondary school or its vocational or
20 technical equivalent and is reasonably expected to complete the program before
21 reaching 19 years of age, ~~when~~ the date on which the child reaches 19 years of age,
22 ~~whichever is later, unless the judge specifies a shorter period of time or the judge~~
23 ~~terminates the order sooner.~~

24 (c) An order under this section or s. 48.357 or 48.365 relating to an unborn child
25 in need of protection or services that is made before the unborn child is born shall

ASSEMBLY BILL 40**SECTION 883**

1 terminate ~~at the end of one year after its entry~~ the date on which the order is entered
2 unless the judge specifies a shorter period of time or the judge terminates the order
3 sooner.

4 **SECTION 884.** 48.355 (4) (b) 4. of the statutes is created to read:

5 48.355 (4) (b) 4. If the child is a full-time student at a secondary school or its
6 vocational or technical equivalent and if an individualized education program under
7 s. 115.787 is in effect for the child, the date on which the child reaches 21 years of age.

8 **SECTION 885.** 48.357 (6) of the statutes is renumbered 48.357 (6) (a) (intro.) and
9 amended to read:

10 48.357 (6) (a) (intro.) No change in placement may extend the expiration date
11 of the original order, except that if the change in placement is from a placement in
12 the child's home to a placement outside the home the court may extend the expiration
13 date of the original order to the latest of the following dates, unless the court specifies
14 a shorter period:

15 1. The date on which the child reaches 18 years of age, to the,

16 2. The date that is one year after the date of on which the change in placement
17 order, or, if is entered.

18 3. If the child is a full-time student at a secondary school or its vocational or
19 technical equivalent and is reasonably expected to complete the program before
20 reaching 19 years of age, to the date on which the child reaches 19 years of age,
21 whichever is later, or for a shorter period of time as specified by the court.

22 (b) If the change in placement is from a placement outside the home to a
23 placement in the child's home and if the expiration date of the original order is more
24 than one year after the date of the change in placement order, the court shall shorten
25 the expiration date of the original order to the date that is one year after the date of

ASSEMBLY BILL 40**SECTION 885**

1 on which the change in placement order is entered or to an earlier date as specified
2 by the court.

3 **SECTION 886.** 48.357 (6) (a) 4. of the statutes is created to read:

4 48.357 (6) (a) 4. If the child is a full-time student at a secondary school or its
5 vocational or technical equivalent and if an individualized education program under
6 s. 115.787 is in effect for the child, the date on which the child reaches 21 years of age.

7 **SECTION 887.** 48.365 (5) of the statutes is renumbered 48.365 (5) (a) and
8 amended to read:

9 48.365 (5) (a) Except as provided in s. 48.368, an order under this section that
10 continues the placement of a child in his or her home or that relates to an unborn
11 child of an adult expectant mother shall be for a specified length of time not to exceed
12 one year after its the date of entry on which the order is entered.

13 (b) Except as provided in s. 48.368, an order under this section that continues
14 the placement of a child in an out-of-home placement shall be for a specified length
15 of time not to exceed the latest of the following dates:

16 1. The date on which the child reaches 18 years of age,

17 2. The date that is one year after the date of entry of on which the order, or, if
18 is entered.

19 3. If the child is a full-time student at a secondary school or its vocational or
20 technical equivalent and is reasonably expected to complete the program before
21 reaching 19 years of age, the date on which the child reaches 19 years of age,
22 whichever is later.

23 **SECTION 888.** 48.365 (5) (b) 4. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 888**

1 48.365 (5) (b) 4. If the child is a full-time student at a secondary school or its
2 vocational or technical equivalent and if an individualized education program under
3 s. 115.787 is in effect for the child, the date on which the child reaches 21 years of age.

4 **SECTION 889.** 48.385 of the statutes is amended to read:

5 **48.385 Plan for transition to independent living.** During the 90 days
6 immediately before a child who is placed in a foster home, group home, or residential
7 care center for children and youth or in the home of a relative other than a parent
8 attains 18 years of age or, if the child is placed in such a placement under an order
9 under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that terminates under
10 s. 48.355 (4) (b) or 938.355 (4) (am) after the child attains 18 years of age, during the
11 90 days immediately before the termination of the order, the agency primarily
12 responsible for providing services to the child under the order shall provide the child
13 with assistance and support in developing a plan for making the transition from
14 out-of-home care to independent living. The transition plan shall be personalized
15 at the direction of the child, shall be as detailed as the child directs, and shall include
16 specific options for obtaining housing, health care, education, mentoring and
17 continuing support services, and workforce support and employment services.

18 **SECTION 890.** 48.43 (7) of the statutes is renumbered 48.43 (7) (a) and amended
19 to read:

20 48.43 (7) (a) If the agency specified under sub. (1) (a) is the department and,
21 the department shall seek a permanent adoptive placement for the child or seek to
22 enter into a subsidized guardianship agreement under s. 48.623 (2) with a proposed
23 guardian of the child and petition the court for the appointment of that individual
24 as the guardian of the child under s. 48.977 (2).

ASSEMBLY BILL 40**SECTION 890**

1 **(b)** If a permanent adoptive or subsidized guardianship placement is not in
2 progress 2 years after entry of the order, the department may petition the court to
3 transfer legal custody of the child to a county department, except that the
4 department may not petition the court to transfer to a county department legal
5 custody of a child who was initially taken into custody under s. 48.195 (1). The court
6 shall transfer the child's legal custody to the county department specified in the
7 petition. The department shall remain the child's guardian.

8 **SECTION 891.** 48.48 (3m) (d) of the statutes is amended to read:

9 48.48 **(3m)** (d) The tribal court has signed a written contract that addresses
10 federal and state law and that provides that the tribal court will accept the return
11 of the legal custody or the legal custody and guardianship of the child if the
12 department petitions the tribal court to do so under s. 48.485 (2).

13 **SECTION 892.** 48.48 (8p) of the statutes is amended to read:

14 48.48 **(8p)** To reimburse tribes and county departments, from the
15 appropriation under s. 20.437 (1) (kz), for unexpected or unusually high-cost
16 out-of-home care placements of Indian children by tribal courts and for subsidized
17 guardianship payments under s. 48.623 (1) or (6) for guardianships of Indian
18 children ordered by tribal courts. In this subsection, "unusually high-cost
19 out-of-home care placements" means the amount by which the cost to a tribe or to
20 a county department of out-of-home care placements of Indian children by tribal
21 courts exceeds \$50,000 in a fiscal year.

22 **SECTION 893.** 48.48 (16m) of the statutes is amended to read:

23 48.48 **(16m)** To employ under the unclassified service in an office of the
24 department that is located in a 1st class city a director of the office of urban
25 development who shall be appointed by the secretary to serve at the pleasure of the

ASSEMBLY BILL 40**SECTION 893**

1 secretary and who shall coordinate the provision of child welfare services in a county
2 having a population of 500,000 750,000 or more with the implementation of the
3 Wisconsin works program under ss. 49.141 to 49.161 in a county having a population
4 of 500,000 750,000 or more.

5 **SECTION 894.** 48.48 (17) (a) (intro.) of the statutes is amended to read:

6 48.48 (17) (a) (intro.) In a county having a population of 500,000 750,000 or
7 more, to administer child welfare services and to expend such amounts as may be
8 necessary out of any moneys which may be appropriated for child welfare services
9 by the legislature, which may be donated by individuals or private organizations or
10 which may be otherwise provided. The department shall also have authority to do
11 all of the following:

12 **SECTION 895.** 48.481 (1) (a) of the statutes is amended to read:

13 48.481 (1) (a) The department shall distribute \$497,200 foster care
14 continuation grants in each fiscal year to counties for the purpose of supplementing
15 payments for the care of an individual who attains age 18 after 1986 and who resided
16 in a home licensed under s. 48.62 for at least 2 years immediately prior to attaining
17 age 18 and, for at least 2 years, received payments for exceptional circumstances in
18 order to avoid institutionalization, as provided under rules promulgated by the
19 department, so that the individual may live in a family home or other
20 noninstitutional situation after attaining age 18. No county may use funds provided
21 under this paragraph to replace funds previously used by the county for this purpose.
22 Beginning in fiscal year 2013-14, a county is eligible to receive funding under this
23 paragraph only if the county received such funding in fiscal year 2012-13.

24 **SECTION 896.** 48.481 (2) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 896**

1 48.481 (2) TRANSITION TO INDEPENDENT LIVING. The department shall distribute
2 at least \$231,700 in each fiscal year to counties for the purpose of assisting
3 individuals who attain the age of 18 while residing in a foster home, group home, or
4 residential care center for children and youth or in the home of a relative other than
5 a parent to make the transition from out-of-home care to independent living. No
6 county may use funds provided under this subsection to replace funds previously
7 used by the county for this purpose.

8 **SECTION 897.** 48.485 of the statutes is renumbered 48.485 (1) and amended to
9 read:

10 48.485 (1) If the department accepts guardianship or legal custody or both from
11 a tribal court under s. 48.48 (3m), the department shall seek a permanent adoptive
12 placement for the child or seek to enter into a subsidized guardianship agreement
13 under s. 48.623 (2) with a proposed guardian of the child and petition the court for
14 the appointment of that individual as the guardian of the child under s. 48.977 (2)
15 or under a substantially similar tribal law.

16 (2) If a permanent adoptive or subsidized guardianship placement is not in
17 progress within 2 years after entry of the termination of parental rights order by the
18 tribal court, the department may petition the tribal court to transfer legal custody
19 or guardianship of the Indian child back to the Indian tribe, except that the
20 department may not petition the tribal court to transfer back to an Indian tribe legal
21 custody or guardianship of an Indian child who was initially taken into custody
22 under s. 48.195 (1).

23 **SECTION 898.** 48.487 (title) of the statutes is amended to read:

24 **48.487 (title) Tribal adolescent family services.**

25 **SECTION 899.** 48.487 (1m) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 899**

1 48.487 (1m) TRIBAL ADOLESCENT FAMILY SERVICES ALLOCATION GRANTS. From the
2 appropriation account under s. 20.437 (1) (eg) (bd), the department may allocate
3 \$210,000 in each fiscal year to provide the grants specified distribute tribal family
4 services grants to the elected governing bodies of the Indian tribes in this state. An
5 elected governing body that receives a grant under this subsection may expend the
6 grant moneys received for any of the purposes specified in subs. (2), (3) (b), and (4m)
7 (b), (5) (b), (6), and (7) as determined by that body.

8 **SECTION 900.** 48.487 (2) of the statutes is amended to read:

9 48.487 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. ~~From the allocation under~~
10 ~~sub. (1m), the department may provide a grant annually in the amount of \$85,000~~
11 ~~to the~~ An elected governing body of an Indian tribe may expend moneys from a grant
12 received under sub. (1m) to provide services for adolescent parents which. Those
13 services shall emphasize high school graduation and vocational preparation,
14 training, and experience and may be structured so as to strengthen the adolescent
15 parent's capacity to fulfill parental responsibilities by developing social skills and
16 increasing parenting skills. ~~The Indian tribe seeking to receive a grant to provide~~
17 ~~these~~ An Indian tribe that provides those services shall develop a proposed service
18 plan that is approved by the department.

19 **SECTION 901.** 48.487 (3) (b) of the statutes is amended to read:

20 48.487 (3) (b) ~~From the allocation under sub. (1m), the department may provide~~
21 ~~a grant annually in the amount of \$65,000 to the~~ An elected governing body of an
22 Indian tribe may expend moneys from a grant received under sub. (1m) to provide
23 ~~to high-risk adolescents pregnancy and parenthood prevention services which to~~
24 high-risk adolescents. Those services shall be structured so as to increase the
25 development of decision-making and communications skills, promote graduation

ASSEMBLY BILL 40**SECTION 901**

1 from high school, and expand career and other options and which may address needs
2 of adolescents with respect to pregnancy prevention.

3 **SECTION 902.** 48.487 (4m) (title) of the statutes is amended to read:

4 48.487 (4m) (title) ADOLESCENT CHOICES PROJECT-GRANTS PROJECTS.

5 **SECTION 903.** 48.487 (4m) (b) (intro.) of the statutes is amended to read:

6 48.487 (4m) (b) (intro.) ~~From the allocation under sub. (1m), the department~~
7 ~~may provide a grant annually in the amount of \$60,000 to the~~ An elected governing
8 body of an Indian tribe ~~for the provision of~~ may expend moneys from a grant received
9 under sub. (1m) to provide information to members of the Indian tribe in order to
10 increase community knowledge about the problems of adolescents and to provide
11 information to and activities for adolescents, particularly female adolescents, in
12 order to enable the adolescents to develop skills with respect to all of the following:

13 **SECTION 904.** 48.487 (4m) (c) of the statutes is amended to read:

14 48.487 (4m) (c) ~~Each funded tribal project~~ An Indian tribe that provides
15 services under par. (b) shall provide those services in areas an area of the state as that
16 is approved by the Indian tribe and the department. The department shall
17 determine the boundaries of the ~~regional areas prior to soliciting project grant~~
18 ~~applications~~ regions in this state within which the Indian tribes may provide services
19 under par. (b) before approving the service area of an Indian tribe under this
20 paragraph.

21 **SECTION 905.** 48.487 (4m) (d) of the statutes is amended to read:

22 48.487 (4m) (d) ~~Prior to making grants to applying Indian tribes under par. (b)~~
23 approving the service area of an Indian tribe under par. (c), the department shall
24 consider whether and how the ~~applying~~ Indian tribe proposes to coordinate its

ASSEMBLY BILL 40**SECTION 905**

1 services with other public or private resources, programs, or activities in the region
2 and the state.

3 **SECTION 906.** 48.487 (4m) (e) of the statutes is amended to read:

4 48.487 (**4m**) (e) The department shall work closely with the women's council
5 and the department of public instruction, on a continuing basis, concerning the scope
6 and direction of activities ~~under projects funded by the program~~ conducted under
7 par. (b).

8 **SECTION 907.** 48.487 (5) of the statutes is created to read:

9 48.487 (**5**) DOMESTIC ABUSE SERVICES. (a) In this subsection:

10 1. "Domestic abuse" means physical abuse, including a violation of s. 940.225
11 (1), (2), or (3), or any threat of physical abuse between adult family or adult household
12 members, by a minor family or minor household member against an adult family or
13 adult household member, by an adult against his or her adult former spouse or by an
14 adult against an adult with whom the person has a child in common.

15 2. "Domestic abuse services" means any of the following:

16 a. Shelter facilities or private home shelter care.

17 b. Advocacy and counseling for victims.

18 c. A 24-hour telephone service.

19 d. Community education.

20 3. "Family member" means a spouse, a parent, a child, or a person related by
21 blood or adoption to another person.

22 4. "Household member" means a person currently or formerly residing in a
23 place of abode with another person.

24 (b) Subject to pars. (c) and (d), an elected governing body of an Indian tribe may
25 expend moneys from a grant received under sub. (1m) to provide domestic abuse

ASSEMBLY BILL 40**SECTION 907**

1 services. If an elected governing body of an Indian tribe expends those moneys for
2 those services, the body shall provide matching funds or in-kind contributions in an
3 amount to be determined by the department. The department shall establish
4 guidelines regarding the types of contributions that qualify as in-kind contributions.

5 (c) An elected governing body of an Indian tribe may provide shelter facilities
6 only if the department of safety and professional services determines that the
7 physical plant of the facility will not be dangerous to the health or safety of the
8 residents when the facility is in operation. An elected governing body of an Indian
9 tribe may provide shelter facilities or private home shelter care only if the body
10 ensures that the following services will be provided either by that Indian tribe or by
11 another person:

- 12 1. A 24-hour telephone service.
- 13 2. Temporary housing and food.
- 14 3. Advocacy and counseling for victims.
- 15 4. Referral and follow-up services.
- 16 5. Arrangements for education of school-age children.
- 17 6. Emergency transportation to the shelter.
- 18 7. Community education.

19 (d) An Indian tribe that provides domestic abuse services under this subsection
20 shall report all of the following information to the department by February 15
21 annually:

- 22 1. The total expenditures that the Indian tribe made on domestic abuse services
23 in the previous tribal fiscal year.
- 24 2. The expenditures specified in subd. 1. by general category of domestic abuse
25 services provided.

ASSEMBLY BILL 40**SECTION 907**

1 3. The number of persons served in the previous tribal fiscal year by general
2 type of domestic abuse service.

3 4. The number of persons who were in need of domestic abuse services in the
4 previous tribal fiscal year but who did not receive the domestic abuse services that
5 they needed.

6 **SECTION 908.** 48.487 (7) of the statutes is created to read:

7 48.487 (7) CHILD WELFARE SERVICES. An elected governing body of an Indian
8 tribe may expend moneys from a grant received under sub. (1m) to provide child
9 welfare services as authorized under 42 USC 621 to 628b.

10 **SECTION 909.** 48.56 (title) of the statutes is amended to read:

11 **48.56 (title) Child welfare services in counties having populations of**
12 **less than ~~500,000~~ 750,000.**

13 **SECTION 910.** 48.56 (1) of the statutes is amended to read:

14 48.56 (1) Each county having a population of less than ~~500,000~~ 750,000 shall
15 provide child welfare services through its county department.

16 **SECTION 911.** 48.561 (title) of the statutes is amended to read:

17 **48.561 (title) Child welfare services in a county having a population of**
18 **~~500,000~~ 750,000 or more.**

19 **SECTION 912.** 48.561 (1) of the statutes is amended to read:

20 48.561 (1) The department shall provide child welfare services in a county
21 having a population of ~~500,000~~ 750,000 or more.

22 **SECTION 913.** 48.561 (2) of the statutes is amended to read:

23 48.561 (2) The department shall employ personnel in a county having a
24 population of ~~500,000~~ 750,000 or more who devote all of their time directly or

ASSEMBLY BILL 40**SECTION 913**

1 indirectly to child welfare services. Whenever possible, these personnel shall be
2 social workers certified under ch. 457.

3 **SECTION 914.** 48.561 (3) (a) (intro.) of the statutes is amended to read:

4 48.561 (3) (a) (intro.) A county having a population of ~~500,000~~ 750,000 or more
5 shall contribute \$58,893,500 in each state fiscal year for the provision of child welfare
6 services in that county by the department. That contribution shall be made as
7 follows:

8 **SECTION 915.** 48.561 (3) (b) of the statutes is amended to read:

9 48.561 (3) (b) The department of administration shall collect the amount
10 specified in par. (a) 3. from a county having a population of ~~500,000~~ 750,000 or more
11 by deducting all or part of that amount from any state payment due that county
12 under s. 79.035, 79.04, or 79.08. The department of administration shall notify the
13 department of revenue, by September 15 of each year, of the amount to be deducted
14 from the state payments due under s. 79.035, 79.04, or 79.08. The department of
15 administration shall credit all amounts collected under this paragraph to the
16 appropriation account under s. 20.437 (1) (kw) and shall notify the county from which
17 those amounts are collected of that collection. The department may not expend any
18 moneys from the appropriation account under s. 20.437 (1) (cx) for providing services
19 to children and families under s. 48.48 (17) until the amounts in the appropriation
20 account under s. 20.437 (1) (kw) are exhausted.

21 **SECTION 916.** 48.563 (1) (a) of the statutes is amended to read:

22 48.563 (1) (a) Within the limits of available federal funds and of the
23 appropriations under s. 20.437 (1) (b), ~~(cx)~~, (km), and (o), the department shall
24 distribute funds for children and family services to county departments as provided
25 in subs. (2), ~~(3)~~, (4), and (7m) and s. 48.986.

ASSEMBLY BILL 40**SECTION 917**

1 **SECTION 917.** 48.563 (3) of the statutes is renumbered 48.487 (6) and amended
2 to read:

3 48.487 (6) TRIBAL CHILD CARE. ~~For An elected governing body of an Indian tribe~~
4 ~~may expend moneys from a grant received under sub. (1m) to provide~~ child care
5 services under 42 USC 9858, ~~the department shall distribute not more than \$412,800~~
6 ~~in each fiscal year from the appropriation account under s. 20.437 (1) (b) to Indian~~
7 ~~tribes.~~ An Indian tribe that receives funding under this subsection shall use that
8 funding to provide child care for an eligible child, as defined in 42 USC 9858n (4).

9 **SECTION 918.** 48.563 (4) of the statutes is created to read:

10 48.563 (4) POSTREUNIFICATION SERVICES. If a demonstration project authorized
11 under 42 USC 1320a-9 reduces the cost of providing out-of-home care for children
12 in a county having a population of 750,000 or more, from the appropriations under
13 s. 20.437 (1) (cx) and (o) the department may distribute the amount by which that
14 cost is reduced by that demonstration project in each fiscal year to county
15 departments for services for children and families to prevent the reentry of children
16 into out-of-home care.

17 **SECTION 919.** 48.569 (1) (am) of the statutes is amended to read:

18 48.569 (1) (am) The department shall reimburse each county from the
19 appropriations under s. 20.437 (1) (b), ~~(cx)~~, (km), and (o) for children and family
20 services as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

21 **SECTION 920.** 48.569 (1) (d) of the statutes is amended to read:

22 48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), ~~(cx)~~, (km), and
23 (o), the department shall distribute the funding for children and family services,
24 including funding for foster care or subsidized guardianship care of a child on whose
25 behalf aid is received under s. 48.645 to county departments as provided under s.

ASSEMBLY BILL 40**SECTION 920**

1 48.563. County matching funds are required for the distribution under s. 48.563 (2).
2 Each county's required match for the distribution under s. 48.563 (2) shall be
3 specified in a schedule established annually by the department. Matching funds
4 may be from county tax levies, federal and state revenue sharing funds, or private
5 donations to the county that meet the requirements specified in sub. (1m). Private
6 donations may not exceed 25 percent of the total county match. If the county match
7 is less than the amount required to generate the full amount of state and federal
8 funds distributed for this period, the decrease in the amount of state and federal
9 funds equals the difference between the required and the actual amount of county
10 matching funds.

11 **SECTION 921.** 48.57 (3m) (a) 1. of the statutes is amended to read:

12 48.57 **(3m)** (a) 1. "Child" means a person under 18 years of age or; a person 18
13 years of age or over, but under 19 years of age, who is a full-time student in good
14 academic standing at a secondary school or its vocational or technical equivalent and
15 who is reasonably expected to complete his or her program of study and be granted
16 a high school or high school equivalency diploma; or a person 18 years of age or over,
17 but under 21 years of age, who is a full-time student in good academic standing at
18 a secondary school or its vocational or technical equivalent if an individualized
19 education program under s. 115.787 is in effect for the person.

20 **SECTION 922.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

21 48.57 **(3m)** (am) (intro.) From the ~~appropriation~~ appropriations under s. 20.437
22 (2) (dz), (md), (me), and (s), the department shall reimburse counties having
23 populations of less than 500,000 for payments made under this subsection and shall
24 make payments under this subsection in a county having a population of 500,000 or
25 more. Subject to par. (ap), a county department and, in a county having a population

ASSEMBLY BILL 40**SECTION 922**

1 of 500,000 or more, the department shall make payments in the amount of \$220 per
2 month to a kinship care relative who is providing care and maintenance for a child
3 if all of the following conditions are met:

4 **SECTION 923.** 48.57 (3n) (a) 1. of the statutes is amended to read:

5 48.57 (3n) (a) 1. "Child" means a person under 18 years of age or; a person 18
6 years of age or over, but under 19 years of age, who is a full-time student in good
7 academic standing at a secondary school or its vocational or technical equivalent and
8 who is reasonably expected to complete his or her program of study and be granted
9 a high school or high school equivalency diploma; or a person 18 years of age or over,
10 but under 21 years of age, who is a full-time student in good academic standing at
11 a secondary school or its vocational or technical equivalent if an individualized
12 education program under s. 115.787 is in effect for the person.

13 **SECTION 924.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

14 48.57 (3n) (am) (intro.) From the ~~appropriation~~ appropriations under s. 20.437
15 (2) (dz), (md), (me), and (s), the department shall reimburse counties having
16 populations of less than 500,000 for payments made under this subsection and shall
17 make payments under this subsection in a county having a population of 500,000 or
18 more. Subject to par. (ap), a county department and, in a county having a population
19 of 500,000 or more, the department shall make monthly payments for each child in
20 the amount ~~specified in sub. (3m) (am) (intro.)~~ of \$220 per month to a long-term
21 kinship care relative who is providing care and maintenance for that child if all of
22 the following conditions are met:

23 **SECTION 925.** 48.57 (3n) (am) 6. a. of the statutes is amended to read:

24 48.57 (3n) (am) 6. a. The date on which the child attains the age of 18 years;
25 or, if on that date the child is a full-time student in good academic standing at a

ASSEMBLY BILL 40**SECTION 925**

1 secondary school or its vocational or technical equivalent and is reasonably expected
2 to complete his or her program of study and be granted a high school or high school
3 equivalency diploma, the date on which the child is granted a high school or high
4 school equivalency diploma or the date on which the child attains the age of 19 years,
5 whichever occurs first; or, if on that date the child is a full-time student in good
6 academic standing at a secondary school or its vocational or technical equivalent and
7 an individualized education program under s. 115.787 is in effect for the child, the
8 date on which the child attains the age of 21 years.

9 **SECTION 926.** 48.57 (3p) (d) of the statutes is amended to read:

10 48.57 **(3p)** (d) If the person being investigated under par. (b) or (c) is a
11 nonresident, or at any time within the 5 years preceding the date of the application
12 has been a nonresident, or if the county department or, in a county having a
13 population of 500,000 or more, the department determines that the person's
14 employment, licensing or state court records provide a reasonable basis for further
15 investigation, the county department or department shall require the person to be
16 fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's
17 fingerprints, or by other technologies approved by law enforcement agencies. The
18 department of justice may provide for the submission of the fingerprint cards or
19 fingerprints by other technologies to the federal bureau of investigation for the
20 purposes of verifying the identity of the person fingerprinted and obtaining records
21 of his or her criminal arrest and conviction.

22 **SECTION 927.** 48.619 of the statutes is renumbered 48.619 (intro.) and amended
23 to read:

24 **48.619 Definition.** (intro.) In this subchapter, "child" means a person under
25 18 years of age ~~and also includes, for,~~ For purposes of counting the number of

ASSEMBLY BILL 40

1 children for whom a foster home or group home may provide care and maintenance,
2 “child” also includes a person 18 years of age or over, but who was residing in the
3 foster home or group home immediately prior to his or her 18th birthday and who
4 continues to reside in that foster home or group home, if any of the following applies:

5 (1) The person is under 19 years of age, who is a full-time student at a
6 secondary school or its vocational or technical equivalent, who and is reasonably
7 expected to complete the program before reaching 19 years of age, who was residing
8 in the foster home or group home immediately prior to his or her 18th birthday, and
9 who continues to reside in that foster home or group home.

10 **SECTION 928.** 48.619 (2) of the statutes is created to read:

11 48.619 (2) The person is under 21 years of age, is a full-time student at a
12 secondary school or its vocational or technical equivalent, and an individualized
13 education program under s. 115.787 is in effect for the person.

14 **SECTION 929.** 48.62 (4) of the statutes is amended to read:

15 48.62 (4) Monthly payments in foster care shall be provided according to the
16 rates specified in this subsection. Beginning on January 1, ~~2010~~ 2014, the rates are
17 ~~\$215~~ \$226 for care and maintenance provided for a child of any age by a foster home
18 that is certified to provide level one care, as defined in the rules promulgated under
19 sub. (8) (a) and, for care and maintenance provided by a foster home that is certified
20 to provide care at a level of care that is higher than such level one care, ~~\$349~~ \$375
21 for a child under 5 years of age; ~~\$381~~ \$410 for a child 5 to 11 years of age; ~~\$433~~ \$466
22 for a child 12 to 14 years of age; and ~~\$452~~ \$487 for a child 15 years of age or over.
23 Beginning on January 1, ~~2011~~ 2015, the rates are ~~\$220~~ \$232 for care and
24 maintenance provided for a child of any age by a foster home that is certified to
25 provide level one care, as defined in the rules promulgated under sub. (8) (a) and, for

ASSEMBLY BILL 40**SECTION 929**

1 care and maintenance provided by a foster home that is certified to provide care at
2 a level of care that is higher than such level one care, ~~\$366~~ \$384 for a child under 5
3 years of age; ~~\$400~~ \$420 for a child 5 to 11 years of age; ~~\$455~~ \$478 for a child 12 to 14
4 years of age; and ~~\$475~~ \$499 for a child 15 years of age or over. In addition to these
5 grants for basic maintenance, the department, county department, or licensed child
6 welfare agency shall make supplemental payments for foster care to a foster home
7 that is receiving an age-related rate under this subsection that are commensurate
8 with the level of care that the foster home is certified to provide and the needs of the
9 child who is placed in the foster home according to the rules promulgated by the
10 department under sub. (8) (c).

11 **SECTION 930.** 48.623 (1) (intro.) of the statutes is amended to read:

12 48.623 (1) ELIGIBILITY. (intro.) A county department or, ~~in a county having a~~
13 ~~population of 750,000 or more~~ as provided in sub. (3) (a), the department shall
14 provide monthly subsidized guardianship payments in the amount specified in sub.
15 (3) (b) to a guardian of a child under s. 48.977 (2) or under a substantially similar
16 tribal law if the county department or department determines that the conditions
17 specified in pars. (a) to (d) have been met. A county department or, ~~in a county having~~
18 ~~a population of 750,000 or more~~ as provided in sub. (3) (a), the department shall also
19 provide those payments for the care of a sibling of such a child, regardless of whether
20 the sibling meets the conditions specified in par. (a), if the county department or
21 department and the guardian agree on the appropriateness of placing the sibling in
22 the home of the guardian. A guardian of a child under s. 48.977 (2) or under a
23 substantially similar tribal law is eligible for monthly subsidized guardianship
24 payments under this subsection if the county department or, ~~in a county having a~~

ASSEMBLY BILL 40**SECTION 930**

1 ~~population of 750,000 or more, the department, whichever will be providing those~~
2 ~~payments,~~ determines that all of the following apply:

3 **SECTION 931.** 48.623 (3) (a) of the statutes is amended to read:

4 48.623 (3) (a) Except as provided in this paragraph, the county department
5 shall provide the monthly payments under sub. (1) or (6). The county department
6 shall provide those payments from moneys received under s. 48.48 (8p) or 48.569 (1)
7 (d). In a county having a population of 750,000 or more or in the circumstances
8 specified in s. 48.43 (7) (a) or 48.485 (1), the department shall provide the monthly
9 payments under sub. (1) or (6). The department shall provide those payments from
10 the appropriations under s. 20.437 (1) (dd) and (pd). In any other county, the county
11 department shall provide those payments from moneys received under s. 48.569 (1)
12 (d).

13 **SECTION 932.** 48.623 (3) (b) of the statutes is amended to read:

14 48.623 (3) (b) The county department or, as provided in par. (a), the department
15 shall determine the amount of a monthly payment under sub. (1) or (6) for the care
16 of a child shall equal based on the circumstances of the guardian and the needs of the
17 child. That amount may not exceed the amount received under s. 48.62 (4) by the
18 guardian of the child for the month immediately preceding the month in which the
19 guardianship order was granted or a lesser amount if agreed to by the guardian and
20 specified in the agreement under sub. (2) (b). A guardian or an interim caretaker who
21 receives a monthly payment under sub. (1) or (6) for the care of a child is not eligible
22 to receive a payment under s. 48.57 (3m) or (3n) or 48.62 (4) for the care of that child.

23 **SECTION 933.** 48.645 (2) (a) 2. of the statutes is amended to read:

24 48.645 (2) (a) 2. A county or, in a county having a population of ~~500,000~~ 750,000
25 or more, the department, on behalf of a child in the legal custody of a county

ASSEMBLY BILL 40**SECTION 933**

1 department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or
2 on behalf of a child who was removed from the home of a relative as a result of a
3 judicial determination that continuance in the home of a relative would be contrary
4 to the child's welfare for any reason when the child is placed in a licensed residential
5 care center for children and youth by the county department or the department.
6 Reimbursement shall be made by the state as provided in subd. 1.

7 **SECTION 934.** 48.645 (2) (a) 3. of the statutes is amended to read:

8 48.645 (2) (a) 3. A county or, in a county having a population of ~~500,000~~ 750,000
9 or more, the department, when the child is placed in a licensed foster home, group
10 home, or residential care center for children and youth or in a subsidized
11 guardianship home by a licensed child welfare agency or by a governing body of an
12 Indian tribe in this state or by its designee, if the child is in the legal custody of the
13 county department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48
14 (17) or if the child was removed from the home of a relative as a result of a judicial
15 determination that continuance in the home of the relative would be contrary to the
16 child's welfare for any reason and the placement is made under an agreement with
17 the county department or the department.

18 **SECTION 935.** 48.651 (1) (intro.) of the statutes is amended to read:

19 48.651 (1) (intro.) ~~No~~ Except as provided in s. 49.155 (4) (c), no person, other
20 than a child care center licensed under s. 48.65 or established or contracted for under
21 s. 120.13 (14), may receive reimbursement payment for providing child care services
22 for an individual who is determined eligible for a child care subsidy under s. 49.155
23 unless the person is certified, according to the standards adopted by the department
24 under s. 49.155 (1d), by the department in a county having a population of 500,000
25 or more, a county department, or an agency with which the department contracts

ASSEMBLY BILL 40**SECTION 935**

1 under sub. (2). To be certified under this section, a person must meet the minimum
2 requirements for certification established by the department under s. 49.155 (1d),
3 meet the requirements specified in s. 48.685, and pay the fee specified in sub. (2).
4 The department in a county having a population of 500,000 or more, a county
5 department, or an agency contracted with under sub. (2) shall certify the following
6 categories of child care providers:

7 **SECTION 936.** 48.659 of the statutes is amended to read:

8 **48.659 Child care quality rating system.** The department shall provide a
9 child care quality rating system that rates the quality of the child care provided by
10 a child care provider licensed under s. 48.65 that receives ~~reimbursement~~ payment
11 under s. 49.155 for the child care provided or that volunteers for rating under this
12 section. The department shall make the rating information provided under that
13 system available to the parents, guardians, and legal custodians of children who are
14 recipients, or prospective recipients, of care and supervision from a child care
15 provider that is rated under this section, including making that information
16 available on the department's Internet site.

17 **SECTION 937.** 48.685 (2) (bm) of the statutes is amended to read:

18 48.685 (2) (bm) If the person who is the subject of the search under par. (am),
19 (ar), or (b) 1. is not a resident of this state, or if at any time within the 3 years
20 preceding the date of the search that person has not been a resident of this state, or
21 if the department, county department, agency contracted with under s. 48.651 (2),
22 child welfare agency, school board, or entity determines that the person's
23 employment, licensing, or state court records provide a reasonable basis for further
24 investigation, the department, county department, contracted agency, child welfare
25 agency, school board, or entity shall make a good faith effort to obtain from any state

ASSEMBLY BILL 40**SECTION 937**

1 or other United States jurisdiction in which the person is a resident or was a resident
2 within the 3 years preceding the date of the search information that is equivalent to
3 the information specified in par. (am) 1., (ar), or (b) 1. a. The department, county
4 department, contracted agency, child welfare agency, school board, or entity may
5 require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete
6 set of the person's fingerprints, or by other technologies approved by law enforcement
7 agencies. The department of justice may provide for the submission of the
8 fingerprint cards or fingerprints by other technologies to the federal bureau of
9 investigation for the purposes of verifying the identity of the person fingerprinted
10 and obtaining records of his or her criminal arrests and convictions.

11 **SECTION 938.** 48.685 (2) (br) of the statutes is created to read:

12 48.685 (2) (br) If the person who is the subject of a search under par. (am) or
13 (b) 1. has, or is seeking, a license to operate a child care center under s. 48.65,
14 certification as a child care provider under s. 48.651, or a contract under s. 120.13
15 (14) to operate a child care program, or is an adult nonclient resident or caregiver of
16 such an entity, and if the entity is receiving, or wishes to receive, reimbursement
17 under s. 49.155 for providing child care services, the department, county
18 department, agency contracted with under s. 48.651 (2), or school board shall require
19 the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of
20 the person's fingerprints, or by other technologies approved by law enforcement
21 agencies, unless the person has previously been fingerprinted under this paragraph.
22 The department of justice may provide for the submission of the fingerprint cards or
23 fingerprints by other technologies to the federal bureau of investigation for the
24 purposes of verifying the identity of the person fingerprinted and obtaining records
25 of his or her criminal arrests and convictions.

ASSEMBLY BILL 40**SECTION 939**

1 **SECTION 939.** 48.685 (8) of the statutes is amended to read:

2 48.685 (8) The department, the department of health services, a county
3 department, an agency contracted with under s. 48.651 (2), a child welfare agency,
4 or a school board may charge a fee for obtaining the information required under sub.
5 (2) (am), or (ar), or (3) (a) or (am) ~~or~~, for providing information to an entity to enable
6 the entity to comply with sub. (2) (b) 1. or (3) (b), or for obtaining fingerprints under
7 sub. (2) (bm) or (br). The fee may not exceed the reasonable cost of obtaining the
8 information or fingerprints. No fee may be charged to a nurse aide, as defined in s.
9 146.40 (1) (d), for obtaining or maintaining information or fingerprints if to do so
10 would be inconsistent with federal law.

11 **SECTION 940.** 48.78 (2) (k) of the statutes is created to read:

12 48.78 (2) (k) Paragraph (a) does not prohibit the department of children and
13 families from providing to the department of revenue, upon request, information
14 concerning a recipient of payments under s. 48.57 (3m) or (3n) or aid under s. 48.645,
15 including information contained in the electronic records of the department of
16 children and families, solely for the purposes of administering state taxes, including
17 verifying a claim for a state tax refund or a refundable state tax credit, and collecting
18 debts owed to the department of revenue. Any information obtained by the
19 department of revenue under this paragraph is subject to the confidentiality
20 provisions specified in s. 71.78.

21 **SECTION 941.** 48.975 (3) (a) 1. of the statutes is amended to read:

22 48.975 (3) (a) 1. Except as provided in subd. 3., for support of a child who was
23 in foster care or subsidized guardianship care immediately prior to placement for
24 adoption, the department shall determine the initial amount of adoption assistance
25 for maintenance ~~shall be equivalent to~~ based on the circumstances of the adoptive

ASSEMBLY BILL 40**SECTION 941**

1 family and the needs of the child. That amount may not exceed the amount of that
2 the child's foster care or subsidized guardianship care payment at the time that the
3 agreement under sub. (4) (a) is signed or a lesser amount if agreed to by the proposed
4 adoptive parents and specified in that agreement.

5 **SECTION 942.** 48.975 (3) (a) 2. of the statutes is amended to read:

6 48.975 (3) (a) 2. Except as provided in subd. 3., for support of a child not in foster
7 care or subsidized guardianship care immediately prior to placement for adoption,
8 the department shall determine the initial amount of adoption assistance for
9 maintenance shall be equivalent to based on the circumstances of the adoptive family
10 and the needs of the child. That amount may not exceed the uniform foster care rate
11 applicable to the child that is in effect at the time that the agreement under sub. (4)
12 (a) is signed or a lesser amount if agreed to by the proposed adoptive parents and
13 specified in that agreement.

14 **SECTION 943.** 48.975 (4) (a) of the statutes is amended to read:

15 48.975 (4) (a) Except in extenuating circumstances, as defined by the
16 department by rule promulgated under sub. (5) (a), a written agreement to provide
17 adoption assistance shall be made prior to adoption. An agreement to provide
18 adoption assistance may be made only for a child who, at the time of placement for
19 adoption, is in the guardianship of the department or ~~other agency~~ a county
20 department authorized to place children for adoption, is in the guardianship of an
21 American Indian tribal agency in this state, ~~or is~~ in a subsidized guardianship under
22 s. 48.623, or is otherwise eligible for adoption assistance payments under 42 USC 673
23 (a) (2) (A).

24 **SECTION 944.** 48.977 (3r) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 944**

1 48.977 **(3r)** SUBSIDIZED GUARDIANSHIP. Subsidized guardianship payments
2 under s. 48.623 (1) may not be made to a guardian of a child unless a subsidized
3 guardianship agreement under s. 48.623 (2) is entered into before the guardianship
4 order is granted and the court either terminates any order specified in sub. (2) (a) or
5 dismisses any proceeding in which the child has been adjudicated in need of
6 protection or services as specified in sub. (2) (a). If a child's permanency plan calls
7 for placement of the child in the home of a guardian and the provision of monthly
8 subsidized guardianship payments to the guardian, the petitioner under sub. (4) (a)
9 shall include in the petition under sub. (4) (b) a statement of the determinations
10 made under s. 48.623 (1) and a request for the court to include in the court's findings
11 under sub. (4) (d) a finding confirming those determinations. If the court confirms
12 those determinations, appoints a guardian for the child under sub. (2), and either
13 terminates any order specified in sub. (2) (a) or dismisses any proceeding in which
14 the child is adjudicated to be in need of protection or services as specified in sub. (2)
15 (a), the county department or, in a county having a population of 750,000 or more,
16 as provided in s. 48.623 (3) (a), the department shall provide monthly subsidized
17 guardianship payments to the guardian under s. 48.623 (1).

18 **SECTION 945.** 48.981 (3) (c) 5m. of the statutes is amended to read:

19 48.981 **(3)** (c) 5m. ~~If the~~ The county department or, in a county having a
20 population of 500,000 or more, the department or a licensed child welfare agency
21 under contract with the department ~~determines~~ may include in a determination
22 under subd. 4. a determination that a specific person has abused or neglected a child,
23 If the county department, department, or licensed child welfare agency, ~~within 15~~
24 makes an initial determination that a specific person has abused or neglected a child,
25 the county department, department, or licensed child welfare agency shall provide

ASSEMBLY BILL 40**SECTION 945**

1 that person with an opportunity for a review of that initial determination in
2 accordance with rules promulgated by the department before the county
3 department, department, or licensed child welfare agency may make a final
4 determination that the person has abused or neglected a child. Within 5 days after
5 the date of the a final determination, that a specific person has abused or neglected
6 a child, the county department, department, or licensed child welfare agency shall
7 notify the person in writing of the determination, the person's right to appeal a
8 contested case hearing on the determination under ch. 227, and the procedure
9 procedures under sub. 5p. by which the person may appeal the determination, and
10 the person may appeal the determination in accordance with the procedures
11 established by the department under this subdivision. The department shall
12 promulgate rules establishing procedures for conducting an appeal under this
13 subdivision. Those procedures shall include a procedure permitting an appeal
14 receive that hearing.

15 5p. A person determined under subd. 4. to have abused or neglected a child has
16 the right to a contested case hearing on that determination under ch. 227. To receive
17 that hearing, the person must send to the department a written request for a hearing
18 under s. 227.44 within 10 days after the date of the notice under subd. 5m. of the
19 determination. The department shall commence the hearing within 90 days after
20 receipt of the request for the hearing, unless the hearing is rescheduled on the
21 request of the person requesting the hearing or the contested case proceeding is held
22 in abeyance as provided in this subdivision, and shall issue a final decision within
23 60 days after the close of the hearing. Judicial review of the final administrative
24 decision following the hearing may be had by any party to the contested case
25 proceeding as provided in ch. 227. The person presiding over a contested case

ASSEMBLY BILL 40**SECTION 945**

1 proceeding under this subdivision ~~to be held~~ may hold the hearing in abeyance
2 pending the outcome of any criminal proceedings or any proceedings under s. 48.13
3 based on the alleged abuse or neglect or the outcome of any investigation that may
4 lead to the filing of a criminal complaint or a petition under s. 48.13 based on the
5 alleged abuse or neglect.

6 **SECTION 946.** 48.982 (4) (b) (intro.) of the statutes is renumbered 48.982 (4) (b)
7 and amended to read:

8 48.982 (4) (b) A grant may be awarded only to an organization that agrees to
9 match the grant at least 10 percent of the amount received, or a larger percentage
10 at the board's discretion, through money or in-kind services, as follows:.

11 **SECTION 947.** 48.982 (4) (b) 1. of the statutes is repealed.

12 **SECTION 948.** 48.982 (4) (b) 2. of the statutes is repealed.

13 **SECTION 949.** 48.982 (6) (a) of the statutes is amended to read:

14 48.982 (6) (a) From the appropriations under s. 20.433 (1) (b), (h), (i), (k), (ma),
15 and (q), the board shall award grants to organizations in accordance with the
16 request-for-proposal procedures developed under sub. (2) (a). From the
17 appropriations under s. 20.433 (1) (b), (g), (h), (i), (k), (m), (ma), and (q), the board
18 shall provide technical assistance to organizations in accordance with those
19 procedures. ~~No organization may receive a grant or grants under this subsection~~
20 ~~totaling more than \$150,000 in any year.~~

21 **SECTION 950.** 48.982 (6) (am) of the statutes is repealed.

22 **SECTION 951.** 49.131 (2) of the statutes is amended to read:

23 49.131 (2) ~~If the necessary authorization under sub. (1) is granted, and except~~
24 ~~as provided in sub. (3)~~ Subject to receiving any necessary approval from the
25 appropriate federal agency under sub. (1), the department may implement a

ASSEMBLY BILL 40**SECTION 951**

1 program to deliver by an electronic benefit transfer system any benefit that is
2 administered by the department ~~and that the department designates by rule.~~

3 **SECTION 952.** 49.131 (3) of the statutes is repealed.

4 **SECTION 953.** 49.137 (4) (a) of the statutes is amended to read:

5 49.137 (4) (a) Developing and recommending to the department a system of
6 higher reimbursement payment rates or a program of grants for child care providers
7 that meet the quality of care standards established under s. 49.132 (4) (e), 1995 stats.

8 **SECTION 954.** 49.141 (1) (n) of the statutes is amended to read:

9 49.141 (1) (n) “Trial employment match program job” means a work component
10 of Wisconsin ~~works~~ Works administered under s. 49.147 (3).

11 **SECTION 955.** 49.143 (2) (a) 2. of the statutes is amended to read:

12 49.143 (2) (a) 2. Identify and encourage employers to provide permanent jobs
13 for persons who are eligible for trial employment match program jobs or community
14 service jobs.

15 **SECTION 956.** 49.143 (2) (a) 3. of the statutes is amended to read:

16 49.143 (2) (a) 3. Create, and encourage others to create, subsidized jobs for
17 persons who are eligible for trial employment match program jobs or community
18 service jobs.

19 **SECTION 957.** 49.143 (2) (a) 4. of the statutes is amended to read:

20 49.143 (2) (a) 4. Create, and encourage others to create, on-the-job training
21 sites for persons who are eligible for trial employment match program jobs or
22 community service jobs.

23 **SECTION 958.** 49.143 (2) (a) 5. of the statutes is amended to read:

24 49.143 (2) (a) 5. Foster and guide the entrepreneurial efforts of participants
25 who are eligible for trial employment match program jobs or community service jobs.

ASSEMBLY BILL 40**SECTION 959**

1 **SECTION 959.** 49.143 (2) (a) 6. of the statutes is amended to read:

2 49.143 **(2)** (a) 6. Provide mentors, both from its membership and from
3 recruitment of members of the community, to provide job-related guidance,
4 including assistance in resolving job-related issues and the provision of job leads or
5 references, to persons who are eligible for trial employment match program jobs or
6 community service jobs.

7 **SECTION 960.** 49.143 (2) (ct) of the statutes is repealed.

8 **SECTION 961.** 49.143 (2r) of the statutes, as affected by 2011 Wisconsin Act 32,
9 is amended to read:

10 49.143 **(2r)** JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
11 the local workforce development board to connect individuals seeking employment
12 with employment opportunities, including the trial job employment match program
13 under s. 49.147 (3).

14 **SECTION 962.** 49.147 (1) of the statutes is amended to read:

15 49.147 **(1)** DEFINITION. In this section, “unsubsidized employment” means
16 employment, including self-employment and entrepreneurial activities, for which
17 the ~~Wisconsin Works agency provides no wage subsidy to the employer including~~
18 ~~self-employment and entrepreneurial activities~~ receives no wage subsidy.

19 **SECTION 963.** 49.147 (1m) (b) of the statutes is amended to read:

20 49.147 **(1m)** (b) If the Wisconsin Works agency determines that the appropriate
21 placement for an individual is in unsubsidized employment or a trial employment
22 match program job and that the individual needs and wishes to pursue basic
23 education, including a course of study meeting the standards established under s.
24 115.29 (4) (a) for the granting of a declaration of equivalency of high school

ASSEMBLY BILL 40**SECTION 963**

1 graduation, the Wisconsin Works agency shall pay for the basic education services
2 identified in the employability plan developed for the individual.

3 **SECTION 964.** 49.147 (2) (am) 2. of the statutes is amended to read:

4 49.147 (2) (am) 2. A Wisconsin Works agency shall, every 30 days, review the
5 provision of case management services to an individual under this paragraph, if the
6 individual is not successful in obtaining unsubsidized employment after legitimate
7 efforts to secure employment, to determine whether the individual should be placed
8 in a trial employment match program job, community service job, or transitional
9 placement. The department shall promulgate rules that specify the criteria for the
10 review process under this subdivision.

11 **SECTION 965.** 49.147 (3) (title) of the statutes is amended to read:

12 49.147 (3) (title) TRIAL JOBS EMPLOYMENT MATCH PROGRAM.

13 **SECTION 966.** 49.147 (3) (a) of the statutes is amended to read:

14 49.147 (3) (a) *Administration.* A Wisconsin Works agency shall administer a
15 trial job employment match program as part of its administration of the Wisconsin
16 Works program to improve the employability of individuals who ~~are not~~ otherwise
17 are not able to obtain unsubsidized employment, as determined by the Wisconsin
18 Works agency, by providing work experience and training to assist them to move
19 promptly into unsubsidized employment. In determining an appropriate placement
20 for a participant, a Wisconsin Works agency shall give priority to placement under
21 this subsection over placements under subs. (4) and (5).

22 (ac) Employer subsidies and reimbursements. The Wisconsin Works agency
23 shall pay ~~a wage subsidy~~ to an employer that employs a participant under this
24 subsection ~~and that agrees to make a good faith effort to retain the participant as a~~
25 ~~permanent unsubsidized employee after the wage subsidy is terminated.~~ The wage

ASSEMBLY BILL 40**SECTION 966**

1 ~~subsidy may not exceed \$300 per month for full-time employment of a participant.~~
2 ~~For less than full-time employment of a participant during a month, the wage~~
3 ~~subsidy may not exceed a dollar amount determined by multiplying \$300 by a~~
4 ~~fraction, the numerator of which is the number of hours worked by the participant~~
5 ~~in the month and the denominator of which is the number of hours that would be~~
6 ~~required for full-time employment in that month. a wage subsidy in an amount that~~
7 ~~is negotiated between the Wisconsin Works agency and the employer but that is not~~
8 ~~less than the state or federal minimum wage that applies to the participant. The~~
9 ~~wage subsidy shall be paid for each hour that the participant actually works, up to~~
10 ~~a maximum of 40 hours per week. In addition to paying the wage subsidy, the~~
11 ~~Wisconsin Works agency may, as negotiated between the Wisconsin Works agency~~
12 ~~and the employer, reimburse the employer for all or a portion of other costs that are~~
13 ~~attributable to the employment of the participant, including any of the following:~~

14 **SECTION 967.** 49.147 (3) (ac) 1. of the statutes is created to read:

15 49.147 (3) (ac) 1. Federal social security and Medicare taxes.

16 **SECTION 968.** 49.147 (3) (ac) 2. of the statutes is created to read:

17 49.147 (3) (ac) 2. State and federal unemployment contributions or taxes.

18 **SECTION 969.** 49.147 (3) (ac) 3. of the statutes is created to read:

19 49.147 (3) (ac) 3. Worker's compensation insurance premiums.

20 **SECTION 970.** 49.147 (3) (am) of the statutes is amended to read:

21 49.147 (3) (am) *Education or training activities.* A trial employment match
22 program job includes education and training activities, as prescribed by the
23 employer as an integral part of work performed in the trial job employment match
24 program employment.

25 **SECTION 971.** 49.147 (3) (c) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 971**

1 49.147 (3) (c) *Time-limited participation.* A participant under this subsection
2 may participate in a trial employment match program job for a maximum of 3 6
3 months, with an opportunity for a 3-month extension under circumstances
4 determined by the Wisconsin Works agency. A participant may participate in more
5 than one trial employment match program job, but may not exceed a total of 24
6 months of participation under this subsection. The months need not be consecutive.
7 The department or, with the approval of the department, the Wisconsin Works
8 agency may grant an extension of the 24-month limit on a case-by-case basis if the
9 participant has made all appropriate efforts to find unsubsidized employment and
10 has been unable to find unsubsidized employment because local labor market
11 conditions preclude a reasonable job opportunity for that participant, as determined
12 by a Wisconsin Works agency and approved by the department.

13 **SECTION 972.** 49.147 (3) (d) of the statutes is created to read:

14 49.147 (3) (d) *Employer effort to retain, refer, or evaluate participant.* An
15 employer that employs a participant under this subsection and receives a wage
16 subsidy shall agree to make a good faith effort to retain the participant as a
17 permanent unsubsidized employee after the wage subsidy ends, although nothing in
18 this subsection requires an employer to retain a participant as a permanent
19 unsubsidized employee after the wage subsidy ends. An employer shall also agree
20 that, if the employer does not retain a participant as a permanent unsubsidized
21 employee, the employer will serve as an employment reference for the participant or
22 provide to the Wisconsin Works agency a written performance evaluation of the
23 participant, including recommendations for improvements.

24 **SECTION 973.** 49.147 (3) (e) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 973**

1 49.147 (3) (e) *Noncustodial parents*. Notwithstanding s. 49.145 (1) and (2) (a),
2 an individual who would be eligible for a job under this subsection except that the
3 individual is a noncustodial parent of a dependent child is eligible for placement
4 under this subsection, subject to s. 49.159 (1) (b) 2., if the individual is eligible for
5 services and benefits under s. 49.159 (1) (a).

6 **SECTION 974.** 49.147 (3m) of the statutes is repealed.

7 **SECTION 975.** 49.147 (4) (a) of the statutes is amended to read:

8 49.147 (4) (a) *Administration*. A Wisconsin ~~works~~ Works agency shall
9 administer a community service job program as part of its administration of
10 Wisconsin ~~works~~ Works to improve the employability of an individual who is not
11 otherwise able to obtain employment, as determined by the Wisconsin ~~works~~ Works
12 agency, by providing work experience and training, if necessary, to assist the
13 individual to move promptly into unsubsidized public or private employment or a
14 trial employment match program job. In determining an appropriate placement for
15 a participant, a Wisconsin ~~works~~ Works agency shall give placement under this
16 subsection priority over placements under sub. (5). Community service jobs shall be
17 limited to projects that the department determines would serve a useful public
18 purpose or projects the cost of which is partially or wholly offset by revenue generated
19 from such projects. After each 6 months of an individual's participation under this
20 subsection and at the conclusion of each assignment under this subsection, a
21 Wisconsin ~~works~~ Works agency shall reassess the individual's employability.

22 **SECTION 976.** 49.147 (4) (b) of the statutes is amended to read:

23 49.147 (4) (b) *Time-limited participation*. An individual may participate in a
24 community service job for a maximum of 6 months, with an opportunity for a
25 3-month extension under circumstances approved by the department. An

ASSEMBLY BILL 40**SECTION 976**

1 individual may participate in more than one community service job, but may not
2 exceed a total of 24 months of participation under this subsection. The months need
3 not be consecutive. The department or, with the approval of the department, the
4 Wisconsin Works agency may grant an extension to the 24-month limit on a
5 case-by-case basis if the Wisconsin Works agency determines that the individual
6 has made all appropriate efforts to find unsubsidized employment and has been
7 unable to find unsubsidized employment because local labor market conditions
8 preclude a reasonable employment opportunity in unsubsidized employment for that
9 participant, as determined by a Wisconsin Works agency and approved by the
10 department, and if the Wisconsin Works agency determines, and the department
11 agrees, that no trial employment match program job opportunities are available in
12 the specified local labor market.

13 **SECTION 977.** 49.147 (4m) of the statutes is repealed.

14 **SECTION 978.** 49.147 (5) (a) 3. of the statutes is amended to read:

15 49.147 (5) (a) 3. The Wisconsin works Works agency determines that the
16 individual is incapable of performing a trial employment match program job or
17 community service job.

18 **SECTION 979.** 49.147 (6) (b) 2. of the statutes is repealed.

19 **SECTION 980.** 49.147 (6) (c) of the statutes is amended to read:

20 49.147 (6) (c) *Distribution Funding and administration.* From the
21 appropriation appropriations under s. 20.437 (2) (jL) and (md), the department shall
22 ~~distribute~~ allocate funds for job access loans to a Wisconsin Works agency agencies,
23 which shall administer the loans in accordance with rules promulgated by the
24 department.

25 **SECTION 981.** 49.147 (6) (e) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 981**

1 49.147 (6) (e) *Noncustodial parents*. Notwithstanding s. 49.145 (1) and (2) (a),
2 an individual who would be eligible for a job access loan under par. (a) except that
3 the individual is a noncustodial parent of a dependent child is eligible to receive a job
4 access loan under this subsection.

5 **SECTION 982.** 49.148 (1) (a) of the statutes is amended to read:

6 49.148 (1) (a) *Trial employment match program jobs*. For a participant in a trial
7 employment match program job, the amount established in the contract between the
8 Wisconsin ~~works~~ Works agency and the trial employment match program job
9 employer, but not less than minimum wage for every hour actually worked in the
10 trial employment match program job, not to exceed 40 hours per week paid by the
11 employer. Hours spent participating in education and training activities under s.
12 49.147 (3) (am) shall be included in determining the number of hours actually
13 worked.

14 **SECTION 983.** 49.148 (1) (b) 1. of the statutes is amended to read:

15 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a
16 community service job under s. 49.147 (4), a monthly grant of \$653, ~~paid by the~~
17 ~~Wisconsin Works~~ agency. For every hour that the participant misses work or
18 education or training activities without good cause, the grant amount shall be
19 reduced by \$5. Good cause shall be determined by the financial and employment
20 planner in accordance with rules promulgated by the department. Good cause shall
21 include required court appearances for a victim of domestic abuse. If a participant
22 in a community service job under s. 49.147 (4) is required to work fewer than 30 hours
23 per week because the participant has unsubsidized employment, as defined in s.
24 49.147 (1), the grant amount under this paragraph shall equal the amount specified

ASSEMBLY BILL 40**SECTION 983**

1 under subd. 1m. minus \$5 for each hour that the participant misses work or
2 education or training activities without good cause.

3 **SECTION 984.** 49.148 (1) (b) 1m. (intro.) of the statutes is amended to read:

4 49.148 (1) (b) 1m. (intro.) Except as provided in subd. 1., the ~~Wisconsin works~~
5 ~~agency~~ department or an entity contracting with the department shall pay a
6 participant in a community service job the following:

7 **SECTION 985.** 49.148 (1) (b) 3. of the statutes is amended to read:

8 49.148 (1) (b) 3. For a participant in a community service job who participates
9 in technical college education under s. 49.147 (5m), a monthly grant of \$653, ~~paid by~~
10 ~~the Wisconsin Works agency.~~ For every hour that the participant misses work or
11 other required activities without good cause, the grant amount shall be reduced by
12 \$5. Good cause shall be determined by the financial and employment planner in
13 accordance with rules promulgated by the department. Good cause shall include
14 required court appearances for a victim of domestic abuse.

15 **SECTION 986.** 49.148 (1) (c) of the statutes is amended to read:

16 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
17 placement under s. 49.147 (5) or in a transitional placement and in technical college
18 education under s. 49.147 (5m), a monthly grant of \$608, ~~paid monthly by the~~
19 ~~Wisconsin Works agency.~~ For every hour that the participant fails to participate in
20 any required activity without good cause, including any activity under s. 49.147 (5)
21 (b) 1. a. to d., the grant amount shall be reduced by \$5. Good cause shall be
22 determined by the financial and employment planner in accordance with rules
23 promulgated by the department. Good cause shall include required court
24 appearances for a victim of domestic abuse.

25 **SECTION 987.** 49.148 (1) (d) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 988**

1 **SECTION 988.** 49.155 (1g) (c) of the statutes is amended to read:

2 49.155 (**1g**) (c) Child care licensing activities, ~~in the amount of at least~~
3 \$8,767,000 per fiscal year.

4 **SECTION 989.** 49.155 (1m) (a) 3r. of the statutes is created to read:

5 49.155 (**1m**) (a) 3r. Participate in the Transform Milwaukee Jobs program
6 under s. 49.163.

7 **SECTION 990.** 49.155 (3) (c) of the statutes is repealed.

8 **SECTION 991.** 49.155 (3m) (a) of the statutes is amended to read:

9 49.155 (**3m**) (a) The department shall issue benefits directly to individuals who
10 are eligible for subsidies under this section or pay or reimburse child care providers
11 or shall distribute funds to county departments under s. 46.215, 46.22 or 46.23,
12 county departments or agencies, or tribal governing bodies for child care services
13 provided under this section and. The department may also contract with and provide
14 grants to private nonprofit agencies that provide child care for children of migrant
15 workers. The department may pay or reimburse a Wisconsin works Works agency
16 for child care that the Wisconsin works Works agency provides to the children of
17 Wisconsin works Works participants and applicants or that the Wisconsin Works
18 agency arranges to meet immediate, short-term child care needs of participants
19 prior to authorization of a subsidy under sub. (1m).

20 **SECTION 992.** 49.155 (3m) (c) of the statutes is repealed.

21 **SECTION 993.** 49.155 (4) (c) of the statutes is created to read:

22 49.155 (**4**) (c) 1. Notwithstanding par. (a) and subject to subd. 2., an eligible
23 individual may receive a child care subsidy under this section for child care that is
24 provided by an out-of-state provider of child care. Notwithstanding sub. (6),
25 payments for child care services provided by an out-of-state provider under this

ASSEMBLY BILL 40**SECTION 993**

1 subdivision shall be based on the maximum rate applicable in the county in which
2 the eligible individual resides or on the out-of-state provider's actual rate,
3 whichever is lower.

4 2. As a condition of payment under this section for child care services provided
5 to a child of an individual who is eligible for a subsidy under this section, an
6 out-of-state provider is subject to, and shall comply with, the provisions of this
7 section, and rules promulgated under this section, that apply to a child care provider,
8 as determined by the department.

9 **SECTION 994.** 49.155 (5) of the statutes is renumbered 49.155 (5) (a) and
10 amended to read:

11 49.155 (5) (a) An individual receiving a subsidy under this section is liable for
12 the percentage of difference, if any, between the cost of the child care specified by the
13 department in a printed copayment schedule. An provided by the child care provider
14 or providers selected by the individual and the subsidy amount. The department
15 shall specify minimum or estimated copayment amounts based on family size,
16 income level, and other factors, a schedule of which will be available in electronic
17 form on the department's Internet site and in paper form.

18 (b) An individual who is under the age of 20 and is attending high school or
19 participating in a course of study meeting the standards established under s. 115.29
20 (4) for the granting of a declaration of equivalency to high school graduation may not
21 be determined liable for more than the minimum copayment amount for the type of
22 child care received and the number of children receiving child care.

23 **SECTION 995.** 49.155 (6) (a) of the statutes is amended to read:

24 49.155 (6) (a) Subject to review and approval by the The department, each
25 county shall establish the maximum reimbursement rate payment rates for licensed

ASSEMBLY BILL 40**SECTION 995**

1 child care services provided under this section. ~~A county~~ The department shall set
2 the rate rates so that at least 75% of the number of places for children within the
3 licensed capacity of all child care providers ~~in that county~~ can be purchased at or
4 below ~~that maximum rate~~ by eligible individuals under this section.

5 **SECTION 996.** 49.155 (6) (b) of the statutes is amended to read:

6 49.155 (6) (b) ~~Subject to review and approval by the~~ The department, ~~each~~
7 ~~county~~ shall set ~~a maximum reimbursement rate~~ payment rates for Level I certified
8 family child care providers for services provided to eligible individuals under this
9 section. The maximum rate rates set under this paragraph may not exceed 75% of
10 the rate rates established under par. (a).

11 **SECTION 997.** 49.155 (6) (c) of the statutes is amended to read:

12 49.155 (6) (c) ~~Subject to review and approval by the~~ The department, ~~each~~
13 ~~county~~ shall set ~~a maximum reimbursement rate~~ payment rates for Level II certified
14 family child care providers for services provided to eligible individuals under this
15 section. The maximum rate rates set under this paragraph may not exceed 50% of
16 the rate rates established under par. (a).

17 **SECTION 998.** 49.155 (6) (cm) of the statutes is amended to read:

18 49.155 (6) (cm) The department shall modify child care provider
19 ~~reimbursement~~ payment rates established under pars. (a) to (c) so that
20 ~~reimbursement~~ payment rates are lower for providers of after-school child care.

21 **SECTION 999.** 49.155 (6) (d) of the statutes is amended to read:

22 49.155 (6) (d) The department may promulgate rules to establish a system of
23 rates or a program of grants ~~that the department will pay to~~ for child care providers
24 that meet the higher quality of care standards established by rules promulgated

ASSEMBLY BILL 40**SECTION 999**

1 under sub. (1d) (b). If a system of rates is established under this paragraph, the rates
2 under that system shall be higher than the rates established under pars. (a) to (c).

3 **SECTION 1000.** 49.155 (6) (e) 2. of the statutes is amended to read:

4 49.155 (6) (e) 2. Except as provided in subd. 3., the department may not
5 increase the maximum reimbursement payment rates for child care providers before
6 June 30, 2013.

7 **SECTION 1001.** 49.155 (6) (e) 3. (intro.) of the statutes is amended to read:

8 49.155 (6) (e) 3. (intro.) ~~Beginning on July 1, 2012, the~~ The department may
9 modify a child care provider's reimbursement payment rate under subd. 2. on the
10 basis of the provider's quality rating, as described in the quality rating plan, in the
11 following manner:

12 **SECTION 1002.** 49.155 (6) (e) 3. a. of the statutes is amended to read:

13 49.155 (6) (e) 3. a. For a child care provider who receives a 1-star rating, the
14 department shall deny reimbursement payment.

15 **SECTION 1003.** 49.155 (6) (e) 3. b. of the statutes is amended to read:

16 49.155 (6) (e) 3. b. For a child care provider who receives a 2-star rating, the
17 department may reduce the maximum reimbursement payment rate by up to 5
18 percent.

19 **SECTION 1004.** 49.155 (6) (e) 3. c. of the statutes is amended to read:

20 49.155 (6) (e) 3. c. For a child care provider who receives a 3-star rating, the
21 department may pay up to the maximum reimbursement payment rate.

22 **SECTION 1005.** 49.155 (6) (e) 3. d. of the statutes is amended to read:

23 49.155 (6) (e) 3. d. For a child care provider who receives a 4-star rating, the
24 department may increase the maximum reimbursement payment rate by up to 5
25 percent.

ASSEMBLY BILL 40**SECTION 1006**

1 **SECTION 1006.** 49.155 (6) (e) 3. d. of the statutes, as affected by 2013 Wisconsin
2 Act (this act), is amended to read:

3 49.155 **(6)** (e) 3. d. For a child care provider who receives a 4-star rating, the
4 department may increase the maximum payment rate by up to ~~5~~ 10 percent.

5 **SECTION 1007.** 49.155 (6) (e) 3. e. of the statutes is amended to read:

6 49.155 **(6)** (e) 3. e. For a child care provider who receives a 5-star rating, ~~the~~
7 ~~department may increase the maximum reimbursement rate by up to 10 percent,~~
8 ~~except that beginning on January 1, 2013,~~ the department may increase the
9 maximum reimbursement payment rate for such a child care provider by up to 25
10 percent.

11 **SECTION 1008.** 49.155 (6) (e) 5. of the statutes is amended to read:

12 49.155 **(6)** (e) 5. For purposes of modifying reimbursement payment rates
13 under subd. 3., the department shall assign a child care provider that is accredited
14 from the Council on Accreditation a 4-star rating or 5-star rating, whichever the
15 department determines is appropriate.

16 **SECTION 1009.** 49.155 (6d) (a) 2. of the statutes is amended to read:

17 49.155 **(6d)** (a) 2. ~~Notwithstanding~~ Subject to sub. (5) (b), increase the
18 copayment amount that an individual must pay toward the cost of child care received
19 under this section.

20 **SECTION 1010.** 49.155 (6d) (a) 3. of the statutes is amended to read:

21 49.155 **(6d)** (a) 3. Notwithstanding sub. (6), adjust the amount of
22 ~~reimbursement paid~~ payment to child care providers providing child care services
23 under this section.

24 **SECTION 1011.** 49.155 (6g) (am) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1011**

1 49.155 (6g) (am) (intro.) If reimbursement payment to a child care provider is
2 based on authorized hours of child care, the department shall do all of the following
3 with respect to establishing and adjusting the number of authorized hours per child:

4 **SECTION 1012.** 49.155 (7) (title) of the statutes is amended to read:

5 49.155 (7) (title) ~~REFUSAL TO PAY~~ OF PAYMENT TO CHILD CARE PROVIDERS.

6 **SECTION 1013.** 49.155 (7) (a) 1. of the statutes is amended to read:

7 49.155 (7) (a) 1. If a child care provider is convicted of a serious crime, as defined
8 in s. 48.685 (1) (c) 3m., or if a caregiver specified in s. 48.685 (1) (ag) 1. a. or a nonclient
9 resident, as defined in s. 48.685 (1) (bm), of the child care provider is convicted or
10 adjudicated delinquent for committing a serious crime on or after his or her 12th
11 birthday, the department or the county department under s. 46.215, 46.22, or 46.23
12 shall refuse to pay allow payment to the child care provider for any child care
13 provided under this section beginning on the date of the conviction or delinquency
14 adjudication.

15 **SECTION 1014.** 49.155 (7) (b) (intro.) of the statutes is amended to read:

16 49.155 (7) (b) (intro.) The department or the county department under s.
17 46.215, 46.22, or 46.23 may refuse to pay allow payment to a child care provider for
18 child care provided under this section if any of the following applies to the child care
19 provider or to a caregiver specified in s. 48.685 (1) (ag) 1. a. or nonclient resident, as
20 defined in s. 48.685 (1) (bm), of the child care provider:

21 **SECTION 1015.** 49.159 (1) of the statutes is renumbered 49.159 (1) (a) (intro.)
22 and amended to read:

23 49.159 (1) (a) (intro.) An individual who would be eligible under s. 49.145
24 except that the individual is the noncustodial parent of a dependent child, is eligible
25 for services and benefits under ~~this subsection if the dependent child's custodial~~

ASSEMBLY BILL 40**SECTION 1015**

1 ~~parent is a participant and~~ par. (b) if the individual is subject to a child support order.
2 ~~The Wisconsin works agency may provide job search assistance and case~~
3 ~~management designed to enable eligible noncustodial parents to obtain and retain~~
4 ~~employment. and any of the following applies to the custodial parent of the~~
5 ~~dependent child:~~

6 **SECTION 1016.** 49.159 (1) (a) 1. of the statutes is created to read:

7 49.159 (1) (a) 1. The custodial parent is receiving case management services
8 under s. 49.147 (2) (am).

9 **SECTION 1017.** 49.159 (1) (a) 2. of the statutes is created to read:

10 49.159 (1) (a) 2. The custodial parent is participating in a Wisconsin Works
11 employment position.

12 **SECTION 1018.** 49.159 (1) (a) 3. of the statutes is created to read:

13 49.159 (1) (a) 3. The custodial parent is receiving a grant under s. 49.148 (1m).

14 **SECTION 1019.** 49.159 (1) (a) 4. of the statutes is created to read:

15 49.159 (1) (a) 4. The custodial parent is receiving a subsidy for child care for
16 the dependent child under s. 49.155.

17 **SECTION 1020.** 49.159 (1) (b) of the statutes is created to read:

18 49.159 (1) (b) A Wisconsin Works agency may provide to an individual who is
19 eligible under par. (a) any of the following services or benefits:

20 1. Job search assistance and case management designed to enable the
21 individual to obtain and retain employment.

22 2. Placement in one job under s. 49.147 (3).

23 3. A stipend in an amount determined by the Wisconsin Works agency for not
24 more than 4 months. A stipend under this subdivision terminates if the individual

ASSEMBLY BILL 40**SECTION 1020**

1 is placed in a job under s. 49.147 (3) or obtains unsubsidized employment, as defined
2 in s. 49.147 (1).

3 **SECTION 1021.** 49.161 (1) (title) of the statutes is amended to read:

4 49.161 (1) (title) TRIAL EMPLOYMENT MATCH PROGRAM JOBS OVERPAYMENTS.

5 **SECTION 1022.** 49.163 of the statutes is created to read:

6 **49.163 Transform Milwaukee Jobs program. (1) DEFINITIONS.** In this
7 section:

8 (a) "Wisconsin Works" has the meaning given in s. 49.141 (1) (p).

9 (b) "Wisconsin Works employment position" has the meaning given in s. 49.141
10 (1) (r).

11 **(2) ELIGIBILITY FOR PROGRAM.** (a) The department shall establish a Transform
12 Milwaukee Jobs program in Milwaukee County. To be eligible to participate in the
13 program, an individual must satisfy all of the following criteria:

14 1. Be at least 18 years of age.

15 2. If over 24 years of age, be a biological or adoptive parent of a child under 18
16 years of age whose parental rights to the child have not been terminated or be a
17 relative and primary caregiver of a child under 18 years of age.

18 3. Have an annual household income that is below 150 percent of the poverty
19 line.

20 4. Be unemployed for at least 4 weeks.

21 5. Be ineligible to receive unemployment insurance benefits.

22 6. Not be participating in a Wisconsin Works employment position.

23 (b) For purposes of par. (a) 3., the household income of an individual
24 transitioning from foster care to independent living shall be based on the individual's

ASSEMBLY BILL 40**SECTION 1022**

1 own income over a period determined by the department and shall not include the
2 household income of the individual's foster parents.

3 (c) The department may establish additional eligibility criteria consistent with
4 its mission and the funding available.

5 **(3) PROGRAM DESCRIPTION.** (a) The program under this section shall include all
6 of the following features and requirements:

7 1. An individual may participate in the program for a maximum of 1,040 hours
8 actually worked.

9 2. The department shall determine and specify in a contract whether a
10 contractor under sub. (4) or an employer is the individual's employer of record. The
11 employer of record shall pay the individual for hours actually worked at not less than
12 the federal or state minimum wage that applies to the individual.

13 3. The department may reimburse an employer, or a contractor under sub. (4),
14 that employs an individual participating in the program for a minimum of 20 hours
15 per week at a location in this state for any of the following costs that are attributable
16 to the employment of the individual under the program:

17 a. A wage subsidy equal to the amount of wages that the employer or contractor
18 pays to the individual for hours actually worked, not to exceed 40 hours per week at
19 the federal or state minimum wage that applies to the individual.

20 b. Federal social security and Medicare taxes.

21 c. State and federal unemployment contributions or taxes, if any.

22 d. Worker's compensation insurance premiums, if any.

23 4. An employer, or, subject to the approval of the department, a contractor
24 under sub. (4), that employs an individual participating in the program may pay the

ASSEMBLY BILL 40**SECTION 1022**

1 individual an amount that exceeds any wage subsidy paid to the employer or
2 contractor by the department under subd. 3. a.

3 5. The employment of an individual under this section may not do any of the
4 following:

5 a. Have the effect of filling a vacancy created by an employer terminating a
6 regular employee or otherwise reducing its work force for the purpose of hiring an
7 individual under this section.

8 b. Fill a position when any other person is on layoff or strike from the same or
9 a substantially equivalent job within the same organizational unit.

10 c. Fill a position when any other person is engaged in a labor dispute regarding
11 the same or a substantially equivalent job within the same organizational unit.

12 (b) The department may set priorities for the program consistent with its
13 mission and available funding.

14 (4) CONTRACT FOR ADMINISTRATION. The department may contract with any
15 person to administer the program under this section, including a Wisconsin Works
16 agency; county department under s. 46.215, 46.22, or 46.23; local workforce
17 development board established under 29 USC 2832; or community action agency
18 under s. 49.265. The department, or the agency or agencies with which the
19 department contracts under this subsection, shall do all of the following:

20 (a) Determine the eligibility of applicants for the program.

21 (b) Provide, or identify employers to provide, jobs for individuals transitioning
22 to unsubsidized employment from unemployment, underemployment, limited work
23 history, foster care, or other circumstances identified by the department.

24 (c) Conduct job orientation activities.

ASSEMBLY BILL 40**SECTION 1022**

1 (d) Provide employment services, as specified by the department, for program
2 participants.

3 (e) Maintain and update participant demographic, eligibility, and employment
4 records in the manner required by the department.

5 **(5) RECOVERY OF OVERPAYMENTS.** (a) The department may recover from any
6 individual participating, or who has participated, in the program under this section
7 any overpayment resulting from a misrepresentation by the individual as to any
8 criterion for eligibility under sub. (2) (a).

9 (b) The department shall recover from a contractor under sub. (4) any
10 overpayment resulting from the failure of the contractor to comply with the terms
11 of the contract or to meet performance standards established by the department.

12 **(6) RULES NOT REQUIRED.** Notwithstanding s. 227.10 (1), the department need
13 not promulgate regulations, standards, or policies related to implementing or
14 administering the program under this section as rules under ch. 227.

15 **SECTION 1023.** 49.165 (1) (d) (intro.) of the statutes is amended to read:

16 49.165 (1) (d) (intro.) "Organization" means a nonprofit corporation, or a public
17 agency ~~or a federally recognized American Indian tribe or band~~ that provides or
18 proposes to provide any of the following domestic abuse services:

19 **SECTION 1024.** 49.173 of the statutes is repealed.

20 **SECTION 1025.** 49.175 (1) (a) of the statutes is amended to read:

21 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
22 ~~\$74,650,100~~ \$72,131,500 in fiscal year ~~2011-12~~ 2013-14 and ~~\$72,131,500~~
23 \$64,294,000 in fiscal year ~~2012-13~~ 2014-15.

24 **SECTION 1026.** 49.175 (1) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1026**

1 49.175 (1) (b) *Wisconsin Works ~~administration~~ agency contracts; job access*
2 *loans*. For ~~administration of Wisconsin Works performed under contracts with~~
3 *Wisconsin Works agencies* under s. 49.143, ~~\$10,107,200~~ and for job access loans
4 under s. 49.147 (6), \$57,586,500 in fiscal year 2011-12 2013-14 and \$10,107,200
5 \$58,336,500 in fiscal year 2012-13 2014-15.

6 **SECTION 1027.** 49.175 (1) (f) of the statutes is repealed.

7 **SECTION 1028.** 49.175 (1) (g) of the statutes is amended to read:

8 49.175 (1) (g) *State administration of public assistance programs and*
9 *overpayment collections*. For state administration of public assistance programs and
10 the collection of public assistance overpayments, ~~\$12,918,900~~ \$12,775,600 in fiscal
11 year 2013-14 and \$12,891,200 in each fiscal year 2014-15.

12 **SECTION 1029.** 49.175 (1) (i) of the statutes is amended to read:

13 49.175 (1) (i) *Emergency assistance*. For emergency assistance under s. 49.138
14 and for transfer to the department of administration for low-income energy or
15 weatherization assistance programs, ~~\$6,200,000 in fiscal year 2011-12 and~~
16 ~~\$6,000,000~~ \$7,500,000 in each fiscal year 2012-13.

17 **SECTION 1030.** 49.175 (1) (k) of the statutes is created to read:

18 49.175 (1) (k) *Transform Milwaukee Jobs program*. For contract costs under
19 the Transform Milwaukee Jobs program under s. 49.163, \$3,750,000 in fiscal year
20 2013-14 and \$5,000,000 in fiscal year 2014-15.

21 **SECTION 1031.** 49.175 (1) (L) of the statutes is repealed.

22 **SECTION 1032.** 49.175 (1) (p) of the statutes is amended to read:

23 49.175 (1) (p) *Direct child care services*. For direct child care services under s.
24 49.155, ~~\$301,631,000~~ \$272,976,700 in fiscal year 2011-12 2013-14 and \$298,523,500
25 \$273,156,500 in fiscal year 2012-13 2014-15.

ASSEMBLY BILL 40**SECTION 1033**

1 **SECTION 1033.** 49.175 (1) (q) of the statutes is amended to read:

2 49.175 (1) (q) *Child care state administration and child care licensing*
3 *activities.* For state administration of child care programs under s. 49.155 and the
4 allocation under s. 49.155 (1g) (e) for child care licensing activities, \$19,702,100
5 \$30,240,600 in fiscal year ~~2011-12~~ 2013-14 and \$19,783,800 ~~\$32,305,700~~ in fiscal
6 year ~~2012-13~~ 2014-15.

7 **SECTION 1034.** 49.175 (1) (qm) of the statutes is amended to read:

8 49.175 (1) (qm) *Quality care for quality kids.* For the child care quality
9 improvement activities specified in s. 49.155 (1g), \$13,486,700 in fiscal year ~~2011-12~~
10 ~~and \$13,169,400~~ \$13,095,800 in each fiscal year ~~2012-13~~.

11 **SECTION 1035.** 49.175 (1) (r) of the statutes is amended to read:

12 49.175 (1) (r) *Children of recipients of supplemental security income.* For
13 payments made under s. 49.775 for the support of the dependent children of
14 recipients of supplemental security income, ~~\$31,232,200~~ \$33,688,000 in each fiscal
15 year.

16 **SECTION 1036.** 49.175 (1) (s) of the statutes is amended to read:

17 49.175 (1) (s) *Kinship care, and long-term kinship care, and foster care*
18 *assistance.* For kinship care and long-term kinship care payments under s. 48.57
19 (3m) (am) and (3n) (am), for assessments to determine eligibility for those payments,
20 and for agreements under s. 48.57 (3t) with the governing bodies of Indian tribes for
21 the administration of the kinship care and long-term kinship care programs under
22 s. 48.57 (3m), (3n), and (3p) and for foster care for relatives under s. 48.62,
23 \$21,375,800 within the boundaries of the reservations of those tribes, \$20,582,700
24 in each fiscal year.

25 **SECTION 1037.** 49.175 (1) (t) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1037**

1 49.175 (1) (t) *Safety and out-of-home placement services.* For services provided
2 in counties having a population of 500,000 or more to ensure the safety of children
3 who the department or a county determines may remain at home if appropriate
4 services are provided, and for ongoing services provided in those counties to families
5 with children placed in out-of-home care, ~~\$6,350,300~~ \$7,711,100 in each fiscal year.

6 **SECTION 1038.** 49.175 (1) (v) of the statutes is repealed.

7 **SECTION 1039.** 49.175 (1) (z) of the statutes is amended to read:

8 49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the
9 Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that
10 improve social, academic, and employment skills of youth who are eligible to receive
11 temporary assistance for needy families under 42 USC 601 et seq., ~~\$350,000~~ focusing
12 on study habits, intensive tutoring in math and English, and exposure to career
13 options and role models, \$1,500,000 in each fiscal year. Grants provided under this
14 paragraph may not be used by the grant recipient to replace funding for programs
15 that are being funded, when the grant proceeds are received, with moneys other than
16 those from the appropriations specified in sub. (1) (intro.).

17 **SECTION 1040.** 49.175 (1) (zh) of the statutes is amended to read:

18 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
19 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation
20 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$43,664,200~~
21 \$70,664,200 in each fiscal year.

22 **SECTION 1041.** 49.26 (1) (g) (intro.) of the statutes is amended to read:

23 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
24 Works group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) or who

ASSEMBLY BILL 40**SECTION 1041**

1 is a recipient of aid under s. 49.19 is subject to the school attendance requirement
2 under par. (ge) if all of the following apply:

3 **SECTION 1042.** 49.26 (1) (h) 1s. b. of the statutes is amended to read:

4 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin Works
5 group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) and who fails
6 to meet the school attendance requirement under par. (ge) is subject to a monthly
7 sanction.

8 **SECTION 1043.** 49.36 (2) of the statutes is amended to read:

9 49.36 (2) The department may contract with any county, tribal governing body,
10 or Wisconsin Works agency to administer a work experience and job training
11 program for parents who are not custodial parents and who fail to pay child support
12 or to meet their children's needs for support as a result of unemployment or
13 underemployment. The program may provide the kinds of work experience and job
14 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
15 (3), ~~(3m)~~, or (4). The program may also include job search and job orientation
16 activities. The department shall fund the program from the appropriations under
17 s. 20.437 (2) (dz) and (k).

18 **SECTION 1044.** 49.45 (4m) (a) 3. of the statutes is renumbered 49.45 (4m) (a)
19 3. (intro.) and amended to read:

20 49.45 (4m) (a) 3. (intro.) "Financial institution" has the meaning given in 12
21 USC 3401 (1). means any of the following:

22 **SECTION 1045.** 49.45 (4m) (a) 3. a. to f. of the statutes are created to read:

23 49.45 (4m) (a) 3. a. A depository institution, as defined in 12 USC 1813 (c).

24 b. An institution-affiliated party, as defined in 12 USC 1813 (u), of a depository
25 institution under subd. 3. a.

ASSEMBLY BILL 40**SECTION 1045**

1 c. A federal credit union, as defined in 12 USC 1752, or state credit union, as
2 defined in 12 USC 1752.

3 d. An institution-affiliated party, as defined in 12 USC 1786 (r), of a credit
4 union under subd. 3. c.

5 e. A benefit association, insurance company, safe deposit company, money
6 market mutual fund, or similar entity authorized to do business in this state.

7 f. A broker-dealer, as defined in s. 551.102 (4).

8 **SECTION 1046.** 49.45 (23) (a) of the statutes is amended to read:

9 49.45 (23) (a) The department shall request a waiver from the secretary of the
10 federal department of health and human services to permit the department to
11 conduct a demonstration project to provide health care coverage for basic primary
12 and preventive care to adults who are under the age of 65, who have family incomes
13 not to exceed ~~200~~ 100 percent of the poverty line before application of the 5 percent
14 income disregard under 42 CFR 435.603 (d), and who are not otherwise eligible for
15 medical assistance under this subchapter, the Badger Care health care program
16 under s. 49.665, or Medicare under 42 USC 1395 et seq. If the department creates
17 a policy under sub. (2m) (c) 10., this paragraph does not apply to the extent that it
18 conflicts with the policy.

19 **SECTION 1047.** 49.45 (23) (a) of the statutes, as affected by 2011 Wisconsin Act
20 32 and 2013 Wisconsin Act (this act), is repealed and recreated to read:

21 49.45 (23) (a) The department shall request a waiver from the secretary of the
22 federal department of health and human services to permit the department to
23 conduct a demonstration project to provide health care coverage for basic primary
24 and preventive care to adults who are under the age of 65, who have family incomes
25 not to exceed 100 percent of the poverty line before application of the 5 percent

ASSEMBLY BILL 40**SECTION 1047**

1 income disregard under 42 CFR 435.603 (d), and who are not otherwise eligible for
2 medical assistance under this subchapter, the Badger Care health care program
3 under s. 49.665, or Medicare under 42 USC 1395 et seq.

4 **SECTION 1048.** 49.45 (23) (b) of the statutes is amended to read:

5 49.45 (23) (b) If the waiver is granted and in effect, the department may
6 promulgate rules defining the health care benefit plan, including more specific
7 eligibility requirements and cost-sharing requirements. Unless otherwise provided
8 by the department by a policy created under sub. (2m) (c), cost sharing may include
9 an annual enrollment fee, which may not exceed \$75 per year. Notwithstanding s.
10 227.24 (3), the plan details under this subsection may be promulgated as an
11 emergency rule under s. 227.24 without a finding of emergency. If the waiver is
12 granted and in effect, the demonstration project under this subsection shall begin on
13 ~~January 1, 2009, or on the effective date of the waiver, whichever is later.~~

14 **SECTION 1049.** 49.45 (23) (b) of the statutes, as affected by 2011 Wisconsin Act
15 32 and 2013 Wisconsin Act (this act), is repealed and recreated to read:

16 49.45 (23) (b) If the waiver is granted and in effect, the department may
17 promulgate rules defining the health care benefit plan, including more specific
18 eligibility requirements and cost-sharing requirements. Cost sharing may include
19 an annual enrollment fee, which may not exceed \$75 per year. Notwithstanding s.
20 227.24 (3), the plan details under this subsection may be promulgated as an
21 emergency rule under s. 227.24 without a finding of emergency. If the waiver is
22 granted and in effect, the demonstration project under this subsection shall begin on
23 the effective date of the waiver.

24 **SECTION 1050.** 49.45 (23) (c) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1050**

1 49.45 (23) (c) In addition to cost-sharing requirements established under par.
2 (b), a childless adult who is eligible to receive benefits under this section; who is not
3 disabled, pregnant, or American Indian, as Indian is defined in 42 CFR part 447,
4 subpart A; and whose family income exceeds 133 percent of the poverty line shall pay
5 a premium for coverage under the program under this subsection in an amount
6 determined by the department that is based on a formula in which costs decrease for
7 those with lower family incomes and that is no less than 3 percent of family income
8 but no greater than 9.5 percent of family income.

9 **SECTION 1051.** 49.45 (23) (d) of the statutes is created to read:

10 49.45 (23) (d) In determining income for purposes of eligibility under this
11 subsection, the department shall apply s. 49.471 (7) (d) to the individual to the extent
12 the federal department of health and human services approves, if approval is
13 required.

14 **SECTION 1052.** 49.45 (23) (e) of the statutes is created to read:

15 49.45 (23) (e) The department shall apply the definition of family income under
16 s. 49.471 (1) (f) and the regulations defining household under 42 CFR 435.603 (f) to
17 determinations of income for purposes of eligibility under this subsection.

18 **SECTION 1053.** 49.45 (23) (f) of the statutes is created to read:

19 49.45 (23) (f) The department may provide services to individuals who are
20 eligible under this subsection through a medical home initiative under sub. (24j).

21 **SECTION 1054.** 49.45 (24j) of the statutes is created to read:

22 49.45 (24j) **MEDICAL HOME PILOT PROJECTS.** (a) The department may administer
23 the medical home initiative as a service delivery mechanism to provide and
24 coordinate care for individuals who are eligible for a Medical Assistance program
25 under this subchapter that provides services under a fee-for-service model. The

ASSEMBLY BILL 40**SECTION 1054**

1 department may administer a medical home initiative to serve individuals who are
2 members of any of the following populations:

3 1. Children who are in out-of-home care or are receiving adoption assistance
4 under 42 USC 670 to 679c.

5 2. Pregnant women.

6 3. Individuals who are exiting mental health facilities or correctional facilities.

7 4. Individuals with a diagnosis of serious mental illness or substance abuse
8 disorder.

9 5. Adults with two or more chronic medical conditions.

10 6. Other groups of individuals with conditions that the department determines
11 would benefit from services through a medical home.

12 (b) The department shall provide to individuals through any medical home
13 initiative administered under this subsection the benefits described under s. 49.46
14 (2) (a) and (b). The department may provide to individuals through any medical home
15 initiative administered under this subsection benefits in addition to the standard
16 plan benefits that are targeted to the population receiving services through the
17 medical home.

18 (c) The department may elect to administer any medical home initiative under
19 this subsection in a limited geographical area.

20 (d) The department may make an all-inclusive payment to the provider
21 offering services through a medical home.

22 (e) If the federal department of health and human services approves the
23 department's request to administer a medical home initiative, the department shall
24 automatically enroll an individual who is eligible for a medical home initiative under
25 this subsection in the medical home initiative. At any time after the first 6 months

ASSEMBLY BILL 40**SECTION 1054**

1 of enrollment in the medical home initiative, the individual who is enrolled in the
2 medical home initiative may opt out of participation in the medical home initiative.

3 **SECTION 1055.** 49.45 (30e) (c) of the statutes is renumbered 49.45 (30e) (c) 1.

4 **SECTION 1056.** 49.45 (30e) (c) 2. of the statutes is created to read:

5 49.45 (30e) (c) 2. Notwithstanding subd. 1., in counties that elect to deliver the
6 services under s. 49.46 (2) (b) 6. Lm. through the Medical Assistance program on a
7 regional basis according to criteria established by the department, the department
8 shall reimburse a provider of the services for the amount of the allowable charges for
9 those services under the Medical Assistance program that is provided by the federal
10 government and for the amount of the allowable charges that is not provided by the
11 federal government.

12 **SECTION 1057.** 49.45 (30g) (a) 1. of the statutes is amended to read:

13 49.45 (30g) (a) 1. An approved amendment to the state medical assistance plan
14 ~~submitted under 42 USC 1396n (i)~~ permits reimbursement for the services under s.
15 49.46 (2) (b) 6. Lo. in the manner provided under this subsection.

16 **SECTION 1058.** 49.45 (30g) (a) 3. of the statutes is amended to read:

17 49.45 (30g) (a) 3. The individual, the community recovery services, and the
18 community recovery services provider meet any condition set forth in the approved
19 amendment to the medical assistance plan ~~submitted under 42 USC 1396n (i).~~

20 **SECTION 1059.** 49.453 (2) (a) (intro.) of the statutes is amended to read:

21 49.453 (2) (a) *Institutionalized individuals.* (intro.) Except as provided in sub.
22 (8), if an institutionalized individual or his or her spouse, or another person acting
23 on behalf of the institutionalized individual or his or her spouse, transfers assets;
24 regardless of whether those assets, if retained, are excluded under 42 USC 1396p;
25 for less than fair market value on or after the institutionalized individual's look-back

ASSEMBLY BILL 40**SECTION 1059**

1 date, the institutionalized individual is ineligible for medical assistance for the
2 following services for the period specified under sub. (3):

3 **SECTION 1060.** 49.453 (2) (b) (intro.) of the statutes is amended to read:

4 49.453 (2) (b) *Noninstitutionalized individuals.* (intro.) Except as provided in
5 sub. (8), if a noninstitutionalized individual or his or her spouse, or another person
6 acting on behalf of the noninstitutionalized individual or his or her spouse, transfers
7 assets; regardless of whether those assets, if retained, are excluded under 42 USC
8 1396p; for less than fair market value on or after the noninstitutionalized
9 individual's look-back date, the noninstitutionalized individual is ineligible for
10 medical assistance for the following services for the period specified under sub. (3):

11 **SECTION 1061.** 49.453 (3) (a) (intro.) of the statutes is amended to read:

12 49.453 (3) (a) (intro.) The period of ineligibility under this subsection begins
13 on either of the following for an applicant for Medical Assistance:

14 **SECTION 1062.** 49.453 (3) (ag) of the statutes is created to read:

15 49.453 (3) (ag) The period of ineligibility under this subsection for a transfer
16 of assets made at the time the individual is receiving long-term care services through
17 Medical Assistance begins on the first day of the month following the month in which
18 the individual receives advance notice of the period of ineligibility.

19 **SECTION 1063.** 49.453 (4c) (c) of the statutes is created to read:

20 49.453 (4c) (c) A promissory note in which the debtor is a presumptive heir of
21 the lender or in which neither the lender nor debtor has any incentive to enforce
22 repayment is considered cancelled upon the death of the lender for purposes of this
23 section.

24 **SECTION 1064.** 49.453 (8) (a) 1. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1064**

1 49.453 (8) (a) 1. The assets are exempt under 42 USC 1396p (c) (2) (A), (B), or
2 (C). To make a satisfactory showing to the state under 42 USC 1396p (c) (2) (C) and
3 adjust the ineligibility period under sub. (3), the individual shall demonstrate that
4 all of the assets transferred for less than fair market value, or cash equal to the value
5 of the assets transferred for less than fair market, have been returned to him or her.

6 **SECTION 1065.** 49.455 (5) (title) of the statutes is amended to read:

7 49.455 (5) (title) RULES FOR TREATMENT OF RESOURCES; INELIGIBILITY.

8 **SECTION 1066.** 49.455 (5) (d) of the statutes is amended to read:

9 49.455 (5) (d) During a continuous period of institutionalization, after an
10 institutionalized spouse is determined to be eligible for medical assistance, no
11 resources of the community spouse are considered to be available to the
12 institutionalized spouse, except that a transfer of those resources or other assets by
13 the community spouse within the first 5 years of eligibility of the institutionalized
14 spouse may result in a period of ineligibility under s. 49.453 (2) and (3) for the
15 institutionalized spouse.

16 **SECTION 1067.** 49.455 (5) (e) of the statutes is created to read:

17 49.455 (5) (e) The department may deny to the institutionalized spouse
18 eligibility for Medical Assistance if, when requested by the department, the
19 institutionalized spouse and the community spouse do not provide the total value of
20 their assets and information on income and resources to the extent required under
21 federal Medicaid law or sign the application for Medical Assistance.

22 **SECTION 1068.** 49.455 (8) (d) of the statutes is renumbered 49.455 (8) (d) 1. and
23 amended to read:

24 49.455 (8) (d) 1. If either spouse establishes at a fair hearing that the
25 community spouse resource allowance determined under sub. (6) (b) 1. to 2. or 4.

ASSEMBLY BILL 40**SECTION 1068**

1 without a fair hearing does not generate enough income to raise the community
2 spouse's income to the minimum monthly maintenance needs allowance under sub.
3 (4) (c), the department shall establish, under subd. 2., an amount to be used under
4 sub. (6) (b) 3. that results in a community spouse resource allowance that generates
5 enough income to raise the community spouse's income to the minimum monthly
6 maintenance needs allowance under sub. (4) (c).

7 3. Except in exceptional cases which would result in financial duress for the
8 community spouse, the department may not establish an amount to be used under
9 sub. (6) (b) 3. unless the institutionalized spouse makes available to the community
10 spouse the maximum monthly income allowance permitted under sub. (4) (b) or, if
11 the institutionalized spouse does not have sufficient income to make available to the
12 community spouse the maximum monthly income allowance permitted under sub.
13 (4) (b), unless the institutionalized spouse makes all of his or her income, except for
14 an amount equal to the sum of the personal needs allowance under sub. (4) (a) 1. and
15 any family allowances under sub. (4) (a) 3. paid by the institutionalized spouse and
16 the amount incurred as expenses for medical or remedial care for the
17 institutionalized spouse under sub. (4) (a) 4., available to the community spouse as
18 a community spouse monthly income allowance under sub. (4) (b).

19 **SECTION 1069.** 49.455 (8) (d) 2. of the statutes is created to read:

20 49.455 (8) (d) 2. The department shall base the amount to be used under sub.
21 (6) (b) 3. on the cost of a single premium lifetime annuity that pays monthly amounts
22 that, combined with other available income, raises the community spouse's income
23 to the minimum monthly maintenance needs allowance. Any resource, regardless
24 of whether the resource generates income, may be transferred in an amount that,
25 combined with the community spouse resource allowance calculated before the fair

ASSEMBLY BILL 40**SECTION 1069**

1 hearing, provides the community spouse with sufficient funds to purchase the
2 annuity. The community spouse is not required to purchase an annuity to obtain this
3 amount.

4 **SECTION 1070.** 49.46 (1) (a) 15. of the statutes is amended to read:

5 49.46 (1) (a) 15. Any individual who is infected with tuberculosis and meets the
6 income and resource eligibility requirements for the federal Supplemental Security
7 Income program under 42 USC 1381 to 1383d. For purposes of this subdivision,
8 “income” has the meaning given for “family income” in s. 49.471 (1) (f).

9 **SECTION 1071.** 49.46 (1) (am) 1. a. of the statutes is amended to read:

10 49.46 (1) (am) 1. a. A pregnant woman whose family income, before any income
11 is disregarded under this paragraph, does not exceed, in state fiscal year 1994-95,
12 155% of the poverty line for a family the size of the woman’s family; and, in each state
13 fiscal year after the 1994-95 state fiscal year, ~~185%~~ 133 percent of the poverty line
14 for a family the size of the woman’s family.

15 **SECTION 1072.** 49.46 (1) (c) (intro.) of the statutes is amended to read:

16 49.46 (1) (c) (intro.) Except as provided under par. (co) or (cr), a family that
17 becomes ineligible for aid to families with dependent children under s. 49.19 because
18 of increased income from employment or increased hours of employment or because
19 of the expiration of the time during which the disregards under s. 49.19 (5) (a) 4. or
20 4m. or (am) apply shall receive medical assistance for:

21 **SECTION 1073.** 49.46 (1) (cg) of the statutes is amended to read:

22 49.46 (1) (cg) Medical Except as provided under par. (cr), medical assistance
23 shall be provided to a dependent child, a relative with whom the child is living or the
24 spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a. or
25 b., for 4 calendar months beginning with the month in which the child, relative or

ASSEMBLY BILL 40**SECTION 1073**

1 spouse is ineligible for aid to families with dependent children because of the
2 collection or increased collection of maintenance or support, if the child, relative or
3 spouse received aid to families with dependent children in 3 or more of the 6 months
4 immediately preceding the month in which that ineligibility begins.

5 **SECTION 1074.** 49.46 (1) (co) 1. of the statutes is amended to read:

6 49.46 (1) (co) 1. Except as provided under subd. 2. or par. (cr), medical
7 assistance shall be provided to a family for 12 consecutive calendar months following
8 the month in which the family becomes ineligible for aid to families with dependent
9 children because of increased income from employment, ~~because the family no longer~~
10 ~~receives the earned income disregard under s. 49.19 (5) (a) 4. or 4m. or (am) due to~~
11 ~~the expiration of the time limit during which the disregards are applied or because~~
12 ~~of the application of the monthly employment time eligibility limitation under 45~~
13 ~~CFR 233.100 (a) (1) (i).~~

14 **SECTION 1075.** 49.46 (1) (co) 2. of the statutes is amended to read:

15 49.46 (1) (co) 2. If a waiver under subd. 3. is granted and except as provided
16 in par. (cr), the department may select individuals to receive medical assistance
17 benefits as provided under par. (c), rather than under subd. 1., as a control group for
18 part or all of the period during which the waiver is in effect.

19 **SECTION 1076.** 49.46 (1) (cr) of the statutes is created to read:

20 49.46 (1) (cr) To the extent approved by the federal department of health and
21 human services, an individual or family described in par. (c), (cg), or (co) is not eligible
22 for Medical Assistance if the federal department of health and human services
23 approves a request from the department to deny all or some transitional Medical
24 Assistance benefits to that individual or family, if approval is required.

25 **SECTION 1077.** 49.46 (1) (em) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1077**

1 49.46 (1) (em) For purposes of determining the eligibility and any cost-sharing
2 requirements of an individual under par. (a) 6m., 14., or 14m., (d) 2., or (e), to the
3 extent approved by the federal government, the department shall exclude any assets
4 accumulated in an independence account, as defined in s. 49.472 (1) (c), and any
5 income or assets from retirement benefits earned or accumulated from employment
6 income or employer contributions while the individual was employed and eligible for
7 and receiving medical assistance under s. 49.472.

8 **SECTION 1078.** 49.46 (2) (b) 19. of the statutes is created to read:

9 49.46 (2) (b) 19. Subject to par. (br), services provided by early intervention
10 teachers, home trainers, parent-to-parent mentors, and developmental specialists
11 to children in the benchmark plan under par. (br).

12 **SECTION 1079.** 49.46 (2) (b) 20. of the statutes is created to read:

13 49.46 (2) (b) 20. Subject to s. 49.45 (24j), any additional services, as determined
14 by the department, that are targeted to a population enrolled in a medical home
15 initiative under s. 49.45 (24j).

16 **SECTION 1080.** 49.46 (2) (bc) of the statutes is created to read:

17 49.46 (2) (bc) Subject to s. 49.45 (24j), the department may provide any of the
18 services described in par. (a) or (b) through a medical home initiative under s. 49.45
19 (24j).

20 **SECTION 1081.** 49.46 (2) (br) of the statutes is created to read:

21 49.46 (2) (br) If the federal department of health and human services approves
22 the department's request to offer a benchmark plan under this paragraph, the
23 department may enroll any child who is receiving services through the early
24 intervention program under s. 51.44 in a benchmark plan under this paragraph. The
25 department may not require a child who is receiving services through the early

ASSEMBLY BILL 40**SECTION 1081**

1 intervention program under s. 51.44 to enroll in a benchmark plan offered under this
2 paragraph. The department may not charge a copayment to a child who is enrolled
3 in the benchmark plan under this paragraph for services described in par. (b) 19.

4 **SECTION 1082.** 49.468 (1) (d) of the statutes is amended to read:

5 49.468 (1) (d) Benefits under par. (b) or (c) are available for an individual who
6 has resources that are equal to or less than 200% of the allowable resources as
7 determined under 42 USC 1381 to 1385, excluding, to the extent approved by the
8 federal government, any assets accumulated in an independence account, as defined
9 in s. 49.472 (1) (c), and any income or assets from retirement benefits earned or
10 accumulated from income or employer contributions while the individual was
11 employed and eligible for and receiving medical assistance under s. 49.472, and who
12 has income that is equal to or less than 100% of the poverty line.

13 **SECTION 1083.** 49.468 (1m) (b) of the statutes is amended to read:

14 49.468 (1m) (b) Benefits under par. (a) are available for an individual who has
15 resources that are equal to or less than 200% of the allowable resources determined
16 under 42 USC 1381 to 1385, excluding, to the extent approved by the federal
17 government, any assets accumulated in an independence account, as defined in s.
18 49.472 (1) (c), and any income or assets from retirement benefits earned or
19 accumulated from income or employer contributions while the individual was
20 employed and eligible for and receiving medical assistance under s. 49.472, and who
21 has income that is greater than 100% of the poverty line but less than 120% of the
22 poverty line.

23 **SECTION 1084.** 49.468 (2) (b) of the statutes is amended to read:

24 49.468 (2) (b) Benefits under par. (a) are available for an individual who has
25 resources that are equal to or less than 200% of the allowable resources under 42

ASSEMBLY BILL 40**SECTION 1084**

1 USC 1381 to 1385, excluding, to the extent approved by the federal government, any
2 assets accumulated in an independence account, as defined in s. 49.472 (1) (c), and
3 any income or assets from retirement benefits earned or accumulated from income
4 or employer contributions while the individual was employed and eligible for and
5 receiving medical assistance under s. 49.472, and who has income that is equal to or
6 less than 200% of the poverty line.

7 **SECTION 1085.** 49.47 (4) (a) 1. of the statutes is amended to read:

8 49.47 (4) (a) 1. Under 21 years of age and resides in an intermediate care
9 facility, skilled nursing facility, or inpatient psychiatric hospital. The department
10 shall apply the definition of family income in s. 49.471 (1) (f) to make determinations
11 of income under this subdivision.

12 **SECTION 1086.** 49.47 (4) (am) 1. of the statutes is amended to read:

13 49.47 (4) (am) 1. A pregnant woman whose family income does not exceed 155%
14 of the poverty line for a family the size of the woman's family, except that if a waiver
15 under par. (j) or a change in the approved state plan under s. 49.46 (1) (am) 2. is in
16 effect, the income limit is ~~185%~~ 133 percent of the poverty line for a family the size
17 of the woman's family in each state fiscal year after the 1994-95 state fiscal year.

18 **SECTION 1087.** 49.47 (4) (b) (intro.) of the statutes is amended to read:

19 49.47 (4) (b) (intro.) Eligibility exists if the applicant's property, ~~subject to the~~
20 ~~exclusion of~~ excluding any amounts under the Long-Term Care Partnership
21 Program established under s. 49.45 (31); and, to the extent approved by the federal
22 government, any amounts assets accumulated in an independence account, as
23 defined in s. 49.472 (1) (c), ~~or~~ and any income or assets from retirement assets that
24 accrued benefits earned or accumulated from employment income or employer
25 contributions while the applicant was employed and eligible for ~~the community~~

ASSEMBLY BILL 40**SECTION 1087**

1 ~~options program under s. 46.27 (11), or any other Medical Assistance program,~~
2 ~~including deferred compensation or the value of retirement accounts in the~~
3 ~~Wisconsin Retirement System or under the federal Social Security Act and receiving~~
4 ~~medical assistance under s. 49.472, does not exceed the following:~~

5 **SECTION 1088.** 49.47 (4) (b) 2w. of the statutes is amended to read:

6 49.47 (4) (b) 2w. For a person who is eligible under par. (a) 3. or 4., life insurance
7 with cash surrender values if the ~~total face~~ combined cash surrender value of all life
8 insurance policies, including riders and other attachments, is not more than \$1,500.

9 **SECTION 1089.** 49.47 (4) (c) 1. of the statutes is amended to read:

10 49.47 (4) (c) 1. Except as provided in par. (am) ~~and as limited by subd. 3.~~,
11 eligibility exists if income does not exceed 133 1/3% of the maximum aid to families
12 with dependent children payment under s. 49.19 (11) for the applicant's family size
13 or the combined benefit amount available under supplemental security income
14 under 42 USC 1381 to 1383c and state supplemental aid under s. 49.77 whichever
15 is ~~higher~~ lower. In this subdivision "income" includes earned or unearned income
16 that would be included in determining eligibility for the individual or family under
17 s. 49.19 or 49.77, or for the aged, blind or disabled under 42 USC 1381 to 1385.
18 "Income" does not include earned or unearned income which would be excluded in
19 determining eligibility for the individual or family under s. 49.19 or 49.77, or for the
20 aged, blind or disabled individual under 42 USC 1381 to 1385.

21 **SECTION 1090.** 49.47 (4) (c) 3. of the statutes is repealed.

22 **SECTION 1091.** 49.471 (1) (cm) of the statutes is created to read:

23 49.471 (1) (cm) "Disabled" means, when referring to an adult, meeting the
24 disability standard for eligibility for federal supplemental security income under 42
25 USC 1382c (a) (3).

ASSEMBLY BILL 40**SECTION 1092**

1 **SECTION 1092.** 49.471 (1) (f) of the statutes is amended to read:

2 49.471 (1) (f) “Family income” means the total gross earned and unearned
3 income received by all members of a family has the meaning given for “household
4 income” under 42 CFR 435.603 (d).

5 **SECTION 1093.** 49.471 (1) (k) 5. d. of the statutes is created to read:

6 49.471 (1) (k) 5. d. The mother’s family income exceeds 133 percent of the
7 poverty line.

8 **SECTION 1094.** 49.471 (4) (a) (intro.) of the statutes is amended to read:

9 49.471 (4) (a) (intro.) Except as otherwise provided in this section, all of the
10 following individuals are eligible for the benefits described in s. 49.46 (2) (a) and (b),
11 subject to sub. (6) (k) and s. 49.45 (24j):

12 **SECTION 1095.** 49.471 (4) (a) 1. of the statutes is amended to read:

13 49.471 (4) (a) 1. A pregnant woman whose family income does not exceed 200
14 133 percent of the poverty line.

15 **SECTION 1096.** 49.471 (4) (a) 4. a. of the statutes is amended to read:

16 49.471 (4) (a) 4. a. The individual is a parent or caretaker relative of a
17 dependent child who is living in the home with the parent or caretaker relative or
18 who is temporarily absent from the home for not more than 6 months or, if the
19 dependent child has been removed from the home for more than 6 months, the parent
20 or caretaker relative is working toward unifying the family by complying with a
21 permanency plan under s. 48.38 or 938.38. For purposes of this subdivision, a
22 “dependent child” means an individual who is under the age of 18 or an individual
23 who is age 18 and a full-time student in secondary school or equivalent vocational
24 or technical training if before attaining the age of 19 the individual is reasonably
25 expected to complete the school or training.

ASSEMBLY BILL 40**SECTION 1097**

1 **SECTION 1097.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

2 49.471 (4) (a) 4. b. ~~Except as provided in subd. 4. c., the~~ The individual's family
3 income does not exceed ~~200~~ 100 percent of the poverty line ~~and does not include~~
4 ~~self-employment income before application of the 5 percent income disregard under~~
5 42 CFR 435.603 (d).

6 **SECTION 1098.** 49.471 (4) (a) 4. c. of the statutes is repealed.

7 **SECTION 1099.** 49.471 (4) (a) 5. of the statutes is amended to read:

8 49.471 (4) (a) 5. An individual who, regardless of family income, was born on
9 or after January 1, ~~1990~~ 1988, and who, on his or her 18th birthday, was in a foster
10 care placement under the responsibility of ~~a~~ this state, or at the option of the
11 department, under the responsibility of another state, and enrolled in Medical
12 Assistance under this subchapter or a Medicaid program, as determined by the
13 department. The coverage for an individual under this subdivision ends on the last
14 day of the month in which the individual becomes ~~21~~ 26 years of age, unless he or she
15 otherwise loses eligibility sooner.

16 **SECTION 1100.** 49.471 (4) (a) 7. of the statutes is amended to read:

17 49.471 (4) (a) 7. Individuals who qualify for a medical assistance eligibility
18 extension under s. 49.46 (1) (c), (cg), or (co) when their income increases above the
19 poverty line, except as provided in s. 49.46 (1) (cr).

20 **SECTION 1101.** 49.471 (4) (b) 1. of the statutes is repealed.

21 **SECTION 1102.** 49.471 (4) (b) 1m. of the statutes is repealed.

22 **SECTION 1103.** 49.471 (4) (b) 2. of the statutes is repealed.

23 **SECTION 1104.** 49.471 (4) (b) 3. of the statutes is amended to read:

24 49.471 (4) (b) 3. A child whose family income exceeds 200 percent but does not
25 exceed 300 percent of the poverty line. ~~For a child under this subdivision who is an~~

ASSEMBLY BILL 40**SECTION 1104**

1 3m. An unborn child, whose family income exceeds 200 percent but does not
2 exceed 300 percent of the poverty line, except benefits are limited to prenatal care.

3 **SECTION 1105.** 49.471 (4) (b) 4. of the statutes is repealed.

4 **SECTION 1106.** 49.471 (4) (c) of the statutes is repealed.

5 **SECTION 1107.** 49.471 (4) (e) of the statutes is created to read:

6 49.471 (4) (e) If the department obtains approval from the federal department
7 of health and human services to provide an alternate benchmark plan under sub.
8 (11r), to the extent the federal department of health and human services approves,
9 the department may enroll in the alternate benchmark plan under sub. (11r) any
10 individual whose family income exceeds 100 percent of the poverty line, who is either
11 an adult who is not pregnant or a child, and who applies and is otherwise eligible to
12 receive benefits under this section, except that the department shall enroll a child
13 who has a parent who is enrolled in a plan under this section in the same plan as his
14 or her parent.

15 **SECTION 1108.** 49.471 (5) (b) 1. of the statutes is amended to read:

16 49.471 (5) (b) 1. Except as provided in sub. (6) (a) 1., a pregnant woman is
17 eligible for the benefits specified in par. (c) during the period beginning on the day
18 on which a qualified provider determines, on the basis of preliminary information,
19 that the woman's family income does not exceed ~~300~~ 133 percent of the poverty line
20 and ending on the applicable day specified in subd. 3.

21 **SECTION 1109.** 49.471 (5) (b) 2. of the statutes is renumbered 49.471 (5) (b) 2.
22 (intro.) and amended to read:

23 49.471 (5) (b) 2. (intro.) Except as provided in sub. (6) (a) 2., a child who is not
24 an unborn child is eligible for the benefits described in s. 49.46 (2) (a) and (b) during
25 the period beginning on the day on which a qualified entity determines, on the basis

ASSEMBLY BILL 40**SECTION 1109**

1 of preliminary information, that the child's family income does not exceed 150
2 percent of the poverty line any of the following and ending on the applicable day
3 specified in subd. 3., unless the federal department of health and human services
4 approves the department's request to not extend eligibility to children during this
5 period:

6 **SECTION 1110.** 49.471 (5) (b) 2. a. to c. of the statutes are created to read:

7 49.471 (5) (b) 2. a. 150 percent of the poverty line for a child who is 6 years of
8 age or older but has not yet attained the age of 19.

9 b. 185 percent of the poverty line for a child who is one year of age or older but
10 has not yet attained the age of 6.

11 c. 300 percent of the poverty line for a child who is under one year of age.

12 **SECTION 1111.** 49.471 (5) (b) 3. a. of the statutes is amended to read:

13 49.471 (5) (b) 3. a. If the woman or child applies for benefits under sub. (4)
14 within the time required under par. (d), the benefits specified in subd. 1. or 2.,
15 whichever is applicable, end on the day on which the department or the county
16 department under s. 46.215, 46.22, or 46.23 determines whether the woman or child
17 is eligible for benefits under sub. (4), except that a child who is not an unborn child
18 is not eligible for benefits described in s. 49.46 (2) (a) and (b) during that time if the
19 federal department of health and human services approves the department's request
20 not to provide those benefits during that time.

21 **SECTION 1112.** 49.471 (5) (c) 1. of the statutes is renumbered 49.471 (5) (c) and
22 amended to read:

23 49.471 (5) (c) On behalf of a woman under par. (b) 1. ~~whose family income does~~
24 ~~not exceed 200 percent of the poverty line~~, the department shall audit and pay

ASSEMBLY BILL 40**SECTION 1112**

1 allowable charges to a provider certified under s. 49.45 (2) (a) 11. only for ambulatory
2 prenatal care services under the benefits described in s. 49.46 (2) (a) and (b).

3 **SECTION 1113.** 49.471 (5) (c) 2. of the statutes is repealed.

4 **SECTION 1114.** 49.471 (6) (a) 1. of the statutes is amended to read:

5 49.471 (6) (a) 1. ~~Any~~ Except as provided in subd. 4., any pregnant woman,
6 including a pregnant woman under sub. (5) (b) 1., is eligible for medical assistance
7 under this section for any of the 3 months prior to the month of application if she met
8 the eligibility criteria under this section in that month.

9 **SECTION 1115.** 49.471 (6) (a) 2. of the statutes is amended to read:

10 49.471 (6) (a) 2. ~~Any~~ Except as provided in subd. 3. or 4., any child who is not
11 an unborn child, including a child under sub. (5) (b) 2., parent, or caretaker relative
12 whose family income is less than 150 percent of the poverty line is eligible for medical
13 assistance under this section for any of the 3 months prior to the month of application
14 if the individual met the eligibility criteria under this section and had a family
15 income of less than 150 percent of the poverty line in that month.

16 **SECTION 1116.** 49.471 (6) (a) 3. of the statutes is created to read:

17 49.471 (6) (a) 3. Any individual described in subd. 2. who is not disabled, not
18 elderly, and not pregnant, who is an adult, and whose family income exceeds 133
19 percent of the federal poverty level is not eligible for medical assistance under this
20 section for any of the 3 months before the month of application for medical assistance
21 benefits.

22 **SECTION 1117.** 49.471 (6) (a) 4. of the statutes is created to read:

23 49.471 (6) (a) 4. To the extent allowed by the federal department of health and
24 human services, any individual described in subd. 1. or 2. who is not disabled is not

ASSEMBLY BILL 40**SECTION 1117**

1 eligible for medical assistance under this section for any of the 3 months before the
2 month of application for medical assistance benefits.

3 **SECTION 1118.** 49.471 (7) (a) of the statutes is repealed.

4 **SECTION 1119.** 49.471 (7) (b) 1. of the statutes is amended to read:

5 49.471 (7) (b) 1. ~~A~~ Eligibility for a pregnant woman whose family income
6 exceeds 300 ~~133~~ percent of the poverty line may become eligible for coverage under
7 this section if the difference between the pregnant woman's family income and the
8 applicable income limit under sub. (4) (b) is obligated or expended for any member
9 of the pregnant woman's family for medical care or any other type of remedial care
10 recognized under state law or for personal health insurance premiums or for both.
11 Eligibility obtained under this subdivision continues without regard to any change
12 in family income for the balance of the pregnancy and to the last day of the month
13 in which the 60th day after the last day of the woman's pregnancy falls. Eligibility
14 obtained by a pregnant woman under this subdivision extends to all pregnant
15 women in the pregnant woman's family is determined under the method described
16 in s. 49.47 (4) (c).

17 **SECTION 1120.** 49.471 (7) (b) 2. of the statutes is amended to read:

18 49.471 (7) (b) 2. A child who is not an unborn child, whose family income
19 exceeds 150 percent of the poverty line, and who is ineligible under this section solely
20 because of sub. (8) (b), or whose family income exceeds 300 percent of the poverty line,
21 may obtain eligibility under this section if the difference between the child's family
22 income and 150 percent of the poverty line is obligated or expended on behalf of the
23 child or any member of the child's family for medical care or any other type of
24 remedial care recognized under state law or for personal health insurance premiums
25 or for both. Eligibility obtained under this subdivision during any 6-month period,

ASSEMBLY BILL 40**SECTION 1120**

1 as determined by the department, continues for the remainder of the 6-month period
2 and extends to all children in the family.

3 **SECTION 1121.** 49.471 (7) (b) 3. of the statutes is amended to read:

4 49.471 (7) (b) 3. ~~For a pregnant woman to obtain eligibility under subd. 1., the~~
5 ~~amount that must be obligated or expended in any 6-month period is equal to the~~
6 ~~sum of the differences in each of those 6 months between the pregnant woman's~~
7 ~~monthly family income and the monthly family income that is 300 percent of the~~
8 ~~poverty line.~~ For a child to obtain eligibility under subd. 2., the amount that must
9 be obligated or expended in any 6-month period is equal to the sum of the differences
10 in each of those 6 months between the child's monthly family income and the monthly
11 family income that is 150 percent of the poverty line.

12 **SECTION 1122.** 49.471 (7) (c) (intro.) of the statutes is amended to read:

13 49.471 (7) (c) (intro.) When calculating an individual's family income, the
14 department shall do all of the following, subject to par. (d):

15 **SECTION 1123.** 49.471 (7) (c) of the statutes, as affected by 2013 Wisconsin Act
16 (this act), is repealed.

17 **SECTION 1124.** 49.471 (7) (d) of the statutes is created to read:

18 49.471 (7) (d) In addition to applying other income counting requirements the
19 department shall do all of the following:

20 1. When calculating the family income of a member of a household who is not
21 disabled, include the income of all adults residing in the home for at least 60
22 consecutive days but exclude the income of a grandparent in a household containing
23 3 generations, unless the grandparent applies for or receives benefits as a parent or
24 caretaker relative under this section.

ASSEMBLY BILL 40**SECTION 1124**

1 2. When determining the size of a family for purposes of determining income
2 eligibility, exclude from family size an adult whose income is included in a calculation
3 of family income solely under subd. 1.

4 3. Apply this paragraph only to the extent the federal department of health and
5 human services approves the income eligibility calculation methods, if approval is
6 required.

7 **SECTION 1125.** 49.471 (7) (e) of the statutes is created to read:

8 49.471 (7) (e) For the purpose of determining family income, the department
9 shall apply the regulations defining a household under 42 CFR 435.603 (f). To
10 determine the family size for a pregnant woman, the department shall include the
11 pregnant woman and the number of babies she is expecting.

12 **SECTION 1126.** 49.471 (8) (b) (intro.) of the statutes is amended to read:

13 49.471 (8) (b) (intro.) Except as provided in pars. (c), (cg), (cr), (ct), and (d), an
14 individual whose family income exceeds 150 percent of the poverty line is not eligible
15 for BadgerCare Plus if any of the following applies:

16 **SECTION 1127.** 49.471 (8) (cg) of the statutes is created to read:

17 49.471 (8) (cg) An individual who is not disabled and not pregnant, who is over
18 18 years of age, and whose family income exceeds 133 percent of the poverty line is
19 not eligible for BadgerCare Plus if all of the following apply:

20 1. The individual has any of the following:

21 a. Access to individual or family health coverage provided by an employer in
22 which the monthly premium that an employee would pay for an employee-only
23 policy does not exceed 9.5 percent of the family's monthly income.

24 b. Access to individual or family health coverage under the state employee
25 health plan.

ASSEMBLY BILL 40**SECTION 1127**

1 2. The individual has access to any coverage described in subd. 1. during any
2 of the following times:

3 a. The 12 months before the first day of the month in which an individual
4 applies for and the month in which an individual applies for BadgerCare Plus.

5 b. The 3 months after the last day of the month in which the individual applies
6 for BadgerCare Plus.

7 c. The month including the date of the annual determination of the individual's
8 eligibility for Medical Assistance.

9 3. The individual does not have as a reason for not obtaining health insurance
10 any of the good cause reasons under par. (d) 2. a. to e.

11 **SECTION 1128.** 49.471 (8) (cr) of the statutes is created to read:

12 49.471 (8) (cr) 1. Subject to subd. 4., an individual who is any of the following
13 is not eligible for BadgerCare Plus if the criteria under par. (cg) 1. and 2. apply to that
14 individual:

15 a. An individual who is not disabled and who is a child, or unborn child, of an
16 individual whose family income is at a level determined by the department but no
17 lower than 133 percent of the poverty line.

18 b. A parent or caretaker relative who is not disabled, not pregnant, and an adult
19 and whose family income is at a level determined by the department but no lower
20 than 100 percent of the poverty line.

21 c. An adult, including a pregnant individual, who is not disabled, who is under
22 26 years of age; who is eligible to be covered under coverage a parent receives from
23 an employer; and whose family income is at a level determined by the department
24 but no lower than 100 percent of the poverty line.

ASSEMBLY BILL 40**SECTION 1128**

1 2. An individual under subd. 1. is not ineligible if any of the good cause reasons
2 described in par. (d) 2. a. to e. is the reason that the individual did not obtain health
3 insurance coverage.

4 3. An individual under subd. 1. c. is not ineligible if any of the following good
5 cause reasons is the reason the individual did not obtain health insurance coverage:

6 a. The parent of the individual is no longer employed by the employer through
7 which the parent was eligible for coverage, and the parent does not have current
8 coverage.

9 b. The employer of the parent of the individual discontinued providing health
10 benefits to all employees.

11 4. The department may apply this paragraph to eligibility determinations for
12 BadgerCare Plus only if the federal department of health and human services
13 approves of the conditions to make that individual ineligible, if approval is required.

14 **SECTION 1129.** 49.471 (8) (ct) of the statutes is created to read:

15 49.471 (8) (ct) 1. If the federal department of health and human services
16 approves the department's request to add private major medical insurance as a type
17 of coverage which causes ineligibility, an individual who is not disabled and not
18 pregnant, who is over 18 years of age, whose family income exceeds 133 percent of
19 the poverty line, and who has coverage provided by private major medical insurance
20 in which the monthly premium does not exceed 9.5 percent of the family's monthly
21 income is not eligible for BadgerCare Plus.

22 2. If the federal department of health and human services approves of the
23 conditions to make that individual ineligible for BadgerCare Plus, an individual who
24 is any of the following is not eligible for BadgerCare Plus if he or she has the major
25 medical insurance coverage described under subd. 1.:

ASSEMBLY BILL 40**SECTION 1129**

1 a. An individual who is not disabled and who is a child, or unborn child, of an
2 individual whose family income is at a level determined by the department but no
3 lower than 133 percent of the poverty line.

4 b. A parent or caretaker relative who is not disabled, not pregnant, and an adult
5 and whose family income is at a level determined by the department but no lower
6 than 100 percent of the poverty line.

7 **SECTION 1130.** 49.471 (8) (d) 1. a. of the statutes is amended to read:

8 49.471 (8) (d) 1. a. A pregnant woman, except as provided in pars. (cr) 1. c. and
9 (fm) 4.

10 **SECTION 1131.** 49.471 (8) (d) 1. b. of the statutes is amended to read:

11 49.471 (8) (d) 1. b. A child described in sub. (4) (a) 2. ~~or (b) 2.~~

12 **SECTION 1132.** 49.471 (8) (d) 1. g. of the statutes is created to read:

13 49.471 (8) (d) 1. g. An adult who is disabled.

14 **SECTION 1133.** 49.471 (8) (d) 2. dg. of the statutes is created to read:

15 49.471 (8) (d) 2. dg. The insurance is owned by someone not residing with the
16 family and continuation of the coverage is beyond the family's control.

17 **SECTION 1134.** 49.471 (8) (d) 2. dr. of the statutes is created to read:

18 49.471 (8) (d) 2. dr. The insurance only covers services provided in a service
19 area that is beyond a reasonable driving distance.

20 **SECTION 1135.** 49.471 (8) (e) of the statutes is repealed.

21 **SECTION 1136.** 49.471 (8) (f) of the statutes is amended to read:

22 49.471 (8) (f) If an individual with a family income that exceeds 150 percent
23 of the poverty line had the health insurance coverage specified in par. (b) 1. but no
24 longer has the coverage, or if an individual who is an unborn child or an unborn
25 child's mother, regardless of family income, had health insurance coverage but no

ASSEMBLY BILL 40**SECTION 1136**

1 longer has the coverage, ~~or if a pregnant woman specified in par. (e) has health~~
2 ~~insurance coverage and does not maintain the coverage, the individual or pregnant~~
3 ~~woman~~ is not eligible for BadgerCare Plus for the 3 calendar months following the
4 month in which the insurance coverage ended without a good cause reason specified
5 in par. (g).

6 **SECTION 1137.** 49.471 (8) (fm) of the statutes is created to read:

7 49.471 (8) (fm) If an individual who is one of the following individuals had the
8 health insurance coverage specified in par. (cg) 1. or (ct) but no longer has the
9 coverage, the individual is not eligible for BadgerCare Plus for the 3 calendar months
10 following the month in which the insurance coverage ended without a good cause
11 reason specified in par. (g):

12 1. An individual who is not disabled and not pregnant, who is over 18 years of
13 age, and whose family income exceeds 133 percent of the poverty line.

14 2. If the federal department of health and human services approves of the
15 department's request to make such an individual ineligible, an individual who is not
16 disabled and who is a child of an individual whose family income is at a level
17 determined by the department but no lower than 133 percent of the poverty line.

18 3. If the federal department of health and human services approves of the
19 department's request to make such an individual ineligible, a parent or caretaker
20 relative who is not disabled, not pregnant, and an adult and whose family income is
21 at a level determined by the department but no lower than 100 percent of the poverty
22 line.

23 4. If the federal department of health and human services approves of the
24 department's request to make such an individual ineligible, an adult, including a
25 pregnant individual, who is not disabled, who is under 26 years of age; who is eligible

ASSEMBLY BILL 40**SECTION 1137**

1 to be covered under coverage a parent receives from an employer; and whose family
2 income is at a level determined by the department but no lower than 100 percent of
3 the poverty line.

4 **SECTION 1138.** 49.471 (8) (g) (intro.), 1., 2., 3., 4. and 5. of the statutes are
5 amended to read:

6 49.471 (8) (g) (intro.) Any of the following is a good cause reason for purposes
7 of ~~par.~~ pars. (f) and (fm):

8 1. The individual ~~or pregnant woman~~ was covered by a group health plan that
9 was provided by a subscriber through his or her employer, and the subscriber's
10 employment ended for a reason other than voluntary termination, unless the
11 voluntary termination was a result of the incapacitation of the subscriber or because
12 of an immediate family member's health condition.

13 2. The individual ~~or pregnant woman~~ was covered by a group health plan that
14 was provided by a subscriber through his or her employer, the subscriber changed
15 employers, and the new employer does not offer health insurance coverage.

16 3. The individual ~~or pregnant woman~~ was covered by a group health plan that
17 was provided by a subscriber through his or her employer, and the subscriber's
18 employer discontinued health plan coverage for all employees.

19 4. The ~~pregnant woman's~~ individual's coverage was continuation coverage and
20 the continuation coverage was exhausted in accordance with 29 CFR 2590.701-2 (4).

21 5. The individual's ~~or pregnant woman's~~ coverage terminated due to the death
22 or change in marital status of the subscriber.

23 **SECTION 1139.** 49.471 (8) (g) 5g. of the statutes is created to read:

24 49.471 (8) (g) 5g. The insurance coverage is owned by someone not residing
25 with the family and continuation of the coverage is beyond the family's control.

ASSEMBLY BILL 40**SECTION 1140**

1 **SECTION 1140.** 49.471 (8) (g) 5r. of the statutes is created to read:

2 49.471 **(8)** (g) 5r. The insurance coverage only covers services provided in a
3 service area that is beyond a reasonable driving distance.

4 **SECTION 1141.** 49.471 (9) (a) 2. b. of the statutes is amended to read:

5 49.471 **(9)** (a) 2. b. A child described in sub. (4) (a) 2. ~~or (b) 2.~~

6 **SECTION 1142.** 49.471 (10) (b) 1. of the statutes is amended to read:

7 49.471 **(10)** (b) 1. Except as provided in ~~subd.~~ subds. 1m. and 4., a recipient who
8 is an adult, who is not a pregnant woman, and whose family income is greater than
9 150 percent but not greater than 200 percent of the poverty line shall pay a premium
10 for coverage under BadgerCare Plus that does not exceed 5 percent of his or her
11 family income. If the recipient has self-employment income and is eligible under
12 sub. (4) (b) 4., the premium may not exceed 5 percent of family income calculated
13 before depreciation was deducted.

14 **SECTION 1143.** 49.471 (10) (b) 1. of the statutes, as affected by 2013 Wisconsin
15 Act (this act), is amended to read:

16 49.471 **(10)** (b) 1. Except as provided in subds. 1m. and 4., a recipient who is
17 an adult, who is not a pregnant woman, and whose family income is greater than 150
18 percent but not greater than 200 percent of the poverty line shall pay a premium for
19 coverage under BadgerCare Plus that does not exceed 5 percent of his or her family
20 income. ~~If the recipient has self-employment income and is eligible under sub. (4)~~
21 ~~(b) 4., the premium may not exceed 5 percent of family income calculated before~~
22 ~~depreciation was deducted.~~

23 **SECTION 1144.** 49.471 (10) (b) 1m. of the statutes is created to read:

24 49.471 **(10)** (b) 1m. Except as provided in subd. 4., a recipient who is an adult
25 parent or adult caretaker relative; who is not disabled, pregnant, or American

ASSEMBLY BILL 40**SECTION 1144**

1 Indian; and whose family income exceeds 133 percent of the federal poverty line shall
2 pay a premium for coverage under BadgerCare Plus in an amount determined by the
3 department that is based on a formula in which costs decrease for those with lower
4 family incomes and that is no less than 3 percent of family income but no greater than
5 9.5 percent of family income. If the recipient has self-employment income and is
6 eligible under sub. (4) (b) 4., the premium may not exceed 5 percent of family income
7 calculated before depreciation was deducted.

8 **SECTION 1145.** 49.471 (10) (b) 1m. of the statutes, as affected by 2013 Wisconsin
9 Act (this act), is repealed.

10 **SECTION 1146.** 49.471 (10) (b) 2. of the statutes is amended to read:

11 49.471 (10) (b) 2. Except as provided in subds. ~~3.~~ 3m. and 4., a recipient who
12 is a child whose family income is greater than 200 percent of the poverty line shall
13 pay a premium for coverage of the benefits described in sub. (11) that does not exceed
14 the full per member per month cost of coverage for a child with a family income of
15 300 percent of the poverty line.

16 **SECTION 1147.** 49.471 (10) (b) 3. of the statutes is repealed.

17 **SECTION 1148.** 49.471 (10) (b) 3m. of the statutes is created to read:

18 49.471 (10) (b) 3m. A recipient who is a child, who is not disabled, and whose
19 family income is at a level determined by the department that is at least 150 percent
20 of the poverty line shall pay a premium in an amount determined by the department.
21 The department may apply this subdivision only to the extent the federal
22 department of health and human services approves applying a premium to those
23 individuals, if approval is required.

24 **SECTION 1149.** 49.471 (10) (b) 4. (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1149**

1 49.471 (10) (b) 4. (intro.) None of the following shall pay a premium, except as
2 provided in subd. 3m.:

3 **SECTION 1150.** 49.471 (10) (b) 4. b. of the statutes is amended to read:

4 49.471 (10) (b) 4. b. A child who is eligible under sub. (4) (a) 2. ~~or (b) 2.~~

5 **SECTION 1151.** 49.471 (10) (b) 5. of the statutes is amended to read:

6 49.471 (10) (b) 5. If a recipient who is required to pay a premium under this
7 paragraph or under sub. (2m) or (4) (c) either does not pay a premium when due or
8 requests that his or her coverage under this section be terminated, the recipient's
9 coverage terminates ~~and. If the recipient is an adult,~~ the recipient is not eligible for
10 BadgerCare Plus for ~~6~~ 12 consecutive calendar months following the date on which
11 the recipient's coverage terminated, except for any month during that ~~6-month~~
12 12-month period when the recipient's family income does not exceed 150 133 percent
13 of the poverty line. If the recipient is a child, the recipient is not eligible for
14 BadgerCare Plus for 6 consecutive calendar months, or 12 consecutive calendar
15 months if the federal department of health and human services approves, following
16 the date on which the recipient's coverage terminated, except for any month during
17 that period when the recipient's family income does not exceed 150 percent of the
18 poverty line.

19 **SECTION 1152.** 49.471 (10) (b) 5. of the statutes, as affected by 2013 Wisconsin
20 Act (this act), is amended to read:

21 49.471 (10) (b) 5. If a recipient who is required to pay a premium under this
22 paragraph or under sub. (2m) ~~or (4) (c)~~ either does not pay a premium when due or
23 requests that his or her coverage under this section be terminated, the recipient's
24 coverage terminates. If the recipient is an adult, the recipient is not eligible for
25 BadgerCare Plus for 12 consecutive calendar months following the date on which the

ASSEMBLY BILL 40**SECTION 1152**

1 recipient's coverage terminated, except for any month during that 12-month period
2 when the recipient's family income does not exceed 133 percent of the poverty line.
3 If the recipient is a child, the recipient is not eligible for BadgerCare Plus for 6
4 consecutive calendar months, or 12 consecutive calendar months if the federal
5 department of health and human services approves, following the date on which the
6 recipient's coverage terminated, except for any month during that period when the
7 recipient's family income does not exceed 150 percent of the poverty line.

8 **SECTION 1153.** 49.471 (11) (intro.) of the statutes is amended to read:

9 49.471 (11) BENCHMARK PLAN BENEFITS AND COPAYMENTS. (intro.) ~~Recipients~~
10 Except as provided in sub. (11r) and s. 49.45 (24j), recipients who are not eligible for
11 the benefits described in s. 49.46 (2) (a) and (b) shall have coverage of the following
12 benefits and pay the following copayments:

13 **SECTION 1154.** 49.471 (11) (a) of the statutes is amended to read:

14 49.471 (11) (a) Subject to sub. (6) (k), prescription drugs bearing only a generic
15 name, as defined in s. 450.12 (1) (b), with a copayment of no more than \$5 per
16 prescription, ~~and subject to the Badger Rx Gold program discounts.~~

17 **SECTION 1155.** 49.471 (11r) of the statutes is created to read:

18 49.471 (11r) ALTERNATE BENCHMARK PLAN BENEFITS AND COPAYMENTS. (a) If the
19 department chooses to provide the alternate benchmark plan under this subsection,
20 the department shall provide to the recipients described under sub. (4) (e) coverage
21 for benefits similar to those in a commercial, major medical insurance policy.

22 (b) The department may charge copayments to recipients receiving coverage
23 under the alternate benchmark plan under this subsection that are higher than
24 copayments charged to recipients receiving coverage under the standard plan under
25 s. 49.46 (2). The department may not charge to a recipient of coverage under the

ASSEMBLY BILL 40**SECTION 1155**

1 alternate benchmark plan under this subsection whose family income is at or below
2 150 percent of the poverty line a copayment that exceeds 5 percent of the individual's
3 family income for all members of the family.

4 (c) 1. The department may only provide coverage under the alternate
5 benchmark plan under this subsection to the extent the alternate benchmark plan
6 is approved by the federal department of health and human services.

7 2. If the department is providing coverage under the alternate benchmark plan
8 under this subsection the department may discontinue coverage under the
9 benchmark plan under sub. (11) for those individuals eligible for the alternate
10 benchmark plan under this subsection.

11 3. The department may provide services to individuals enrolled in the alternate
12 benchmark plan under this subsection through a medical home initiative similar to
13 an initiative described under s. 49.45 (24j).

14 **SECTION 1156.** 49.472 (1) (c) of the statutes is amended to read:

15 49.472 (1) (c) "Independence account" means an account approved by the
16 department that consists solely of savings, and dividends or other gains derived from
17 those savings, from income earned from paid employment ~~after the initial date on~~
18 ~~which~~ while an individual began is receiving medical assistance under this section.

19 **SECTION 1157.** 49.472 (3) (a) of the statutes is amended to read:

20 49.472 (3) (a) The individual's ~~family's~~ and his or her spouse's total net income
21 is less than 250% of the poverty line for a family the size of the individual's family.
22 ~~In~~ For purposes of calculating the net income under this paragraph, the department
23 shall apply all of the exclusions specified under 42 USC 1382a (b), except that
24 exclusions applied under 42 USC 1382a (b) (4) to earned income shall be applied to
25 earned and unearned income combined, and shall exclude up to \$500 per month of

ASSEMBLY BILL 40**SECTION 1157**

1 the individual's out-of-pocket medical and remedial expenses and long-term care
2 costs, if any.

3 **SECTION 1158.** 49.472 (3) (b) of the statutes is amended to read:

4 49.472 (3) (b) The individual's assets do not exceed \$15,000. In determining
5 assets, the department may not include assets that are excluded from the resource
6 calculation under 42 USC 1382b (a) ~~or~~; assets accumulated in an independence
7 account; or, to the extent approved by the federal government, income or assets from
8 retirement benefits earned or accumulated from income or employer contributions
9 while the individual was employed and eligible for and receiving medical assistance
10 under this section. The department may exclude, in whole or in part, the value of a
11 vehicle used by the individual for transportation to paid employment.

12 **SECTION 1159.** 49.472 (3) (f) of the statutes is amended to read:

13 49.472 (3) (f) The individual, if required to pay a premium under sub. (4) (a)
14 1., maintains premium payments calculated by the department in accordance with
15 sub. (4), unless the individual is exempted from premium payments under sub. (4)
16 ~~(b) or~~ (5).

17 **SECTION 1160.** 49.472 (3m) of the statutes is created to read:

18 49.472 (3m) VERIFYING INCOME. The department shall verify income from work
19 activity under sub. (3) (a) and (g) through documentation provided by the individual.
20 The department shall require that, for an individual to be engaged in gainful
21 employment under sub. (3) (g), the individual must be working and paying, or having
22 withheld, federal social security and Medicare taxes and other applicable state or
23 federal income taxes. The department shall require that the individual provide
24 documentation of the taxes paid or withheld.

25 **SECTION 1161.** 49.472 (4) (a) (intro.) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 1162**

1 **SECTION 1162.** 49.472 (4) (a) 1. of the statutes is repealed and recreated to read:

2 49.472 (4) (a) 1. An individual who is eligible for medical assistance under sub.
3 (3) and receives medical assistance shall pay a monthly premium to the department
4 if the individual's total earned and unearned income is equal to at least 150 percent
5 of the poverty line for an individual.

6 **SECTION 1163.** 49.472 (4) (a) 1m. of the statutes is created to read:

7 49.472 (4) (a) 1m. Except as provided in par. (b), the premium required under
8 subd. 1. shall be equal to 3 percent of the individual's total earned and unearned
9 income, after the deductions specified in subd. 2., rounded down to the nearest \$25.

10 **SECTION 1164.** 49.472 (4) (a) 2. (intro.) of the statutes is amended to read:

11 49.472 (4) (a) 2. (intro.) In determining an individual's total earned and
12 unearned income under subd. 1. ~~1.~~ 1m., the department shall disregard all of the
13 following:

14 **SECTION 1165.** 49.472 (4) (a) 2m. of the statutes is repealed.

15 **SECTION 1166.** 49.472 (4) (a) 3. of the statutes is amended to read:

16 49.472 (4) (a) 3. ~~The~~ Subject to par. (b), the department may reduce the
17 premium by 25% for an individual who is covered by private health insurance.

18 **SECTION 1167.** 49.472 (4) (b) of the statutes is amended to read:

19 49.472 (4) (b) ~~The department may waive monthly premiums that are~~
20 ~~calculated to be below \$10~~ minimum premium payable by an individual specified in
21 par. (a) 1. is \$50 per month. Unless otherwise provided by the department by a policy
22 created under s. 49.45 (2m) (c), the department may not assess a monthly premium
23 for any individual whose ~~income level, after adding the individual's~~ total earned
24 ~~income~~ and unearned income, is below 150% of the poverty line for an individual.

ASSEMBLY BILL 40**SECTION 1168**

1 **SECTION 1168.** 49.472 (4) (b) of the statutes, as affected by 2011 Wisconsin Act
2 32 and 2013 Wisconsin Act (this act), is repealed and recreated to read:

3 49.472 (4) (b) The minimum premium payable by an individual specified in par.
4 (a) 1. is \$50 per month. The department may not assess a monthly premium for any
5 individual whose total earned and unearned income is below 150 percent of the
6 poverty line for an individual.

7 **SECTION 1169.** 49.472 (5) of the statutes is amended to read:

8 49.472 (5) COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s.
9 20.435 (7) (bd), the department may pay all or a portion of the monthly premium
10 calculated under sub. (4) (a) for an individual who is a participant in the community
11 options program under s. 46.27 (11).

12 **SECTION 1170.** 49.475 (title) of the statutes is amended to read:

13 **49.475 (title) Information about assistance program beneficiaries;**
14 **electronic submission of claims.**

15 **SECTION 1171.** 49.475 (2) (except 49.475 (2) (title)) of the statutes is
16 renumbered 49.475 (2) (ac), and 49.475 (2) (ac) 1. b. and 4. (intro.), as renumbered,
17 are amended to read:

18 49.475 (2) (ac) 1. b. If subd. 1. a. applies, the nature and period of time of any
19 coverage, benefit, or service provided, including the name, address, and identifying
20 number of any applicable coverage plan.

21 4. (intro.) If all of the following apply, agree not to deny a claim submitted by
22 the department under ~~par. (b)~~ subd. 2. solely because of the claim's submission date,
23 the type or format of the claim form, or failure by a recipient to present proper
24 documentation at the time of delivery of the service, benefit, or item that is the basis
25 of the claim:

ASSEMBLY BILL 40**SECTION 1172**

1 **SECTION 1172.** 49.475 (2) (bc) of the statutes is created to read:

2 49.475 **(2)** (bc) A 3rd party shall accept the submission of claims from the
3 department under par. (ac) 2. in electronic form and shall timely pay the claims in
4 the manner provided in s. 628.46 (1) and (2). For purposes of timely payment of
5 claims under this paragraph, “written notice” under s. 628.46 (1) includes receipt of
6 a claim in electronic form.

7 **SECTION 1173.** 49.475 (2m) (a) of the statutes is amended to read:

8 49.475 **(2m)** (a) The information that the department may request under this
9 section is limited to the information specified in sub. (2) ~~(a)~~ (ac) 1. and does not
10 include an employer’s name unless that information is necessary for the department
11 or a provider to obtain 3rd-party payment for an item or service.

12 **SECTION 1174.** 49.475 (2m) (b) of the statutes is amended to read:

13 49.475 **(2m)** (b) If information under sub. (2) ~~(a)~~ (ac) 1. may be available from
14 more than one source that includes an employer operating a self-insured plan, the
15 department shall seek the information first from a 3rd-party administrator or other
16 entity identified in sub. (1) (f) 7. or pharmacy benefits manager before seeking the
17 information from the employer.

18 **SECTION 1175.** 49.475 (3) (intro.) of the statutes is amended to read:

19 49.475 **(3)** WRITTEN AGREEMENT. (intro.) Upon requesting a 3rd party to provide
20 the information under sub. (2) ~~(a)~~ (ac) 1., the department and the 3rd party shall
21 enter into a written agreement that satisfies all of the following:

22 **SECTION 1176.** 49.475 (4) (a) of the statutes is amended to read:

23 49.475 **(4)** (a) A 3rd party shall provide the information requested under sub.
24 (2) ~~(a)~~ (ac) 1. within 180 days after receiving the department’s request if it is the first

ASSEMBLY BILL 40**SECTION 1176**

1 time that the department has requested the 3rd party to disclose information under
2 this section.

3 **SECTION 1177.** 49.475 (4) (b) of the statutes is amended to read:

4 49.475 (4) (b) A 3rd party shall provide the information requested under sub.
5 (2) ~~(a)~~ (ac) 1. within 30 days after receiving the department's request if the
6 department has previously requested the 3rd party to disclose information under
7 this section.

8 **SECTION 1178.** 49.475 (5) of the statutes is amended to read:

9 49.475 (5) REIMBURSEMENT OF COSTS. From the appropriations under s. 20.435
10 (4) (bm) and (pa), the department shall reimburse a 3rd party that provides
11 information under sub. (2) ~~(a)~~ (ac) 1. for the 3rd party's reasonable costs incurred in
12 providing the requested information, including its reasonable costs, if any, to develop
13 and operate automated systems specifically for the disclosure of the information.

14 **SECTION 1179.** 49.496 (1) (a) of the statutes is renumbered 49.496 (1) (ah).

15 **SECTION 1180.** 49.496 (1) (af) of the statutes is created to read:

16 49.496 (1) (af) "Decedent" means a deceased recipient or a deceased
17 nonrecipient surviving spouse, whichever is applicable.

18 **SECTION 1181.** 49.496 (1) (bk) of the statutes is created to read:

19 49.496 (1) (bk) "Long-term care program" means any of the following:

- 20 1. The family care program providing the benefit under s. 46.286.
- 21 2. The self-directed services option that operates under a waiver from the
22 secretary of the federal department of health and human services under 42 USC
23 1396n (c) in which an enrolled individual selects his or her own services and service
24 providers.

ASSEMBLY BILL 40**SECTION 1181**

1 3. The family care partnership program that is an integrated health and
2 long-term care program operated under an amendment to the state medical
3 assistance plan under 42 USC 1396u-2 and a waiver under 42 USC 1396n (c).

4 4. The program for all-inclusive care for the elderly under 42 USC 1396u-4.

5 5. Any program that provides long-term care services and is operated by the
6 department under an amendment to the state medical assistance plan under 42 USC
7 1396n (i) or 42 USC 1396u-2; a waiver of medical assistance laws under 42 USC
8 1396n (c), 42 USC 1396n (b) and (c), or 42 USC 1396u; or a demonstration project
9 under 42 USC 1315 or 42 USC 1396n (c).

10 **SECTION 1182.** 49.496 (1) (bw) of the statutes is created to read:

11 49.496 (1) (bw) “Nonrecipient surviving spouse” means any person who was
12 married to a recipient while the recipient was receiving services for which the cost
13 may be recovered under sub. (3) (a) and who survived the recipient.

14 **SECTION 1183.** 49.496 (1) (cm) of the statutes is created to read:

15 49.496 (1) (cm) 1. “Property of a decedent” means all real and personal property
16 to which the recipient held any legal title or in which the recipient had any legal
17 interest immediately before death, to the extent of that title or interest, including
18 assets transferred to a survivor, heir, or assignee through joint tenancy, tenancy in
19 common, survivorship, life estate, living trust, or any other arrangement.

20 2. Notwithstanding subd. 1., “property of a decedent” includes all real and
21 personal property in which the nonrecipient surviving spouse had an ownership
22 interest at the recipient’s death and in which the recipient had a marital property
23 interest with that nonrecipient surviving spouse at any time within 5 years before
24 the recipient applied for medical assistance or during the time that the recipient was
25 eligible for medical assistance.

ASSEMBLY BILL 40**SECTION 1184**

1 **SECTION 1184.** 49.496 (3) (a) (intro.) of the statutes is amended to read:

2 49.496 (3) (a) (intro.) Except as provided in par. (b), the department shall file
3 a claim against the estate of a recipient, and against the estate of a nonrecipient
4 surviving spouse, for all of the following, subject to the exclusion of any amounts
5 under the Long-Term Care Partnership Program established under s. 49.45 (31),
6 unless already recovered by the department under this section:

7 **SECTION 1185.** 49.496 (3) (a) 2. a. of the statutes is amended to read:

8 49.496 (3) (a) 2. a. Home-based or community-based services under 42 USC
9 1396d (a) (7) and (8) ~~and under any waiver granted under 42 USC 1396n (c) (4) (B)~~
10 ~~or 42 USC 1396u.~~

11 **SECTION 1186.** 49.496 (3) (a) 2. am. of the statutes is created to read:

12 49.496 (3) (a) 2. am. All services provided to an individual while the individual
13 is participating in a long-term care program.

14 **SECTION 1187.** 49.496 (3) (a) 2. b. of the statutes is repealed.

15 **SECTION 1188.** 49.496 (3) (a) 2. c. of the statutes is repealed.

16 **SECTION 1189.** 49.496 (3) (ad) of the statutes is created to read:

17 49.496 (3) (ad) The amount the department may claim against an estate of a
18 recipient, or an estate of a nonrecipient surviving spouse, for services that are
19 described under par. (a) 2. am. and that are provided by a managed long-term care
20 program funded by capitated payments is equal to the amount of the capitated
21 payment for the recipient.

22 **SECTION 1190.** 49.496 (3) (aj) of the statutes is created to read:

23 49.496 (3) (aj) 1. Property that is subject to the department's claim under par.
24 (a) in the estate of a recipient or in the estate of a nonrecipient surviving spouse is
25 all property of a decedent that is included in the estate.

ASSEMBLY BILL 40**SECTION 1190**

1 2. There is a presumption, which may be rebutted by clear and convincing
2 evidence, that all property in the estate of a nonrecipient surviving spouse was
3 marital property held with the recipient and that 100 percent of the property in the
4 estate of the nonrecipient surviving spouse is subject to the department's claim
5 under par. (a).

6 **SECTION 1191.** 49.496 (3) (am) (intro.) of the statutes is amended to read:

7 49.496 (3) (am) (intro.) The court shall reduce the amount of a claim under par.
8 (a) by up to the amount specified in s. 861.33 (2) if necessary to allow the recipient's
9 decedent's heirs or the beneficiaries of the recipient's decedent's will to retain the
10 following personal property:

11 **SECTION 1192.** 49.496 (3) (c) 1. of the statutes is amended to read:

12 49.496 (3) (c) 1. If the department's claim is not allowable because of par. (b)
13 and the estate includes an interest in any real property, including a home, the court
14 exercising probate jurisdiction shall, in the final judgment or summary findings and
15 order, assign the interest in the ~~home~~ real property subject to a lien in favor of the
16 department for the amount described in par. (a). The personal representative or
17 petitioner for summary settlement or summary assignment of the estate shall record
18 the final judgment as provided in s. 863.29, 867.01 (3) (h), or 867.02 (2) (h).

19 **SECTION 1193.** 49.496 (3) (c) 2. of the statutes is amended to read:

20 49.496 (3) (c) 2. If the department's claim is not allowable because of par. (b),
21 the estate includes an interest in any real property, including a home, and the
22 personal representative closes the estate by sworn statement under s. 865.16, the
23 personal representative shall stipulate in the statement that the ~~home~~ real property
24 is assigned subject to a lien in favor of the department for the amount described in

ASSEMBLY BILL 40**SECTION 1193**

1 par. (a). The personal representative shall record the statement in the same manner
2 as described in s. 863.29, as if the statement were a final judgment.

3 **SECTION 1194.** 49.496 (3) (d) (intro.) of the statutes is amended to read:

4 49.496 (3) (d) (intro.) The department may not enforce ~~the~~ a lien under par. (c)
5 as long as any of the following survive the decedent:

6 **SECTION 1195.** 49.496 (3) (dm) of the statutes is created to read:

7 49.496 (3) (dm) All of the following apply to a lien under par. (c) that the
8 department may not enforce because of par. (d):

9 1. If the decedent's surviving spouse or child who is under age 21 or disabled
10 refinances a mortgage on the real property, the lien is subordinate to the new
11 encumbrance.

12 2. The department shall release the lien in the circumstances described in s.
13 49.848 (5) (f).

14 **SECTION 1196.** 49.496 (6m) of the statutes is amended to read:

15 49.496 (6m) WAIVER DUE TO HARDSHIP. The department shall promulgate rules
16 establishing standards for determining whether the application of this section would
17 work an undue hardship in individual cases. If the department determines that the
18 application of this section would work an undue hardship in a particular case, the
19 department shall waive application of this section in that case. This subsection does
20 not apply with respect to claims against the estates of nonrecipient surviving
21 spouses.

22 **SECTION 1197.** 49.4962 of the statutes is created to read:

23 **49.4962 Voiding certain transfers of real property. (1) DEFINITIONS.** In
24 this section:

25 (a) "Conveyance" has the meaning given in s. 706.01 (4).

ASSEMBLY BILL 40**SECTION 1197**

1 (b) "Fair market value" means the price that a willing buyer would pay a willing
2 seller for the purchase of real property.

3 (c) "Fraudulent transfer" means any of the following:

4 1. A transfer of title to real property for less than fair market value.

5 2. A transfer of title to real property by a conveyance that is not recorded during
6 the lifetime of the grantor in the office of the register of deeds of the county in which
7 the real property is located.

8 (d) "Grantee" has the meaning given in s. 706.01 (6).

9 (e) "Grantor" has the meaning given in s. 706.01 (6).

10 **(2) VOIDABLE TRANSFERS.** (a) A transfer of real property to which all of the
11 following apply is voidable by the department:

12 1. The transfer was made by a grantor who was receiving or who received
13 medical assistance, or by someone on his or her behalf, during the time that the
14 grantor was eligible for medical assistance.

15 2. The department was not notified and was unaware that the transfer was
16 made.

17 3. The transfer was made to hinder, delay, or defraud the department from
18 recovering medical assistance benefits that were paid on behalf of the grantor.

19 (b) The department may commence an action in circuit court against the
20 grantee to void the transfer. If the court voids the transfer, the title to the real
21 property reverts to the grantor or his or her estate.

22 **(3) PRESUMPTION.** There is a presumption, which may be rebutted by clear and
23 convincing evidence, that a transfer described in sub. (2) (a) 1. that is a fraudulent
24 transfer was made to hinder, delay, or defraud the department from recovering
25 medical assistance benefits that were paid on behalf of the grantor.

ASSEMBLY BILL 40**SECTION 1197**

1 **(4) BURDEN OF PROOF.** With respect to a transfer under sub. (1) (c) 1., the burden
2 of proof for establishing fair market value is on the grantee. Fair market value must
3 be established through a credible methodology, which may include an appraisal
4 performed by a licensed appraiser.

5 **(5) INAPPLICABLE TO PURCHASER IN GOOD FAITH.** Subsection (2) does not apply if,
6 after the transfer described in sub. (2), the real property was transferred by a
7 conveyance to a purchaser in good faith and for a valuable consideration and the
8 conveyance was recorded.

9 **(6) APPLICABILITY.** This section applies to any of the following transfers of real
10 property:

11 (a) A transfer that is made on or after the effective date of this paragraph
12 [LRB inserts date].

13 (b) A transfer that was made before the effective date of this paragraph [LRB
14 inserts date], if the grantor is receiving medical assistance on, or receives medical
15 assistance after, the effective date of this paragraph [LRB inserts date].

16 **SECTION 1198.** 49.67 of the statutes is repealed.

17 **SECTION 1199.** 49.682 (1) (am) of the statutes is created to read:

18 49.682 (1) (am) "Decedent" means a deceased client or a deceased nonclient
19 surviving spouse, whichever is applicable.

20 **SECTION 1200.** 49.682 (1) (d) of the statutes is created to read:

21 49.682 (1) (d) "Nonclient surviving spouse" means any person who was married
22 to a client while the client was receiving services for which the cost may be recovered
23 under sub. (2) (a) and who survived the client.

24 **SECTION 1201.** 49.682 (1) (e) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1201**

1 49.682 (1) (e) 1. “Property of a decedent” means all real and personal property
2 to which the client held any legal title or in which the client had any legal interest
3 immediately before death, to the extent of that title or interest, including assets
4 transferred to a survivor, heir, or assignee through joint tenancy, tenancy in common,
5 survivorship, life estate, living trust, or any other arrangement.

6 2. Notwithstanding subd. 1., “property of a decedent” includes all real and
7 personal property in which the nonclient surviving spouse had an ownership interest
8 at the client’s death and in which the client had a marital property interest with that
9 nonclient surviving spouse at any time within 5 years before the client applied for
10 aid under s. 49.68, 49.683, or 49.685 or during the time that the recipient was eligible
11 for aid under s. 49.68, 49.683, or 49.685.

12 **SECTION 1202.** 49.682 (2) (a) of the statutes is amended to read:

13 49.682 (2) (a) Except as provided in par. (d), the department shall file a claim
14 against the estate of a client ~~or, and~~ against the estate of ~~the~~ a nonclient surviving
15 spouse ~~of a client,~~ for the amount of aid under s. 49.68, 49.683, or 49.685 paid to or
16 on behalf of the client.

17 **SECTION 1203.** 49.682 (2) (bm) of the statutes is created to read:

18 49.682 (2) (bm) 1. Property that is subject to the department’s claim under par.
19 (a) in the estate of a client or in the estate of a nonclient surviving spouse is all
20 property of a decedent that is included in the estate.

21 2. There is a presumption, which may be rebutted by clear and convincing
22 evidence, that all property in the estate of the nonclient surviving spouse was marital
23 property held with the client and that 100 percent of the property in the estate of the
24 nonclient surviving spouse is subject to the department’s claim under par. (a).

25 **SECTION 1204.** 49.682 (2) (c) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1204**

1 49.682 (2) (c) (intro.) The court shall reduce the amount of a claim under par.
2 (a) by up to the amount specified in s. 861.33 (2) if necessary to allow the client's
3 decedent's heirs or the beneficiaries of the client's decedent's will to retain the
4 following personal property:

5 **SECTION 1205.** 49.682 (2) (e) 1. of the statutes is amended to read:

6 49.682 (2) (e) 1. If the department's claim is not allowable because of par. (d)
7 and the estate includes an interest in real property, including a home, the court
8 exercising probate jurisdiction shall, in the final judgment or summary findings and
9 order, assign the interest in the ~~home~~ real property subject to a lien in favor of the
10 department for the amount described in par. (a). The personal representative or
11 petitioner for summary settlement or summary assignment of the estate shall record
12 the final judgment as provided in s. 863.29, 867.01 (3) (h), or 867.02 (2) (h).

13 **SECTION 1206.** 49.682 (2) (e) 2. of the statutes is amended to read:

14 49.682 (2) (e) 2. If the department's claim is not allowable because of par. (d),
15 the estate includes an interest in real property, including a home, and the personal
16 representative closes the estate by sworn statement under s. 865.16, the personal
17 representative shall stipulate in the statement that the ~~home~~ real property is
18 assigned subject to a lien in favor of the department for the amount described in par.
19 (a). The personal representative shall record the statement in the same manner as
20 described in s. 863.29, as if the statement were a final judgment.

21 **SECTION 1207.** 49.682 (2) (f) (intro.) of the statutes is amended to read:

22 49.682 (2) (f) (intro.) The department may not enforce ~~the~~ a lien under par. (e)
23 as long as any of the following survive the decedent:

24 **SECTION 1208.** 49.682 (2) (fm) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1208**

1 49.682 (2) (fm) All of the following apply to a lien under par. (e) that the
2 department may not enforce because of par. (f):

3 1. If the decedent's surviving spouse or child who is under age 21 or disabled
4 refinances a mortgage on the real property, the lien is subordinate to the new
5 encumbrance.

6 2. The department shall release the lien in the circumstances described in s.
7 49.848 (5) (f).

8 **SECTION 1209.** 49.682 (3) of the statutes is amended to read:

9 49.682 (3) The department shall administer the program under this section
10 and may contract with an entity to administer all or a portion of the program,
11 including gathering and providing the department with information needed to
12 recover payment of aid provided under s. 49.68, 49.683, or 49.685. All funds received
13 under this subsection, net of any amount claimed under s. ~~867.035 (3)~~ 49.849 (5),
14 shall be remitted for deposit in the general fund.

15 **SECTION 1210.** 49.682 (5) of the statutes is amended to read:

16 49.682 (5) The department shall promulgate rules establishing standards for
17 determining whether the application of this section would work an undue hardship
18 in individual cases. If the department determines that the application of this section
19 would work an undue hardship in a particular case, the department shall waive
20 application of this section in that case. This subsection does not apply with respect
21 to claims against the estates of nonclient surviving spouses.

22 **SECTION 1211.** 49.78 (1) (b) of the statutes is amended to read:

23 49.78 (1) (b) "Income maintenance program" means the Medical Assistance
24 program under subch. IV of ch. 49, the Badger Care health care program under s.
25 49.665, the food stamp program under 7 USC 2011 to 2036 except for the employment

ASSEMBLY BILL 40**SECTION 1211**

1 and training program described in s. 49.79 (9), or the cemetery, funeral, and burial
2 expenses program under s. 49.785.

3 **SECTION 1212.** 49.79 (9) (a) 1. of the statutes is amended to read:

4 49.79 (9) (a) 1. The department shall administer an employment and training
5 program for recipients under the food stamp program and may contract with county
6 departments under ss. 46.215, 46.22, and 46.23, multicounty consortia, ~~and with~~
7 local workforce development boards established under 29 USC 2832, tribal
8 governing bodies, or other organizations to carry out the administrative functions.
9 ~~The department may contract, or a~~ A county department, multicounty consortium,
10 ~~or local workforce development board, tribal governing body, or other organization~~
11 may subcontract, with a Wisconsin Works agency or another provider to administer
12 the employment and training program under this subsection. Except as provided in
13 subds. 2. and 3., the department may require able individuals who are 18 to 60 years
14 of age who are not participants in a Wisconsin Works employment position to
15 participate in the employment and training program under this subsection.

16 **SECTION 1213.** 49.79 (9) (a) 2. of the statutes is amended to read:

17 49.79 (9) (a) 2. The department may not require an individual who is a recipient
18 under the food stamp program and who is the caretaker of a child under the age of
19 ~~12 weeks~~ 6 to participate in any employment and training program under this
20 subsection.

21 **SECTION 1214.** 49.79 (9) (b) (intro.) of the statutes is amended to read:

22 49.79 (9) (b) (intro.) ~~An~~ Except as provided in par. (c), an individual who fails
23 to comply with the work requirements under par. (a) without good cause is ineligible
24 to participate in the food stamp program as follows:

25 **SECTION 1215.** 49.79 (9) (c) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1215**

1 49.79 (9) (c) If the department implements a policy under sub. (10), par. (b) does
2 not apply to an individual who is required to fulfill the work requirement under sub.
3 (10) (b).

4 **SECTION 1216.** 49.79 (10) of the statutes is created to read:

5 49.79 (10) ELIGIBILITY AND WORK REQUIREMENTS FOR ABLE-BODIED ADULTS. (a) In
6 this subsection, “able-bodied adult” means an individual who is not any of the
7 following:

- 8 1. Younger than 18 years of age.
- 9 2. Fifty years of age or older.
- 10 3. Determined by the department to be medically certified as physically or
11 mentally unfit for employment, as described in 7 CFR 273.24 (c) (2).
- 12 4. A parent of a household member who is younger than 18 years old, even if
13 the household member who is younger than 18 years old is not eligible for food
14 stamps.
- 15 5. Residing in a household that includes a household member who is younger
16 than 18 years old, even if the household member who is younger than 18 years old
17 is not eligible for food stamps.
- 18 6. Exempt from the work requirement under the food stamp program, as
19 described in 7 CFR 273.24 (c) (5).
- 20 7. Pregnant.

21 (b) The department may implement a policy that complies with 7 CFR 273.24.
22 If the department implements a policy under this paragraph, all of the following
23 apply:

ASSEMBLY BILL 40**SECTION 1216**

1 1. The department shall require an able-bodied adult who is participating in
2 the food stamp program to fulfill the work requirement defined under 7 CFR 273.24

3 (a) (1).

4 2. If an able-bodied adult does not fulfill the work requirement, the department
5 may limit the able-bodied adult's eligibility for food stamps to no more than 3 months
6 during a 3-year period.

7 3. The department may exempt up to 15 percent of the able-bodied adults who
8 are participating in the food stamp program from the time limit under subd. 2.

9 (c) If the department determines that a waiver, or an amendment to a waiver,
10 is necessary to implement a policy that complies with 7 CFR 273.24, the department
11 shall request the waiver or the amendment to the waiver from the federal
12 department of agriculture to permit the department to implement a policy that
13 complies with 7 CFR 273.24 as provided under this subsection.

14 **SECTION 1217.** 49.826 (2) (a) 3. of the statutes is repealed.

15 **SECTION 1218.** 49.83 of the statutes is amended to read:

16 **49.83 Limitation on giving information.** Except as provided under ss.
17 49.25 and 49.32 (9), (10), and (10m), no person may use or disclose information
18 concerning applicants and recipients of relief funded by a relief block grant, aid to
19 families with dependent children, Wisconsin Works under ss. 49.141 to 49.161, social
20 services, child and spousal support and establishment of paternity and medical
21 support liability services under s. 49.22, or supplemental payments under s. 49.77
22 for any purpose not connected with the administration of the programs, except that
23 the department departments of children and families and health services may
24 disclose, including by transmitting or granting access to electronic data, such
25 information, including social security numbers, to the department of revenue for the

ASSEMBLY BILL 40**SECTION 1218**

1 sole ~~purpose~~ purposes of administering state taxes, including verifying refundable
2 individual income tax credits, and collecting debts owed to the department of
3 revenue. Any person violating this section may be fined not less than \$25 nor more
4 than \$500 or imprisoned in the county jail not less than 10 days nor more than one
5 year or both.

6 **SECTION 1219.** 49.84 (6) (c) 1. d. of the statutes is amended to read:

7 49.84 **(6)** (c) 1. d. A child who is receiving medical assistance under s. 49.46 (1)
8 (a) 13., 49.47 (4) (am) 3., or 49.471 (4) (a) 2. ~~or (b) 2.~~ or an unborn child receiving
9 prenatal care under s. 49.471.

10 **SECTION 1220.** 49.84 (7) of the statutes is created to read:

11 49.84 **(7)** (a) In this subsection:

12 1. "Department" means the department of health services.

13 2. "Medical Assistance" means the Medical Assistance program under subch.

14 IV.

15 (b) Except as provided in par. (c), for determining eligibility or continued
16 eligibility the department shall electronically verify the residence of an applicant for
17 or recipient of Medical Assistance. If the department is unable to verify the
18 applicant's or recipient's residence electronically, the applicant or recipient must
19 provide adequate proof of residency, in the manner determined by the department,
20 to be eligible for Medical Assistance.

21 (c) The requirements under par. (b) do not apply with respect to any of the
22 following:

23 1. An individual who is receiving benefits under the food stamp program under
24 7 USC 2011 to 2029 or under the Temporary Assistance for Needy Families block

ASSEMBLY BILL 40**SECTION 1220**

1 grant program and who presented an acceptable form of residency verification for
2 receipt of those benefits.

3 2. An individual who resides in a nursing home, intermediate care facility,
4 inpatient psychiatric hospital, or other residential care facility and whose care in the
5 facility is paid for by Medical Assistance.

6 3. A child residing in a foster care placement under the care and placement
7 responsibility of a county department under s. 46.215, 46.22, or 46.23 or, in a county
8 with a population of 500,000 or more, under the care and placement responsibility
9 of the department of children and families.

10 **SECTION 1221.** 49.848 of the statutes is created to read:

11 **49.848 Treatment of real property owned by certain public assistance**
12 **recipients. (1) DEFINITIONS.** In this section:

13 (a) "Department" means the department of health services.

14 (b) "Public assistance" means any services provided as a benefit under a
15 long-term care program, as defined in s. 49.496 (1) (bk), that may be recoverable
16 under s. 49.496 (3) (a); medical assistance under subch. IV that may be recoverable
17 under s. 49.496 (3) (a); long-term community support services funded under s. 46.27
18 (7) that may be recoverable under s. 46.27 (7g) (c) 1.; or aid under s. 49.68, 49.683,
19 or 49.685 that may be recoverable under s. 49.682 (2) (a).

20 (c) "Recipient" means a person who received public assistance.

21 **(2) CREATION OF DOCUMENTS FOR RECORDING.** The department shall create all of
22 the following for recording in the office of the register of deeds in the real estate
23 records index:

24 (a) A document entitled "REQUEST FOR NOTICE OF TRANSFER OR
25 ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM," which shall require

ASSEMBLY BILL 40**SECTION 1221**

1 notice to the department with respect to any transfer of title to, placement of an
2 encumbrance on, or termination of an interest in, the property to which the document
3 relates and which shall provide notice that the department may have a claim against
4 the property to which the document relates on the basis of providing public
5 assistance to an individual who has or had a legal interest in the property.

6 (b) A document entitled "TERMINATION OF REQUEST FOR NOTICE OF
7 TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM," which
8 shall provide notice that, with respect to property against which a REQUEST FOR
9 NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL
10 CLAIM has been recorded, no notice to the department is required when title to the
11 property is transferred, an encumbrance is placed on the property, or an interest in
12 the property is terminated.

13 (c) A document entitled "CERTIFICATE OF CLEARANCE," which shall
14 provide notice that, with respect to property against which a REQUEST FOR
15 NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL
16 CLAIM has been recorded, but against which a TERMINATION OF REQUEST FOR
17 NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL
18 CLAIM has not been recorded, the department has no objection to the transfer of title
19 to, placement of an encumbrance on, or termination of an interest in, the property,
20 and that no notice to the department is required in the future when title to the
21 property is transferred, an encumbrance is placed on the property, or an interest in
22 the property is terminated.

23 **(3) RECORDING OF REQUEST FOR NOTICE AND TERMINATION OF REQUEST FOR NOTICE.**

24 (a) 1. Whenever an individual becomes eligible for public assistance, and at any time
25 during the time that an individual is eligible for public assistance, the department

ASSEMBLY BILL 40**SECTION 1221**

1 may record a REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE AND
2 NOTICE OF POTENTIAL CLAIM if the individual has any of the following
3 ownership interests in real property:

4 a. A current ownership interest in real property, including a marital property
5 interest.

6 b. At any time within 5 years before the individual applied for public assistance
7 or during the time that the individual is eligible for public assistance, a marital
8 property interest in real property with his or her current spouse, if that spouse
9 currently holds title to the real property.

10 2. The department shall record the document in the office of the register of
11 deeds of the county in which the real property under subd. 1. a. or b., whichever is
12 applicable, is located.

13 3. In this paragraph, an interest in real property includes a vendee's or vendor's
14 interest in a land contract or an interest in real property held in a revocable trust.

15 (b) Whenever the department determines that, with respect to property
16 against which a REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE
17 AND NOTICE OF POTENTIAL CLAIM has been recorded, the department no
18 longer requires notice when title to the property is transferred, an encumbrance is
19 placed on the property, or an interest in the property is terminated, the department
20 shall record a TERMINATION OF REQUEST FOR NOTICE OF TRANSFER OR
21 ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM in the office of the
22 register of deeds of the county in which the REQUEST FOR NOTICE OF
23 TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM with
24 respect to the property was recorded.

ASSEMBLY BILL 40**SECTION 1221**

1 **(3m)** DISCLOSURE OF REQUEST FOR NOTICE. If, in the course of a title search on
2 real property, a title insurance company or agent finds that a REQUEST FOR
3 NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL
4 CLAIM has been recorded against the property but a TERMINATION OF
5 REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF
6 POTENTIAL CLAIM has not been recorded against the property, the title insurance
7 company or agent shall disclose that a REQUEST FOR NOTICE OF TRANSFER OR
8 ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM has been recorded
9 against the property in any report submitted preliminary to issuing, or in any
10 commitment to offer, a certificate of title insurance for the real property.

11 **(4)** TRANSFERRING, ENCUMBERING, OR TERMINATING AN INTEREST IN PROPERTY;
12 CLEARANCE BY THE DEPARTMENT. (a) Any person transferring title to, encumbering, or
13 terminating an interest in, property against which a REQUEST FOR NOTICE OF
14 TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM has
15 been recorded, but against which a TERMINATION OF REQUEST FOR NOTICE
16 OF TRANSFER OR ENCUMBRANCE AND NOTICE OF POTENTIAL CLAIM has
17 not been recorded, shall notify the department of the proposed transfer,
18 encumbrance, or termination of interest.

19 (b) If, on the date that the person sends the notice under par. (a), the recipient
20 who had the ownership interest in the property when the department recorded the
21 REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF
22 POTENTIAL CLAIM is alive, the person may transfer title to, encumber, or
23 terminate an interest in, the property with no further action by the department.

24 (c) If, on the date that the person sends the notice under par. (a), the recipient
25 who had the ownership interest in the property when the department recorded the

ASSEMBLY BILL 40**SECTION 1221**

1 REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF
2 POTENTIAL CLAIM is deceased, all of the following apply:

3 1. The department shall determine whether it has a claim against the property
4 for amounts paid on behalf of the recipient that are recoverable under s. 46.27 (7g)
5 (c) 1., 49.496 (3) (a), or 49.682 (2) (a).

6 2. If the department determines that it has no claim under subd. 1., the
7 department shall issue to the person seeking to transfer title to, encumber, or
8 terminate an interest in, the real property a CERTIFICATE OF CLEARANCE,
9 which the person shall record along with the instrument transferring title to,
10 encumbering, or terminating the interest in, the property.

11 3. If the department determines that it has a claim under subd. 1., the
12 department shall follow the procedure under sub. (5).

13 4. Transferring title to, encumbering, or terminating an interest in, the
14 property is not valid unless the department issues to the person, and the person
15 records, a CERTIFICATE OF CLEARANCE.

16 **(5) PROCEDURE IF DEPARTMENT HAS A CLAIM AGAINST REAL PROPERTY.** (a) This
17 subsection applies in any of the following situations:

18 1. If the department determines that it has a claim against real property under
19 sub. (4) (c) 1.

20 2. Upon the death of a recipient who, immediately before death, had an
21 ownership interest in real property, including a marital property interest, or whose
22 surviving spouse has an ownership interest in real property in which the recipient
23 had a marital property interest with that spouse at any time within 5 years before
24 the recipient applied for public assistance or during the time that the recipient was
25 eligible for public assistance, regardless of whether the department recorded a

ASSEMBLY BILL 40**SECTION 1221**

1 REQUEST FOR NOTICE OF TRANSFER OR ENCUMBRANCE AND NOTICE OF
2 POTENTIAL CLAIM with respect to the property.

3 (b) Unless the property is being transferred under s. 867.03 or through formal
4 or informal administration of the recipient's estate, the department shall send to the
5 person providing the notice to the department under sub. (4) (a), or to the surviving
6 owner of the property, whichever is applicable, a statement of claim that states all
7 of the following:

8 1. That the department has a claim against the property that it intends to
9 recover from the property.

10 2. The amount of and basis for the claim.

11 3. That the person has a right to an administrative hearing under par. (bm),
12 which must be requested within 45 days after the department sent the statement of
13 claim, on the extent and fair market value of the recipient's interest in the property
14 and how to request an administrative hearing.

15 4. That the transferee of the recipient's interest in the property or the surviving
16 owner of the property may request from the department a hardship waiver and how
17 to request a hardship waiver.

18 (bm) A person who receives a statement of claim from the department under
19 par. (b) is entitled to and may, within 45 days after the department sent the
20 statement of claim, request a departmental fair hearing on the value of the property
21 and the extent of the recipient's interest in the property. The value of the recipient's
22 interest in the property shall be determined in the manner provided in s. 49.849 (5c).

23 (c) The department may recover against the property in the manner
24 determined by the department to be appropriate, including by placing a lien on the

ASSEMBLY BILL 40**SECTION 1221**

1 property. Subject to par. (d), the department may enforce a lien on the property by
2 foreclosure in the same manner as a mortgage on real property.

3 (d) The department may not enforce a lien under par. (c) as long as any of the
4 following is alive:

5 1. The recipient's spouse.

6 2. The recipient's child who is under age 21 or disabled, as defined in s. 49.468

7 (1) (a) 1.

8 (e) If the recipient's surviving spouse or child who is under age 21 or disabled
9 refinances a mortgage on the property, any lien under par. (c) is subordinate to the
10 new encumbrance.

11 (f) The department shall release a lien under par. (c) that the department could
12 not enforce because of par. (d), if any of the following applies:

13 1. The recipient's surviving spouse or child who is under age 21 or disabled sells
14 the property for fair market value, as described in s. 49.849 (5c) (d), during the
15 spouse's or child's lifetime.

16 2. The recipient's surviving spouse or child who is under age 21 or disabled
17 transfers the property for less than fair market value, as described in s. 49.849 (5c)
18 (d), during the spouse's or child's lifetime, the transferee sells the property during the
19 spouse's or child's lifetime and places proceeds equal to the lesser of the department's
20 lien or the sale proceeds due to the seller in a trust or bond, and the department is
21 paid the secured amount upon the death of the recipient's spouse or disabled child
22 or when the recipient's child who is not disabled reaches age 21.

23 3. The surviving owner or transferee of the property, who is not the recipient's
24 surviving spouse or child who is under age 21 or disabled, sells the property during
25 the lifetime of the recipient's surviving spouse or child who is under age 21 or

ASSEMBLY BILL 40**SECTION 1221**

1 disabled and places proceeds equal to the lesser of the department's lien or the sale
2 proceeds due to the seller in a trust or bond, and the department is paid the secured
3 amount upon the death of the recipient's spouse or disabled child or when the
4 recipient's child who is not disabled reaches age 21.

5 **SECTION 1222.** 49.849 of the statutes is created to read:

6 **49.849 Recovery of correct payments under certain public assistance**
7 **programs. (1) DEFINITIONS.** In this section:

8 (a) "Decedent" means a deceased recipient or a deceased nonrecipient surviving
9 spouse, whichever is applicable.

10 (b) "Department" means the department of health services.

11 (c) "Nonrecipient surviving spouse" means any person who was married to a
12 recipient while the recipient was receiving public assistance and who survived the
13 recipient.

14 (d) 1. "Property of a decedent" means all real and personal property to which
15 the recipient held any legal title or in which the recipient had any legal interest
16 immediately before death, to the extent of that title or interest, including assets
17 transferred to a survivor, heir, or assignee through joint tenancy, tenancy in common,
18 survivorship, life estate, living trust, or any other arrangement.

19 2. Notwithstanding subd. 1., "property of a decedent" includes all real and
20 personal property in which the nonrecipient surviving spouse had an ownership
21 interest at the recipient's death and in which the recipient had a marital property
22 interest with that nonrecipient surviving spouse at any time within 5 years before
23 the recipient applied for public assistance or during the time that the recipient was
24 eligible for public assistance.

ASSEMBLY BILL 40**SECTION 1222**

1 (e) "Public assistance" means any services provided as a benefit under a
2 long-term care program, as defined in s. 49.496 (1) (bk), medical assistance under
3 subch. IV, long-term community support services funded under s. 46.27 (7), or aid
4 under s. 49.68, 49.683, or 49.685.

5 (f) "Recipient" means a person who received public assistance.

6 **(2) RECOVERABLE AMOUNTS.** (c) There is a presumption, which may be rebutted
7 by clear and convincing evidence, that all property of the deceased nonrecipient
8 surviving spouse was marital property held with the recipient and that 100 percent
9 of the property of the deceased nonrecipient surviving spouse is subject to the
10 department's claim under par. (a).

11 **(3) TRANSMITTAL OF PROPERTY UPON RECEIPT OF AFFIDAVIT.** (a) Any property of a
12 decedent that is transferred by a person who has possession of the property at the
13 time of the decedent's death is subject to the right of the department to recover the
14 amounts specified in sub. (2) (a). Upon request, the person who transferred the
15 property shall provide to the department information about the property of the
16 decedent that the person has transferred and information about the persons to whom
17 the property was transferred.

18 (c) An affidavit under this subsection shall contain all of the following
19 information:

20 1. That the department has a claim against the property that it intends to
21 recover from the property.

22 2. The amount of and basis for the claim.

23 3. That the person may have a right to an administrative hearing under sub.
24 (5m), which must be requested within 45 days after the department sent the

ASSEMBLY BILL 40**SECTION 1222**

1 affidavit, on the extent and fair market value of the recipient's interest in the
2 property.

3 4. How to request an administrative hearing under sub. (5m).

4 5. That the person may request from the department a hardship waiver, if the
5 person co-owned the property with the decedent or is a beneficiary of the property.

6 6. How to request a hardship waiver under subd. 5.

7 **(4) RECOVERY AGAINST REAL PROPERTY.** (c) All of the following apply to a lien
8 under par. (a) that the department may not enforce because of par. (b):

9 1. If the decedent's surviving spouse or child who is under age 21 or disabled
10 refinances a mortgage on the real property, the lien is subordinate to the new
11 encumbrance.

12 2. The department shall release the lien in the circumstances described in s.
13 49.848 (5) (f).

14 **(4m) ALLOWABLE COSTS OF SALE OF REAL PROPERTY.** (a) Subject to par. (b), if any
15 property of a decedent that is real property has been sold after the death of the
16 decedent, only the following reasonable expenses, if any, incurred in preserving or
17 disposing of the real property may be deducted from the sale proceeds that the
18 department may recover:

19 1. Closing costs of sale, including reasonable attorney fees of the seller, the cost
20 of title insurance, and recording costs.

21 2. Property insurance premiums.

22 3. Property taxes due.

23 4. Utility costs necessary to preserve the property.

ASSEMBLY BILL 40**SECTION 1222**

1 5. Expenses incurred in providing necessary maintenance or making necessary
2 repairs, without which the salability of the property would be substantially
3 impaired.

4 (b) Any expense under par. (a) may be deducted from the sale proceeds only if
5 it is documented and approved by the department and it was not incurred while any
6 other individual was living on the property.

7 **(5c) VALUE OF RECIPIENT'S INTEREST.** For purposes of determining the value of
8 the recipient's interest in property of the decedent, all of the following apply:

9 (a) If the recipient held title to real property jointly with one or more persons
10 other than his or her spouse, the recipient's interest in the real property is equal to
11 the fractional interest that the recipient would have had in the property if the
12 property had been held with the other owner or owners as tenants in common.

13 (b) If the recipient held title to personal property jointly with one or more
14 persons other than his or her spouse, the recipient's interest in the personal property
15 is equal to either of the following:

16 1. The percentage interest that was attributed to the recipient when his or her
17 eligibility for public assistance was determined.

18 2. If the percentage interest was not determined as provided in subd. 1., the
19 fractional interest that the recipient would have had in the property if the property
20 had been held with the other co-owner or co-owners as tenants in common.

21 (c) If the recipient held a life estate in real property, the recipient's interest is
22 equal to the recipient's percentage of ownership in the property based on the
23 recipient's age on the date of death and calculated using the fair market value of the
24 property and life estate-remainderman tables used by the department to value life
25 estates for purposes of determining eligibility for Medical Assistance.

ASSEMBLY BILL 40**SECTION 1222**

1 (d) A property's fair market value is the price that a willing buyer would pay
2 a willing seller for the purchase of the property. The burden of proof for establishing
3 a property's fair market value is on the surviving owners or beneficiaries, or their
4 representatives. Fair market value must be established through a credible
5 methodology, which may include an appraisal performed by a licensed appraiser.

6 **(5m)** FAIR HEARING. A person who has possession of any property of the
7 decedent, or who receives an affidavit from the department under sub. (3) (c) for
8 transmittal of any property of the decedent, is entitled to and may, within 45 days
9 after the affidavit was sent, request a departmental fair hearing on the value of the
10 property and the extent of the recipient's interest in the property, if the property is
11 not being transferred under s. 867.03 or through formal or informal administration
12 of the decedent's estate.

13 **(5r)** ACTION OR ORDER TO ENFORCE RECOVERY. (a) If, after receipt of an affidavit
14 under sub. (3), a person who possesses property of a decedent does not transmit the
15 property to the department or timely request a hearing, the department may bring
16 an action to enforce its right to collect amounts specified in sub. (2) (a) from the
17 property or may issue an order to compel transmittal of the property. Any person
18 aggrieved by an order issued by the department under this paragraph may appeal
19 the order as a class 3 proceeding, as defined in s. 227.01 (3) (c), under ch. 227 by filing
20 a request for appeal, within 30 days after the date of the order, with the division of
21 hearings and appeals created under s. 15.103 (1). The date on which the division of
22 hearings and appeals receives the request for appeal shall be the date of service. The
23 only issue at the hearing shall be whether the person has transmitted the property
24 to the department. The decision of the division of hearing and appeals shall be the
25 final decision of the department.

ASSEMBLY BILL 40**SECTION 1222**

1 (b) If any person named in an order to compel transmittal of property issued
2 under par. (a) fails to transmit the property under the terms of the order and no
3 contested case to review the order is pending and the time for filing for a contested
4 case review has expired, the department may present a certified copy of the order to
5 the circuit court for any county. The sworn statement of the secretary shall be
6 evidence of the department's right to collect amounts specified in sub. (2) (a) from the
7 property and of the person's failure to transmit the property to the department. The
8 circuit court shall, without notice, render judgment in accordance with the order. A
9 judgment rendered under this paragraph shall have the same effect and shall be
10 entered in the judgment and lien docket and may be enforced in the same manner
11 as if the judgment had been rendered in an action tried and determined by the circuit
12 court.

13 (c) The recovery procedure under this subsection is in addition to any other
14 recovery procedure authorized by law.

15 **(6) PAYMENTS FROM RECOVERED AMOUNTS.**

16 **SECTION 1223.** 49.85 (title) of the statutes is amended to read:

17 **49.85 (title) Certification of certain public assistance overpayments,**
18 **payment recoveries, and delinquent loan repayments.**

19 **SECTION 1224.** 49.85 (2) (a) (intro.) of the statutes is amended to read:

20 49.85 (2) (a) (intro.) At least annually, the department of health services shall
21 certify to the department of revenue the amounts that, based on the notifications
22 received under sub. (1) and on other information received by the department of
23 health services, the department of health services has determined that it may
24 recover under s. 49.45 (2) (a) 10., 49.497, 49.793, ~~or~~, 49.847, or 49.849, except that the

ASSEMBLY BILL 40**SECTION 1224**

1 department of health services may not certify an amount under this subsection
2 unless all of the following apply:

3 **SECTION 1225.** 49.85 (2) (a) 4. of the statutes is created to read:

4 49.85 (2) (a) 4. If the determination relates to recovery of an amount under s.
5 49.849, the determination was rendered to a judgment under s. 49.849 (5r) (b).

6 **SECTION 1226.** 49.85 (3) (a) 1. of the statutes is amended to read:

7 49.85 (3) (a) 1. Inform the person that the department of health services
8 intends to certify to the department of revenue an amount that the department of
9 health services has determined to be due under s. 49.45 (2) (a) 10., 49.497, 49.793,
10 ~~or~~, 49.847, or 49.849, for setoff from any state tax refund that may be due the person.

11 **SECTION 1227.** 49.857 (1) (d) 14m. of the statutes is created to read:

12 49.857 (1) (d) 14m. A registration issued under ss. 202.12 to 202.14 or 202.22.

13 **SECTION 1228.** 50.01 (1g) (h) of the statutes is created to read:

14 50.01 (1g) (h) A private residence that is the home to adults who independently
15 arrange for and receive care, treatment, or services for themselves from a person or
16 agency that has no authority to exercise direction or control over the residence.

17 **SECTION 1229.** 50.03 (4m) (b) of the statutes is amended to read:

18 50.03 (4m) (b) If the applicant for licensure as a community-based residential
19 facility has not been previously licensed under this subchapter or if the
20 community-based residential facility is not in operation at the time application is
21 made, the department shall issue a probationary license, except that the department
22 may deny licensure to any person who conducted, maintained, operated or permitted
23 to be maintained or operated a community-based residential facility for which
24 licensure was revoked within 5 years before application is made. A probationary
25 license shall be valid for up to 12 months from the date of issuance unless sooner

ASSEMBLY BILL 40**SECTION 1229**

1 suspended or revoked under sub. (5g). Prior to the expiration of a probationary
2 license, the department shall ~~inspect~~ evaluate the community-based residential
3 facility ~~and, if. In evaluating the community-based residential facility, the~~
4 department may conduct an inspection of the community-based residential facility.
5 If, after the department evaluates the community-based residential facility, the
6 department finds that the community-based residential facility meets the
7 applicable requirements for licensure, the department shall issue a regular license
8 under sub. (4) (a) 1. b. If the department finds that the community-based residential
9 facility does not meet the requirements for licensure, the department may not issue
10 a regular license under sub. (4) (a) 1. b.

11 **SECTION 1230.** 50.14 (2) (bm) of the statutes is amended to read:

12 50.14 (2) (bm) For intermediate care facilities for persons with an intellectual
13 disability, ~~an amount calculated by multiplying the projected annual gross revenues~~
14 ~~of all intermediate care facilities for persons with an intellectual disability in this~~
15 ~~state by 0.055, dividing the product by the number of licensed beds of intermediate~~
16 ~~care facilities for persons with an intellectual disability in this state and dividing the~~
17 ~~quotient by 12~~ \$910.

18 **SECTION 1231.** 50.14 (2m) of the statutes is repealed.

19 **SECTION 1232.** 51.025 of the statutes is created to read:

20 **51.025 Office of children's mental health.** The office of children's mental
21 health shall study and recommend ways, and coordinate initiatives, to improve the
22 integration across state agencies of mental health services provided to children and
23 monitor the performance of programs that provide those services.

24 **SECTION 1233.** 51.06 (6) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1233**

1 51.06 (6) SALE OF ASSETS OR REAL PROPERTY AT NORTHERN CENTER FOR THE
2 DEVELOPMENTALLY DISABLED. The department may maintain the Northern Center for
3 the Developmentally Disabled for the purpose specified in sub. (1), but may sell
4 assets or real property, of the Northern Center for the Developmentally Disabled,
5 subject to any prior action under s. 13.48 (14) (am) or 16.848 (1). If there is any
6 outstanding public debt used to finance the acquisition, construction, or
7 improvement of any property that is sold under this subsection, the department shall
8 deposit a sufficient amount of the net proceeds from the sale of the property in the
9 bond security and redemption fund under s. 18.09 to repay the principal and pay the
10 interest on the debt, and any premium due upon refunding any of the debt. If the
11 property was purchased with federal financial assistance, the department shall pay
12 to the federal government any of the net proceeds required by federal law. If there
13 is no such debt outstanding and there are no moneys payable to the federal
14 government, or if the net proceeds exceed the amount required to be deposited or paid
15 under this subsection, the department shall credit the net proceeds or remaining net
16 proceeds to the appropriation account under s. 20.435 (2) (gk).

17 **SECTION 1234.** 51.20 (13) (cr) of the statutes is amended to read:

18 51.20 (13) (cr) If the subject individual is before the court on a petition filed
19 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a
20 violation that would be a felony if committed by an adult in this state or a violation
21 of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.085 (3m), 941.20 (1), 944.20,
22 944.30, 944.31, 944.33 (1), 946.52, or 948.10 (1) (b), the court shall require the
23 individual to provide a biological specimen to the state crime laboratories for
24 deoxyribonucleic acid analysis.

25 **SECTION 1235.** 51.44 (1m) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1235**

1 51.44 **(1m)** The department is the lead agency in this state for the development
2 and implementation of a statewide system of coordinated, comprehensive
3 multidisciplinary programs to provide appropriate early intervention services under
4 the requirements of 20 USC ~~1476~~ 1431 to 1444.

5 **SECTION 1236.** 51.44 (5) (c) of the statutes is amended to read:

6 51.44 **(5)** (c) Annually, submit to the chief clerk of each house of the legislature
7 for distribution to the legislature under s. 13.172 (2) a report on the department's
8 progress toward full implementation of the program under this section, including the
9 progress of counties in implementing goals for participation in 5th-year
10 requirements under 20 USC ~~1476~~ 1431 to 1444.

11 **SECTION 1237.** 54.15 (8) (a) 3. of the statutes is amended to read:

12 54.15 **(8)** (a) 3. Any license, certificate, permit, or registration of the proposed
13 guardian that is required under chs. 202 or 440 to 480 or by the laws of another state
14 for the practice of a profession or occupation has been suspended or revoked.

15 **SECTION 1238.** 55.043 (4) (b) 5g. of the statutes is created to read:

16 55.043 **(4)** (b) 5g. Refer the case to the department of financial institutions if
17 the financial exploitation, neglect, self-neglect, or abuse involves an individual who
18 is required to be registered under s. 202.13 or 202.14.

19 **SECTION 1239.** 59.26 (1) (c) of the statutes is repealed.

20 **SECTION 1240.** 59.43 (1) (w) of the statutes is created to read:

21 59.43 **(1)** (w) Record and index the documents specified in s. 49.848 (2).

22 **SECTION 1241.** 59.43 (2) (ag) 1. of the statutes is amended to read:

23 59.43 **(2)** (ag) 1. Subject to s. 59.72 (5) ~~and except as provided in par. (L)~~, for
24 recording any instrument entitled to be recorded in the office of the register of deeds,

ASSEMBLY BILL 40**SECTION 1241**

1 \$25 \$30, except that no fee may be collected for recording a change of address that
2 is exempt from a filing fee under s. 185.83 (1) (b) or 193.111 (1) (b).

3 **SECTION 1242.** 59.43 (2) (e) of the statutes is amended to read:

4 59.43 (2) (e) Subject to s. 59.72 (5) and ~~except as provided in par. (L)~~, for filing
5 any instrument which is entitled to be filed in the office of register of deeds and for
6 which no other specific fee is specified, \$25 \$30.

7 **SECTION 1243.** 59.43 (2) (L) (intro.) of the statutes is amended to read:

8 59.43 (2) (L) (intro.) For ~~recording any instrument under par. (ag)~~, filing any
9 ~~instrument under par. (e)~~, and recording certificates and preparing and mailing
10 documents under par. (i), \$30 if the county uses \$5 of each \$30 fee received under this
11 paragraph to make social security numbers from electronic format records not
12 viewable or accessible on the Internet under sub. (4) (c) and s. 59.72 (6), until the
13 earliest of the following:

14 **SECTION 1244.** 59.605 (6) of the statutes is amended to read:

15 59.605 (6) ~~TEMPORARY SUSPENSION~~ SUNSET OF THE LIMIT. This section does not
16 apply to a county's levy that is imposed in December 2011 or ~~December 2012~~ any year
17 thereafter.

18 **SECTION 1245.** 59.69 (4c) of the statutes is amended to read:

19 59.69 (4c) CONSTRUCTION SITE ORDINANCE LIMITS. Except as provided in s.
20 101.1206 (5m), an ordinance that is enacted under sub. (4) may only include
21 provisions that are related to construction site erosion control if those provisions are
22 limited to sites ~~where the construction activities do not include the construction of~~
23 ~~a building~~ described in s. 281.33 (3) (a) 1. a. and b.

24 **SECTION 1246.** 59.693 (2) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1246**

1 59.693 (2) AUTHORITY TO ENACT ORDINANCE. To effect the purposes of s. 281.33
2 and to promote the public health, safety and general welfare, a county may enact a
3 zoning ordinance, that is applicable to all of its unincorporated area, except as
4 provided in s. 60.627 (2) (b), for construction site erosion control at sites ~~where the~~
5 ~~construction activities do not include the construction of a building~~ described in s.
6 281.33 (3) (a) 1. a. and b. and for storm water management. This ordinance may be
7 enacted separately from ordinances enacted under s. 59.69.

8 **SECTION 1247.** 59.693 (7) of the statutes is amended to read:

9 59.693 (7) APPLICABILITY OF LOCAL SUBDIVISION REGULATION. All powers granted
10 to a county under s. 236.45 may be exercised by the county with respect to
11 construction site erosion control at sites ~~where the construction activities do not~~
12 ~~include the construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. or with
13 respect to storm water management regulation, if the county has or provides a
14 county planning agency as defined in s. 236.02 (1) ~~(3)~~.

15 **SECTION 1248.** 59.72 (5) (a) of the statutes is amended to read:

16 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
17 to the department of administration \$10 \$15 from the fee for recording or filing each
18 instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e), less any amount
19 retained by the county under ~~par. (b) and (c)~~.

20 **SECTION 1249.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

21 59.72 (5) (b) (intro.) Except as provided in s. 16.967 (7m), a county may retain
22 \$8 of the \$10 portion of each fee submitted to the department of administration under
23 par. (a) from the fee for recording or filing each instrument that is recorded or filed
24 under s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

25 **SECTION 1250.** 59.72 (5) (c) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1250**

1 59.72 (5) (c) Before January 1, 2015, a county may retain \$5 of the portion of
2 each fee submitted to the department of administration under par. (a) from the fee
3 for recording or filing each instrument that is recorded or filed under s. 59.43 (2) (ag)
4 1. or (e) if all of the following apply:

5 1. The money is used to make social security numbers from electronic format
6 records not viewable or accessible on the Internet under sub. (6) and s. 59.43 (4) (c).

7 2. The register of deeds is authorized to collect fees under s. 59.43 (2) (L) under
8 an extension granted by the department of administration under s. 59.43 (2) (L) 2.

9 **SECTION 1251.** 60.37 (1) of the statutes is amended to read:

10 60.37 (1) GENERAL. The town board may employ on a temporary or permanent
11 basis persons necessary to carry out the functions of town government including,
12 subject to sub. (4), any elected officer of the town. The board may establish the
13 qualifications and terms of employment, which may not include the residency of the
14 employee. The board may delegate the authority to hire town employees to any town
15 official or employee.

16 **SECTION 1252.** 60.627 (2) (a) of the statutes is amended to read:

17 60.627 (2) (a) To effect the purposes of s. 281.33 and to promote the public
18 health, safety and general welfare, if a town board may enact zoning ordinances
19 under s. 60.62, the town board may enact a zoning ordinance, that is applicable to
20 all of its area, for construction site erosion control at sites ~~where the construction~~
21 ~~activities do not include the construction of a building~~ described in s. 281.33 (3) (a)
22 1. a. and b. and for storm water management. This ordinance may be enacted
23 separately from ordinances enacted under s. 60.62.

24 **SECTION 1253.** 60.627 (4) (c) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1253**

1 60.627 (4) (c) An ordinance enacted under this section supersedes all provisions
2 of an ordinance enacted under s. 60.62 that relate to construction site erosion control
3 at sites ~~where the construction activities do not include the construction of a building~~
4 described in s. 281.33 (3) (a) 1. a. and b. or to storm water management regulation.

5 **SECTION 1254.** 60.627 (6) of the statutes is amended to read:

6 60.627 (6) APPLICABILITY OF LOCAL SUBDIVISION REGULATION. All powers granted
7 to a town under s. 236.45 may be exercised by it with respect to construction site
8 erosion control at sites ~~where the construction activities do not include the~~
9 ~~construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. or with respect to
10 storm water management regulation, if the town has or provides a planning
11 commission or agency.

12 **SECTION 1255.** 61.354 (2) of the statutes is amended to read:

13 61.354 (2) AUTHORITY TO ENACT ORDINANCE. To effect the purposes of s. 281.33
14 and to promote the public health, safety and general welfare, a village may enact a
15 zoning ordinance, that is applicable to all of its incorporated area, for construction
16 site erosion control at sites ~~where the construction activities do not include the~~
17 ~~construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. and for storm water
18 management. This ordinance may be enacted separately from ordinances enacted
19 under s. 61.35.

20 **SECTION 1256.** 61.354 (4) (c) of the statutes is amended to read:

21 61.354 (4) (c) An ordinance enacted under this section supersedes all provisions
22 of an ordinance enacted under s. 61.35 that relate to construction site erosion control
23 at sites ~~where the construction activities do not include the construction of a building~~
24 described in s. 281.33 (3) (a) 1. a. and b. or to storm water management regulation.

25 **SECTION 1257.** 61.354 (6) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1257**

1 61.354 (6) APPLICABILITY OF LOCAL SUBDIVISION REGULATION. All powers granted
2 to a village under s. 236.45 may be exercised by it with respect to construction site
3 erosion control at sites ~~where the construction activities do not include the~~
4 ~~construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. or with respect to
5 storm water management regulation, if the village has or provides a planning
6 commission or agency.

7 **SECTION 1258.** 62.13 (4) (d) of the statutes is amended to read:

8 62.13 (4) (d) The examination shall be free for all U.S. citizens over 18 and
9 under 55 years of age, with proper limitations as to residence, health and, subject to
10 ss. 111.321, 111.322, and 111.335, arrest and conviction record. The examination,
11 including minimum training and experience requirements, shall be job-related in
12 compliance with appropriate validation standards and shall be subject to the
13 approval of the board and may include tests of manual skill and physical strength.
14 All relevant experience, whether paid or unpaid, shall satisfy experience
15 requirements. The board shall control examinations and may designate and change
16 examiners, who may or may not be otherwise in the official service of the city, and
17 whose compensation shall be fixed by the board and paid by the city. Veterans and
18 their spouses shall be given preference points in accordance with s. 230.16 (7).

19 **SECTION 1259.** 62.234 (2) of the statutes is amended to read:

20 62.234 (2) AUTHORITY TO ENACT ORDINANCE. To effect the purposes of s. 281.33
21 and to promote the public health, safety and general welfare, a city may enact a
22 zoning ordinance, that is applicable to all of its incorporated area, for construction
23 site erosion control at sites ~~where the construction activities do not include the~~
24 ~~construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. and for storm water

ASSEMBLY BILL 40**SECTION 1259**

1 management. This ordinance may be enacted separately from ordinances enacted
2 under s. 62.23.

3 **SECTION 1260.** 62.234 (4) (c) of the statutes is amended to read:

4 62.234 (4) (c) An ordinance enacted under this section supersedes all provisions
5 of an ordinance enacted under s. 62.23 that relate to construction site erosion control
6 at sites ~~where the construction activities do not include the construction of a building~~
7 described in s. 281.33 (3) (a) 1. a. and b. or to storm water management regulation.

8 **SECTION 1261.** 62.234 (6) of the statutes is amended to read:

9 62.234 (6) APPLICABILITY OF LOCAL SUBDIVISION REGULATION. All powers granted
10 to a city under s. 236.45 may be exercised by it with respect to construction site
11 erosion control at sites ~~where the construction activities do not include the~~
12 ~~construction of a building~~ described in s. 281.33 (3) (a) 1. a. and b. or with respect to
13 storm water management regulation, if the city has or provides a planning
14 commission or agency.

15 **SECTION 1262.** 62.50 (5) of the statutes is amended to read:

16 62.50 (5) EXAMINATIONS. The examinations which the rules and regulations
17 provide for shall be public and free to all U.S. citizens with proper limitations as to
18 residence, age, health and, subject to ss. 111.321, 111.322 and 111.335, arrest and
19 conviction record. The examinations shall be practical in their character and shall
20 relate to those matters which fairly test the relative capacity of the candidates to
21 discharge the duties of the positions in which they seek employment or to which they
22 seek to be appointed and may include tests of manual skill and physical strength.
23 The board shall control all examinations and may designate suitable persons, either
24 in the official service of the city or not, to conduct such examinations and may change
25 such examiners at any time, as seems best.

ASSEMBLY BILL 40**SECTION 1263**

1 **SECTION 1263.** 62.53 of the statutes is repealed.

2 **SECTION 1264.** 63.08 (1) (a) of the statutes is amended to read:

3 63.08 (1) (a) Any applicant for an examination under s. 63.05, other than an
4 applicant for a deputy sheriff position under s. 59.26 (8) (a), shall be a resident of this
5 state before applying for an examination, but the commission may not require any
6 period of residency in the county for entrance to an examination or employment in
7 the county. The commission may require an applicant to file a written application
8 form which bears upon the applicant's fitness for a vacant position and which the
9 commission deems necessary. For a position offering a skilled, technical, or
10 professional service, upon a finding that a suitable number of qualified applicants
11 cannot be obtained from within the state, the commission may open the examination
12 to residents of other states. Residency in this state may be waived for an applicant
13 for an examination for a position which requires a license in a health care field. No
14 question pertaining to political affiliation or religious faith may be asked of any
15 applicant for an examination.

16 **SECTION 1265.** 63.25 (1) (a) of the statutes is amended to read:

17 63.25 (1) (a) For open, competitive examinations and for other examinations
18 by which to test applicants for office or for employment as to their practical fitness
19 to discharge the duties of the positions which they desire to fill, which examinations
20 shall be public and free to all persons with proper limitations as to residence, age,
21 health, and, subject to ss. 111.321, 111.322, and 111.335, arrest and conviction record.

22 **SECTION 1266.** 66.0304 (1) (b) of the statutes is amended to read:

23 66.0304 (1) (b) "Bond" means any bond, note, or other obligation of a
24 ~~commission~~ issued, acquired, or entered into by a commission under this section,

ASSEMBLY BILL 40**SECTION 1266**

1 including any refunding bond or certificate of participation or lease-purchase,
2 installment sale, or other financing agreement.

3 **SECTION 1267.** 66.0304 (4) (p) of the statutes is amended to read:

4 66.0304 (4) (p) Purchase bonds issued by or on behalf of, or held by, any
5 participant, ~~the~~ any state or a department, authority, or agency of the state, or any
6 political subdivision. Bonds purchased under this paragraph may be held by the
7 commission or sold, in whole or in part, separately or together with other bonds
8 issued by the commission.

9 **SECTION 1268.** 66.0304 (11) (bm) of the statutes is created to read:

10 66.0304 (11) (bm) A project may be located outside of the United States or
11 outside a territory of the United States if the borrower, including a co-borrower, of
12 proceeds of bonds issued to finance or refinance the project in whole or in part is
13 incorporated and has its principal place of business in the United States or a territory
14 of the United States. To the extent that this paragraph applies to a borrower, it also
15 applies to a participant if the participant is a nongovernmental entity.

16 **SECTION 1269.** 66.0304 (11) (e) of the statutes is repealed.

17 **SECTION 1270.** 66.0502 of the statutes is created to read:

18 **66.0502 Employee residency requirements prohibited.** (1) The
19 legislature finds that public employee residency requirements are a matter of
20 statewide concern.

21 (2) In this section, "local governmental unit" means any city, village, town,
22 county, or school district.

23 (3) (a) Except as provided in sub. (4), no local governmental unit may require,
24 as a condition of employment, that any employee or prospective employee reside
25 within any jurisdictional limit.

ASSEMBLY BILL 40**SECTION 1270**

1 (b) If a local governmental unit has a residency requirement that is in effect on
2 the effective date of this paragraph ... [LRB inserts date], the residency requirement
3 does not apply and may not be enforced.

4 (4) This section does not affect any statute that requires residency within the
5 jurisdictional limits of any local governmental unit or any provision of law that
6 requires residency in this state.

7 **SECTION 1271.** 66.0602 (2m) of the statutes is amended to read:

8 66.0602 (2m) NEGATIVE ADJUSTMENT. If a political subdivision's levy for the
9 payment of any general obligation debt service, including debt service on debt issued
10 or reissued to fund or refund outstanding obligations of the political subdivision and
11 interest on outstanding obligations of the political subdivision, on debt originally
12 issued before July 1, 2005, is less in the current year than it was in the previous year,
13 the political subdivision shall reduce its levy limit in the current year by an amount
14 equal to the amount that its levy was reduced as described in this subsection. This
15 subsection does not apply to any political subdivision that does not increase its levy
16 increase limit as allowed under sub. (3) (f) 1.

17 **SECTION 1272.** 66.0602 (3) (f) 1. of the statutes is amended to read:

18 66.0602 (3) (f) 1. Subject to subd. 3., if a political subdivision's allowable levy
19 under this section in 2010 the prior year was greater than its actual levy in 2010 that
20 year, the levy increase limit otherwise applicable under this section to the political
21 subdivision in 2011 the next succeeding year is increased by the difference between
22 ~~these 2 amounts~~ the prior year's allowable levy and the prior year's actual levy, as
23 determined by the department of revenue, up to a maximum increase of 0.5 percent
24 of the actual levy in 2010 that prior year.

25 **SECTION 1273.** 66.0602 (3) (f) 2. of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 1274**

1 **SECTION 1274.** 66.0602 (3) (f) 3. (intro.) of the statutes is amended to read:

2 66.0602 (3) (f) 3. (intro.) The adjustment described in ~~subds. subd. 1. and 2.~~ may
3 occur only if the political subdivision's governing body approves of the adjustment
4 by one of the following methods:

5 **SECTION 1275.** 66.0602 (3) (f) 4. of the statutes is repealed.

6 **SECTION 1276.** 66.0615 (1m) (a) of the statutes is amended to read:

7 66.0615 (1m) (a) The governing body of a municipality may enact an ordinance,
8 and a district, under par. (e), may adopt a resolution, imposing a tax on the privilege
9 of furnishing, at retail, except sales for resale, rooms or lodging to transients by
10 hotelkeepers, motel operators and other persons furnishing accommodations that
11 are available to the public, irrespective of whether membership is required for use
12 of the accommodations. A tax imposed under this paragraph is ~~not subject to the~~
13 ~~selective sales tax imposed by s. 77.52 (2) (a) 1. and~~ may be collected from the
14 consumer or user, but may not be imposed on sales to the federal government and
15 persons listed under s. 77.54 (9a). A tax imposed under this paragraph by a
16 municipality shall be paid to the municipality and may be forwarded to a commission
17 if one is created under par. (c), as provided in par. (d). Except as provided in par. (am),
18 a tax imposed under this paragraph by a municipality may not exceed 8%. Except
19 as provided in par. (am), if a tax greater than 8% under this paragraph is in effect
20 on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8%,
21 effective on June 1, 1994.

22 **SECTION 1277.** 66.0615 (1m) (f) 2. of the statutes is amended to read:

23 66.0615 (1m) (f) 2. Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (3),
24 (13), (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60,

ASSEMBLY BILL 40**SECTION 1277**

1 77.61 (2), (3m), (5), (8), (9), ~~and (12) to (15), and (19m)~~, and 77.62, as they apply to
2 the taxes under subch. III of ch. 77, apply to the tax described under subd. 1.

3 **SECTION 1278.** 69.20 (3) (g) of the statutes is created to read:

4 69.20 (3) (g) The state or local registrar, upon request of the department of
5 revenue, may disclose information on vital records, including a social security
6 number, to the department of revenue only for the following purposes related to
7 administering state taxes and collection of debts referred to the department of
8 revenue:

- 9 1. Locating persons, or the assets of persons, who have failed to file tax returns,
10 have underreported their taxable income, or are delinquent debtors.
- 11 2. Identifying fraudulent tax returns and credit claims.
- 12 3. Providing information for tax-related prosecutions.

13 **SECTION 1279.** 70.111 (18) of the statutes is amended to read:

14 70.111 (18) ~~SOLAR AND WIND ENERGY~~ ENERGY SYSTEMS. Solar Biogas energy
15 systems, solar energy systems, and wind energy systems. In this subsection, "biogas
16 energy system" means equipment which directly converts biomass, as defined under
17 section 45K (c) (3) of the Internal Revenue Code, into biogas, equipment which
18 generates electricity, heat, or compressed natural gas exclusively from biogas,
19 equipment which is used exclusively for the direct transfer or storage of biomass or
20 biogas, and any structure used exclusively to shelter or operate such equipment, if
21 all such equipment, and any such structure, is located at the same site, but does not
22 include equipment or components that would be present as part of a conventional
23 energy system. In this subsection, "solar energy system" means equipment which
24 directly converts and then transfers or stores solar energy into usable forms of
25 thermal or electrical energy, but does not include equipment or components that

ASSEMBLY BILL 40**SECTION 1279**

1 would be present as part of a conventional energy system or a system that operates
2 without mechanical means. In this subsection, “wind energy system” means
3 equipment which converts and then transfers or stores energy from the wind into
4 usable forms of energy, but does not include equipment or components that would be
5 present as part of a conventional energy system.

6 **SECTION 1280.** 70.114 (1) (f) of the statutes is amended to read:

7 70.114 (1) (f) “Taxing jurisdiction” means any entity, not including the state,
8 authorized by law to levy taxes on general property, as defined in s. 70.02, that are
9 measured by the property’s value.

10 **SECTION 1281.** 70.114 (3) of the statutes is amended to read:

11 70.114 (3) ASCERTAINING RATE. Each year, the department shall ascertain ~~from~~
12 ~~the clerks of the taxation district~~ the aggregate net general property tax rate for
13 taxation districts to which aids are paid under this section.

14 **SECTION 1282.** 70.114 (4) (a) of the statutes is amended to read:

15 70.114 (4) (a) ~~On~~ Except as provided under par. (c), on or before January 31,
16 the department shall pay to each treasurer of a taxation district, with respect to each
17 parcel of land acquired by the department within the taxation district on or before
18 January 1 of the preceding year, an amount determined by multiplying each parcel’s
19 estimated value equated to the average level of assessment in the taxation district
20 by the aggregate net general property tax rate that would apply to the parcel of land
21 if it were taxable, as shown on property tax bills prepared for that year under s. 74.09.

22 **SECTION 1283.** 70.114 (4) (c) of the statutes is created to read:

23 70.114 (4) (c) The department shall withhold from the payment amount
24 determined under par. (a) an amount equal to the amount determined under par. (a)

ASSEMBLY BILL 40**SECTION 1283**

1 multiplied by the rate of the forestation state tax under s. 70.58 and shall deposit that
2 amount into the conservation fund.

3 **SECTION 1284.** 70.119 (4) of the statutes is amended to read:

4 70.119 (4) The department shall be responsible for negotiating with
5 municipalities on payments for municipal services and may delegate certain
6 responsibilities of negotiation to other state agencies or to the University of
7 Wisconsin Hospitals and Clinics Authority. ~~Prior to negotiating with municipalities~~
8 ~~the department shall submit guidelines for negotiation to the committee for~~
9 ~~approval.~~

10 **SECTION 1285.** 70.119 (5) of the statutes is amended to read:

11 70.119 (5) ~~Upon approval of guidelines by the committee, the department shall~~
12 ~~proceed with negotiations.~~ In no case may a municipality withhold services to the
13 state or to the University of Wisconsin Hospitals and Clinics Authority during
14 negotiations.

15 **SECTION 1286.** 70.119 (6) (a) of the statutes is renumbered 70.119 (6).

16 **SECTION 1287.** 70.119 (6) (b) of the statutes is repealed.

17 **SECTION 1288.** 71.01 (6) (i) of the statutes is created to read:

18 71.01 (6) (i) For taxable years that begin after December 31, 2012, for natural
19 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
20 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
21 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
22 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
23 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
24 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L.
25 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.

ASSEMBLY BILL 40**SECTION 1288**

1 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
2 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
3 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
4 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
5 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
6 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
7 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
8 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
9 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5
10 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
11 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
12 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
13 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
14 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
15 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
16 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
17 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
18 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
19 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
20 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
21 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
22 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
23 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly affected
24 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
25 P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding

ASSEMBLY BILL 40**SECTION 1288**

1 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,
2 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
3 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188,
4 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
5 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
6 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
7 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding
8 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
9 excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
10 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
11 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
12 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403
13 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336,
14 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7,
15 P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
16 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
17 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
18 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
19 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
20 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
21 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
22 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
23 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
24 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
25 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.

ASSEMBLY BILL 40**SECTION 1288**

1 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
2 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
3 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
4 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
5 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections
6 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
7 10908, and 10909 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, P.L.
8 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections
9 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L.
10 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, 100121 of P.L.
11 112-141, and sections 101 and 902 of P.L. 112-240. The Internal Revenue Code
12 applies for Wisconsin purposes at the same time as for federal purposes, except that
13 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
14 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
15 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
16 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
17 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
18 do not apply to this paragraph with respect to taxable years beginning after
19 December 31, 2010, except that changes to the Internal Revenue Code made by
20 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
21 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
22 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
23 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
24 for taxable years beginning before January 1, 2013, and changes to the Internal
25 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that

ASSEMBLY BILL 40**SECTION 1288**

1 indirectly affect the provisions applicable to this subchapter made by sections 101
2 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
3 purposes.

4 **SECTION 1289.** 71.01 (6) (o) of the statutes is repealed.

5 **SECTION 1290.** 71.01 (6) (p) of the statutes is renumbered 71.01 (6) (a).

6 **SECTION 1291.** 71.01 (6) (q) of the statutes is renumbered 71.01 (6) (b).

7 **SECTION 1292.** 71.01 (6) (r) of the statutes is renumbered 71.01 (6) (c).

8 **SECTION 1293.** 71.01 (6) (s) of the statutes is renumbered 71.01 (6) (d).

9 **SECTION 1294.** 71.01 (6) (t) of the statutes is renumbered 71.01 (6) (e).

10 **SECTION 1295.** 71.01 (6) (u) of the statutes is renumbered 71.01 (6) (f).

11 **SECTION 1296.** 71.01 (6) (um) of the statutes is renumbered 71.01 (6) (g).

12 **SECTION 1297.** 71.01 (6) (un) of the statutes is renumbered 71.01 (6) (h) and
13 amended to read:

14 71.01 (6) (h) For taxable years that begin after December 31, 2010, and before
15 January 1, 2013, for natural persons and fiduciaries, except fiduciaries of nuclear
16 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
17 Internal Revenue Code as amended to December 31, 2010, excluding sections 103,
18 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
19 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
20 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
21 P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
22 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
23 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,
24 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
25 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section

ASSEMBLY BILL 40**SECTION 1297**

1 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
2 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
3 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,
4 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
5 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
6 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
7 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
8 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
9 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
10 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
11 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
12 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
13 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,
14 and 10909 of P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152, P.L.
15 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and
16 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113
17 of P.L. 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240,
18 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
19 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90,
20 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
21 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
22 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
23 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
24 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
25 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.

ASSEMBLY BILL 40**SECTION 1297**

1 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
2 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
3 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L.
4 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
5 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
6 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316,
7 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211,
8 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476,
9 P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
10 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146
11 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135,
12 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
13 (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections
14 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406,
15 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.
16 109-432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L.
17 110-142, excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding
18 sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section
19 301 of P.L. 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
20 110-246, P.L. 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L.
21 110-317, excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of
22 division B and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L.
23 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B
24 of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147,
25 sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111-148,

ASSEMBLY BILL 40**SECTION 1297**

1 section 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215
2 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240,
3 and P.L. 111-325, and section 902 of P.L. 112-240. The Internal Revenue Code
4 applies for Wisconsin purposes at the same time as for federal purposes, except that
5 changes made by section 209 of P.L. 109-222, sections 117, 406, 409, 410, 412, 417,
6 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432, sections
7 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
8 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
9 and 11 (b), (e), and (g) of P.L. 110-172, sections 110 and 113 of P.L. 110-245, sections
10 15312, 15313, 15314, and 15342 of P.L. 110-246, sections 3031, 3032, 3033, 3041,
11 3051, 3052, 3061, and 3092 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of
12 P.L. 110-317, sections 116, 208, and 211 of division B and section 504 of division C
13 of P.L. 110-343, section 14 of P.L. 111-92, sections 531, 532, and 533 of P.L. 111-147,
14 sections 10908 and 10909 of P.L. 111-148, and section 2043 of P.L. 111-240 do not
15 apply for taxable years beginning before January 1, 2011. Amendments to the
16 federal Internal Revenue Code enacted after December 31, 2010, do not apply to this
17 paragraph with respect to taxable years beginning after December 31, 2010, and
18 before January 1, 2013, except that changes to the Internal Revenue Code made by
19 section 902 of P.L. 112-240, and changes that indirectly affect the provisions
20 applicable to this subchapter made by section 902 of P.L. 112-240, apply for
21 Wisconsin purposes at the same time as for federal purposes.

22 **SECTION 1298.** 71.05 (1) (c) 11. of the statutes is created to read:

23 71.05 (1) (c) 11. The Wisconsin Health and Educational Facilities Authority
24 under s. 231.03 (6), if the bonds or notes are issued for the benefit of a person who
25 is eligible to receive the proceeds of bonds or notes from another entity for the same

ASSEMBLY BILL 40**SECTION 1298**

1 purpose for which the bonds or notes are issued under s. 231.03 (6) and the interest
2 income received from the other bonds or notes is exempt from taxation under this
3 subchapter.

4 **SECTION 1299.** 71.05 (6) (b) 19. a. of the statutes is amended to read:

5 71.05 (6) (b) 19. a. One hundred percent of the amount paid by the person for
6 medical care insurance, not including any amount that is paid with a premium
7 assistance credit amount under 26 USC 36B. In this subdivision, “medical care
8 insurance” means a medical care insurance policy that covers the person, his or her
9 spouse and the person’s dependents and provides surgical, medical, hospital, major
10 medical or other health service coverage, and includes payments made for medical
11 care benefits under a self-insured plan, but “medical care insurance” does not
12 include hospital indemnity policies or policies with ancillary benefits such as
13 accident benefits or benefits for loss of income resulting from a total or partial
14 inability to work because of illness, sickness or injury.

15 **SECTION 1300.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

16 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses and
17 mandatory student fees for a student who is the claimant or who is the claimant’s
18 child and the claimant’s dependent who is claimed under section 151 (c) of the
19 Internal Revenue Code, to attend any university, college, technical college or a school
20 approved under s. ~~38.50~~ 440.55, that is located in Wisconsin or to attend a public
21 vocational school or public institution of higher education in Minnesota under the
22 Minnesota-Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

23 **SECTION 1301.** 71.05 (6) (b) 28. i. of the statutes is created to read:

24 71.05 (6) (b) 28. i. For taxable years beginning after December 31, 2012, the
25 dollar amounts in subd. 28. b., c., d., and g. shall be increased each year by a

ASSEMBLY BILL 40**SECTION 1301**

1 percentage equal to the percentage change between the U.S. consumer price index
2 for all urban consumers, U.S. city average, for the month of August of the previous
3 year and the U.S. consumer price index for all urban consumers, U.S. city average,
4 for the month of August 2011, as determined by the federal department of labor,
5 except that the adjustment may occur only if the resulting amount is greater than
6 the corresponding amount that was calculated for the previous year. Each amount
7 that is revised under this subd. 28. i. shall be rounded to the nearest multiple of \$10
8 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple
9 of \$5, such an amount shall be increased to the next higher multiple of \$10. The
10 department of revenue shall annually adjust the changes in dollar amounts required
11 under this subd. 28. i. and incorporate the changes into the income tax forms and
12 instructions.

13 **SECTION 1302.** 71.05 (6) (b) 35. a. of the statutes is amended to read:

14 71.05 (6) (b) 35. a. One hundred percent of the amount paid by the individual
15 for medical care insurance, not including any amount that is paid with a premium
16 assistance credit amount under 26 USC 36B. In this subdivision, “medical care
17 insurance” means a medical care insurance policy that covers the individual, his or
18 her spouse, and the individual’s dependents and provides surgical, medical, hospital,
19 major medical, or other health service coverage, and includes payments made for
20 medical care benefits under a self-insured plan, but “medical care insurance” does
21 not include hospital indemnity policies or policies with ancillary benefits such as
22 accident benefits or benefits for loss of income resulting from a total or partial
23 inability to work because of illness, sickness, or injury.

24 **SECTION 1303.** 71.05 (6) (b) 38. a. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1303**

1 71.05 (6) (b) 38. a. One hundred percent of the amount paid by the individual
2 for medical care insurance, not including any amount that is paid with a premium
3 assistance credit amount under 26 USC 36B. In this subdivision, “medical care
4 insurance” means a medical care insurance policy that covers the individual, his or
5 her spouse, and the individual’s dependents and provides surgical, medical, hospital,
6 major medical, or other health service coverage, and includes payments made for
7 medical care benefits under a self-insured plan, but “medical care insurance” does
8 not include hospital indemnity policies or policies with ancillary benefits such as
9 accident benefits or benefits for loss of income resulting from a total or partial
10 inability to work because of illness, sickness, or injury.

11 **SECTION 1304.** 71.05 (6) (b) 42. a. of the statutes is amended to read:

12 71.05 (6) (b) 42. a. One hundred percent of the amount paid by the individual
13 for medical care insurance, not including any amount that is paid with a premium
14 assistance credit amount under 26 USC 36B. In this subdivision, “medical care
15 insurance” means a medical care insurance policy that covers the individual, his or
16 her spouse, and the individual’s dependents and provides surgical, medical, hospital,
17 major medical, or other health service coverage, and includes payments made for
18 medical care benefits under a self-insured plan, but “medical care insurance” does
19 not include hospital indemnity policies or policies with ancillary benefits such as
20 accident benefits or benefits for loss of income resulting from a total or partial
21 inability to work because of illness, sickness, or injury.

22 **SECTION 1305.** 71.05 (24) (a) 4. of the statutes is amended to read:

23 71.05 (24) (a) 4. “Qualified new business venture” means a business certified
24 under s. 238.20, 2011 stats., or s. 560.2085, 2009 stats.

25 **SECTION 1306.** 71.05 (24) (b) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1306**

1 71.05 (24) (b) (intro.) For taxable years beginning after December 31, 2010, and
2 before January 1, 2014, a claimant may subtract from federal adjusted gross income
3 any amount, up to \$10,000,000, of a long-term capital gain if the claimant does all
4 of the following:

5 **SECTION 1307.** 71.05 (25) (title) of the statutes is amended to read:

6 71.05 (25) (title) CAPITAL GAINS EXCLUSION; ~~WISCONSIN-SOURCE ASSETS QUALIFIED~~
7 WISCONSIN BUSINESS.

8 **SECTION 1308.** 71.05 (25) (a) 2. of the statutes is amended to read:

9 71.05 (25) (a) 2. “Qualifying gain” means ~~the~~ a long-term capital gain under
10 the Internal Revenue Code realized from the sale of any asset ~~which is a Wisconsin~~
11 ~~capital asset in the year it is purchased by the claimant and for at least 2 of the~~
12 ~~subsequent 4 years; that is purchased~~ an investment made after December 31, 2010;
13 ~~that is, and held for at least 5 uninterrupted years; and that is treated as a long-term~~
14 ~~gain under the Internal Revenue Code~~ in a business that for the year of investment
15 and at least 2 of the 4 subsequent years was a qualified Wisconsin business; except
16 that a qualifying gain may not include any amount for which the claimant claimed
17 a subtraction under sub. (24) (b) or any gain described under sub. (26) (b) 1.

18 **SECTION 1309.** 71.05 (25) (a) 3. of the statutes is renumbered 71.05 (25) (a) 1s.
19 and amended to read:

20 71.05 (25) (a) 1s. “Qualified Wisconsin business” means a business certified by
21 the Wisconsin Economic Development Corporation under s. 238.145, 2011 stats., or
22 registered with the department under s. 73.03 (69).

23 **SECTION 1310.** 71.05 (25) (a) 4. of the statutes is repealed.

24 **SECTION 1311.** 71.05 (25) (b) (intro.) of the statutes is renumbered 71.05 (25)
25 (b) and amended to read:

ASSEMBLY BILL 40**SECTION 1311**

1 71.05 (25) (b) For taxable years beginning after December 31, 2015, for a
2 ~~Wisconsin capital asset that is purchased~~ an investment in a qualified Wisconsin
3 business made after December 31, 2010, and held for at least 5 uninterrupted years,
4 a claimant may subtract from federal adjusted gross income the lesser of one of the
5 following amounts amount of the claimant's qualifying gain in the year to which the
6 claim relates, to the extent that it is not subtracted under sub. (6) (b) 9. or 9m.:

7 **SECTION 1312.** 71.05 (25) (b) 1. of the statutes is repealed.

8 **SECTION 1313.** 71.05 (25) (b) 2. of the statutes is repealed.

9 **SECTION 1314.** 71.05 (26) (title) of the statutes is amended to read:

10 71.05 (26) (title) ~~INCOME TAX DEFERRAL; LONG-TERM WISCONSIN CAPITAL ASSETS~~
11 QUALIFIED WISCONSIN BUSINESS.

12 **SECTION 1315.** 71.05 (26) (a) 4. of the statutes is amended to read:

13 71.05 (26) (a) 4. "Qualified Wisconsin business" means a business certified by
14 the Wisconsin Economic Development Corporation under s. 238.146, 2011 stats., or
15 registered with the department under s. 73.03 (69).

16 **SECTION 1316.** 71.05 (26) (b) (intro.) of the statutes is amended to read:

17 71.05 (26) (b) (intro.) For taxable years beginning after December 31, 2010, and
18 before January 1, 2014, a claimant may subtract from federal adjusted gross income
19 any amount of a long-term capital gain if the claimant does all of the following:

20 **SECTION 1317.** 71.05 (26) (bm) of the statutes is created to read:

21 71.05 (26) (bm) For taxable years beginning after December 31, 2013, a
22 claimant may subtract from federal adjusted gross income any amount of a
23 long-term capital gain if the claimant does all of the following:

24 1. Within 180 days after the sale of the asset that generated the gain, invests
25 all of the gain in a qualified Wisconsin business.

ASSEMBLY BILL 40**SECTION 1317**

1 2. After making the investment as described under subd. 1., notifies the
2 department, on a form prepared by the department, that the claimant will not
3 declare the gain on the claimant's income tax return because the claimant has
4 reinvested the capital gain as described under subd. 1. The form shall be sent to the
5 department along with the claimant's income tax return for the year to which the
6 claim relates.

7 **SECTION 1318.** 71.05 (26) (c) of the statutes is amended to read:

8 71.05 **(26)** (c) The basis of the investment described in par. (b) 2. shall be
9 calculated by subtracting the gain described in par. (b) 1. from the amount of the
10 investment described in par. (b) 2. The basis of the investment described in par. (bm)
11 1. shall be calculated by subtracting the gain described in par. (bm) 1. from the
12 amount of the investment described in par. (bm) 1.

13 **SECTION 1319.** 71.05 (26) (d) of the statutes is amended to read:

14 71.05 **(26)** (d) If a claimant defers the payment of income taxes on a capital gain
15 under this subsection, the claimant may not use the gain described under par. (b) 1.
16 to net capital gains and losses, as described under sub. (10) (c).

17 **SECTION 1320.** 71.05 (26) (f) of the statutes is amended to read:

18 71.05 **(26)** (f) If a claimant claims the a subtraction for a capital gain under this
19 subsection par. (b) or (bm), the gain described under par. (b) 1. may not be used as
20 a qualifying gain under sub. (25).

21 **SECTION 1321.** 71.06 (1p) (intro.) of the statutes is amended to read:

22 71.06 **(1p)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; ~~AFTER 2000~~
23 ~~2001 TO 2012.~~ (intro.) The tax to be assessed, levied and collected upon the taxable
24 incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or
25 reserve funds, and single individuals and heads of households shall be computed at

ASSEMBLY BILL 40**SECTION 1321**

1 the following rates for taxable years beginning after December 31, 2000, and before
2 January 1, 2013:

3 **SECTION 1322.** 71.06 (1q) of the statutes is created to read:

4 71.06 **(1q)** FIDUCIARIES, SINGLE INDIVIDUALS, AND HEADS OF HOUSEHOLDS; AFTER
5 2012. (intro.) The tax to be assessed, levied, and collected upon the taxable incomes
6 of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve
7 funds, and single individuals and heads of households shall be computed at the
8 following rates for taxable years beginning after December 31, 2012:

9 (a) On all taxable income from \$0 to \$7,500, 4.5 percent.

10 (b) On all taxable income exceeding \$7,500 but not exceeding \$15,000, 5.94
11 percent.

12 (c) On all taxable income exceeding \$15,000 but not exceeding \$112,500, 6.36
13 percent.

14 (d) On all taxable income exceeding \$112,500 but not exceeding \$225,000, 6.75
15 percent.

16 (e) On all taxable income exceeding \$225,000, 7.75 percent.

17 **SECTION 1323.** 71.06 (2) (g) (intro.) of the statutes is amended to read:

18 71.06 **(2)** (g) (intro.) For joint returns, for taxable years beginning after
19 December 31, 2000, and before January 1, 2013:

20 **SECTION 1324.** 71.06 (2) (h) (intro.) of the statutes is amended to read:

21 71.06 **(2)** (h) (intro.) For married persons filing separately, for taxable years
22 beginning after December 31, 2000, and before January 1, 2013:

23 **SECTION 1325.** 71.06 (2) (i) of the statutes is created to read:

24 71.06 **(2)** (i) For joint returns, for taxable years beginning after
25 December 31, 2012:

ASSEMBLY BILL 40**SECTION 1325**

- 1 1. On all taxable income from \$0 to \$10,000, 4.5 percent.
- 2 2. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 5.94
- 3 percent.
- 4 3. On all taxable income exceeding \$20,000 but not exceeding \$150,000, 6.36
- 5 percent.
- 6 4. On all taxable income exceeding \$150,000 but not exceeding \$300,000, 6.75
- 7 percent.
- 8 5. On all taxable income exceeding \$300,000, 7.75 percent.

9 **SECTION 1326.** 71.06 (2) (j) of the statutes is created to read:

10 71.06 (2) (j) For married persons filing separately, for taxable years beginning
11 after December 31, 2012:

- 12 1. On all taxable income from \$0 to \$5,000, 4.5 percent.
- 13 2. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 5.94
- 14 percent.
- 15 3. On all taxable income exceeding \$10,000 but not exceeding \$75,000, 6.36
- 16 percent.
- 17 4. On all taxable income exceeding \$75,000 but not exceeding \$150,000, 6.75
- 18 percent.
- 19 5. On all taxable income exceeding \$150,000, 7.75 percent.

20 **SECTION 1327.** 71.06 (2e) (a) of the statutes is amended to read:

21 71.06 (2e) (a) For taxable years beginning after December 31, 1998, and before
22 January 1, 2000, the maximum dollar amount in each tax bracket, and the
23 corresponding minimum dollar amount in the next bracket, under subs. (1m) and (2)
24 (c) and (d), and for taxable years beginning after December 31, 1999, the maximum
25 dollar amount in each tax bracket, and the corresponding minimum dollar amount

ASSEMBLY BILL 40**SECTION 1327**

1 in the next bracket, under subs. (1n), (1p) (a) to (c), (1q) (a) to (c), and (2) (e), (f), (g)
2 1. to 3., and (h) 1. to 3., (i) 1. to 3., and (j) 1. to 3., shall be increased each year by a
3 percentage equal to the percentage change between the U.S. consumer price index
4 for all urban consumers, U.S. city average, for the month of August of the previous
5 year and the U.S. consumer price index for all urban consumers, U.S. city average,
6 for the month of August 1997, as determined by the federal department of labor,
7 except that for taxable years beginning after December 31, 2000, and before January
8 1, 2002, the dollar amount in the top bracket under subs. (1p) (c) and (d), (2) (g) 3.
9 and 4. and (h) 3. and 4. shall be increased by a percentage equal to the percentage
10 change between the U.S. consumer price index for all urban consumers, U.S. city
11 average, for the month of August of the previous year and the U.S. consumer price
12 index for all urban consumers, U.S. city average, for the month of August 1999, as
13 determined by the federal department of labor, except that for taxable years
14 beginning after December 31, 2011, the adjustment may occur only if the resulting
15 amount is greater than the corresponding amount that was calculated for the
16 previous year. ~~Each amount that is revised under this paragraph shall be rounded~~
17 ~~to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the~~
18 ~~revised amount is a multiple of \$5, such an amount shall be increased to the next~~
19 ~~higher multiple of \$10. The department of revenue shall annually adjust the changes~~
20 ~~in dollar amounts required under this paragraph and incorporate the changes into~~
21 ~~the income tax forms and instructions.~~

22 **SECTION 1328.** 71.06 (2e) (b) of the statutes is amended to read:

23 71.06 (2e) (b) For taxable years beginning after December 31, 2009, the
24 maximum dollar amount in each tax bracket, and the corresponding minimum dollar
25 amount in the next bracket, under subs. (1p) (d), (1q) (d), and (2) (g) 4. and, (h) 4., (i)

ASSEMBLY BILL 40**SECTION 1328**

1 ~~4., and (j) 4., and the dollar amount in the top bracket under subs. (1p) (e), (1q) (e),~~
2 ~~and (2) (g) 5. and, (h) 5., (i) 5., and (j) 5., shall be increased each year by a percentage~~
3 ~~equal to the percentage change between the U.S. consumer price index for all urban~~
4 ~~consumers, U.S. city average, for the month of August of the previous year and the~~
5 ~~U.S. consumer price index for all urban consumers, U.S. city average, for the month~~
6 ~~of August 2008, as determined by the federal department of labor, except that for~~
7 ~~taxable years beginning after December 31, 2011, the adjustment may occur only if~~
8 ~~the resulting amount is greater than the corresponding amount that was calculated~~
9 ~~for the previous year. Each amount that is revised under this paragraph shall be~~
10 ~~rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10~~
11 ~~or, if the revised amount is a multiple of \$5, such an amount shall be increased to the~~
12 ~~next higher multiple of \$10. The department of revenue shall annually adjust the~~
13 ~~changes in dollar amounts required under this paragraph and incorporate the~~
14 ~~changes into the income tax forms and instructions.~~

15 **SECTION 1329.** 71.06 (2e) (c) of the statutes is created to read:

16 71.06 **(2e)** (c) Each amount that is revised under this subsection shall be
17 rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10
18 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the
19 next higher multiple of \$10. The department of revenue shall annually adjust the
20 changes in dollar amounts required under this subsection and incorporate the
21 changes into the income tax forms and instructions.

22 **SECTION 1330.** 71.06 (2m) of the statutes is amended to read:

23 71.06 **(2m)** RATE CHANGES. If a rate under sub. (1), (1m), (1n), (1p), ~~(1q)~~, or (2)
24 changes during a taxable year, the taxpayer shall compute the tax for that taxable

ASSEMBLY BILL 40**SECTION 1330**

1 year by the methods applicable to the federal income tax under section 15 of the
2 ~~internal revenue code~~ Internal Revenue Code.

3 **SECTION 1331.** 71.06 (2s) (d) of the statutes is amended to read:

4 71.06 (2s) (d) For taxable years beginning after December 31, 2000, with
5 respect to nonresident individuals, including individuals changing their domicile
6 into or from this state, the tax brackets under subs. (1p), ~~(1q)~~, and (2) (g) ~~and~~, (h), (i),
7 and (j) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted
8 gross income and the denominator of which is federal adjusted gross income. In this
9 paragraph, for married persons filing separately “adjusted gross income” means the
10 separate adjusted gross income of each spouse, and for married persons filing jointly
11 “adjusted gross income” means the total adjusted gross income of both spouses. If
12 an individual and that individual’s spouse are not both domiciled in this state during
13 the entire taxable year, the tax brackets under subs. (1p), ~~(1q)~~, and (2) (g) ~~and~~, (h),
14 (i), and (j) on a joint return shall be multiplied by a fraction, the numerator of which
15 is their joint Wisconsin adjusted gross income and the denominator of which is their
16 joint federal adjusted gross income.

17 **SECTION 1332.** 71.07 (2dj) (am) 4h. of the statutes is amended to read:

18 71.07 (2dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal
19 Revenue Code so that the amount of the credit is 25% of the qualified first-year
20 wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works employment
21 position for service either in an unsubsidized position or in a trial job under s. 49.147
22 (3), 2011 stats., and so that the amount of the credit is 20% of the qualified first-year
23 wages if the wages are not paid to such an applicant.

24 **SECTION 1333.** 71.07 (2dx) (a) 4. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1333**

1 71.07 (2dx) (a) 4. ~~“Full-time job” means a regular, nonseasonal full-time~~
2 ~~position in which an individual, as a condition of employment, is required to work at~~
3 ~~least 2,080 hours per year, including paid leave and holidays, and for which the~~
4 ~~individual receives pay that is equal to at least 150% of the federal minimum wage~~
5 ~~and receives benefits that are not required by federal or state law. “Full-time job”~~
6 ~~does not include initial training before an employment position begins has the~~
7 ~~meaning given in s. 238.30 (2m).~~

8 **SECTION 1334.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

9 71.07 (2dx) (a) 5. “Member of a targeted group” means a person who resides
10 in an area designated by the federal government as an economic revitalization area,
11 a person who is employed in an unsubsidized job but meets the eligibility
12 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
13 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
14 in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match
15 program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care
16 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
17 economically disadvantaged youth, an economically disadvantaged veteran, a
18 supplemental security income recipient, a general assistance recipient, an
19 economically disadvantaged ex-convict, a qualified summer youth employee, as
20 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
21 a food stamp recipient, if the person has been certified in the manner under sub. (2dj)
22 (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

23 **SECTION 1335.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

24 71.07 (2dx) (b) 2. The amount determined by multiplying the amount
25 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number

ASSEMBLY BILL 40**SECTION 1335**

1 of full-time jobs created in a development zone and filled by a member of a targeted
2 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
3 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

4 **SECTION 1336.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

5 71.07 **(2dx)** (b) 3. The amount determined by multiplying the amount
6 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
7 of full-time jobs created in a development zone and not filled by a member of a
8 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
9 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

10 **SECTION 1337.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

11 71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount
12 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
13 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
14 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
15 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
16 and for which significant capital investment was made and by then subtracting the
17 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
18 ~~under s. 49.147 (3m) (e)~~ for those jobs.

19 **SECTION 1338.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

20 71.07 **(2dx)** (b) 5. The amount determined by multiplying the amount
21 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
22 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
23 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in
24 a development zone and not filled by a member of a targeted group and by then

ASSEMBLY BILL 40**SECTION 1338**

1 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
2 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

3 **SECTION 1339.** 71.07 (3w) (b) 1. a. of the statutes is amended to read:

4 71.07 (3w) (b) 1. a. The number of full-time employees whose annual wages
5 are greater than ~~\$20,000~~ the amount determined by multiplying 2,080 by 150
6 percent of the federal minimum wage in a tier I county or municipality or greater
7 than \$30,000 in a tier II county or municipality and who the claimant employed in
8 the enterprise zone in the taxable year, minus the number of full-time employees
9 whose annual wages were greater than ~~\$20,000~~ the amount determined by
10 multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or
11 municipality or greater than \$30,000 in a tier II county or municipality and who the
12 claimant employed in the area that comprises the enterprise zone in the base year.

13 **SECTION 1340.** 71.07 (3w) (b) 1. b. of the statutes is amended to read:

14 71.07 (3w) (b) 1. b. The number of full-time employees whose annual wages
15 are greater than ~~\$20,000~~ the amount determined by multiplying 2,080 by 150
16 percent of the federal minimum wage in a tier I county or municipality or greater
17 than \$30,000 in a tier II county or municipality and who the claimant employed in
18 the state in the taxable year, minus the number of full-time employees whose annual
19 wages were greater than ~~\$20,000~~ the amount determined by multiplying 2,080 by
20 150 percent of the federal minimum wage in a tier I county or municipality or greater
21 than \$30,000 in a tier II county or municipality and who the claimant employed in
22 the state in the base year.

23 **SECTION 1341.** 71.07 (3w) (b) 2. of the statutes is amended to read:

24 71.07 (3w) (b) 2. Determine the claimant's average zone payroll by dividing
25 total wages for full-time employees whose annual wages are greater than ~~\$20,000~~

ASSEMBLY BILL 40**SECTION 1341**

1 the amount determined by multiplying 2,080 by 150 percent of the federal minimum
2 wage in a tier I county or municipality or greater than \$30,000 in a tier II county or
3 municipality and who the claimant employed in the enterprise zone in the taxable
4 year by the number of full-time employees whose annual wages are greater than
5 ~~\$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal
6 minimum wage in a tier I county or municipality or greater than \$30,000 in a tier II
7 county or municipality and who the claimant employed in the enterprise zone in the
8 taxable year.

9 **SECTION 1342.** 71.07 (3w) (b) 3. of the statutes is amended to read:

10 71.07 (3w) (b) 3. For employees in a tier I county or municipality, subtract
11 ~~\$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal
12 minimum wage from the amount determined under subd. 2. and for employees in a
13 tier II county or municipality, subtract \$30,000 from the amount determined under
14 subd. 2.

15 **SECTION 1343.** 71.07 (3w) (bm) 2. of the statutes is amended to read:

16 71.07 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
17 4., and subject to the limitations provided in this subsection and s. 238.399 or s.
18 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under
19 s. 71.02 or 71.08 an amount equal to the percentage, as determined under s. 238.399
20 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid
21 in the taxable year to all of the claimant's full-time employees whose annual wages
22 are greater than ~~\$20,000~~ the amount determined by multiplying 2,080 by 150
23 percent of the federal minimum wage in a tier I county or municipality, not including
24 the wages paid to the employees determined under par. (b) 1., or greater than \$30,000
25 in a tier II county or municipality, not including the wages paid to the employees

ASSEMBLY BILL 40**SECTION 1343**

1 determined under par. (b) 1., and who the claimant employed in the enterprise zone
2 in the taxable year, if the total number of such employees is equal to or greater than
3 the total number of such employees in the base year. A claimant may claim a credit
4 under this subdivision for no more than 5 consecutive taxable years.

5 **SECTION 1344.** 71.07 (5d) (c) 1. of the statutes is repealed.

6 **SECTION 1345.** 71.07 (5i) (b) of the statutes is amended to read:

7 71.07 (5i) (b) *Filing claims.* Subject to the limitations provided in this
8 subsection, for taxable years beginning after December 31, 2011, and before January
9 1, 2014, a claimant may claim as a credit against the taxes imposed under ss. 71.02
10 and 71.08, up to the amount of those taxes, an amount equal to 50 percent of the
11 amount the claimant paid in the taxable year for information technology hardware
12 or software that is used to maintain medical records in electronic form, if the
13 claimant is a health care provider, as defined in s. 146.81 (1) (a) to (p).

14 **SECTION 1346.** 71.07 (5r) (a) 2. of the statutes is amended to read:

15 71.07 (5r) (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ 440.55
16 (1) (c).

17 **SECTION 1347.** 71.07 (5r) (a) 6. b. of the statutes is amended to read:

18 71.07 (5r) (a) 6. b. A school approved under s. ~~38.50~~ 440.55, if the delivery of
19 education occurs in this state.

20 **SECTION 1348.** 71.07 (6e) (a) 2. d. of the statutes is created to read:

21 71.07 (6e) (a) 2. d. An individual who had served on active duty under
22 honorable conditions in the U.S. armed forces or in forces incorporated as part of the
23 U.S. armed forces; who was a resident of this state at the time of entry into that active
24 service or who had been a resident of this state for any consecutive 5-year period
25 after entry into that active duty service; who was a resident of this state at the time

ASSEMBLY BILL 40**SECTION 1348**

1 of his or her death; and following the individual's death, his or her spouse began to
2 receive, and continues to receive, dependency and indemnity compensation, as
3 defined in 38 USC 101 (14).

4 **SECTION 1349.** 71.10 (5k) (i) of the statutes is amended to read:

5 71.10 (5k) (i) *Appropriations.* From the moneys received from designations for
6 the Badger Chapter, an amount equal to the sum of administrative expenses,
7 including data processing costs, certified under par. (h) 1. shall be deposited in the
8 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and
9 the net amount remaining that is certified under par. (h) 3. shall be credited to the
10 appropriation under s. ~~20.435 (1)~~ 20.855 (4) (gd) and the department shall annually
11 pay that certified net amount to the Badger Chapter for its Wisconsin Disaster Relief
12 Fund.

13 **SECTION 1350.** 71.125 (1) of the statutes is amended to read:

14 71.125 (1) Except as provided in sub. (2), the tax imposed by this chapter on
15 individuals and the rates under s. 71.06 (1), (1m), (1n), (1p), (1q), and (2) shall
16 apply to the Wisconsin taxable income of estates or trusts, except nuclear
17 decommissioning trust or reserve funds, and that tax shall be paid by the fiduciary.

18 **SECTION 1351.** 71.125 (2) of the statutes is amended to read:

19 71.125 (2) Each electing small business trust, as defined in section 1361 (e) (1)
20 of the Internal Revenue Code, is subject to tax at the highest rate under s. 71.06 (1),
21 (1m), (1n) ~~or~~, (1p), or (1q), whichever taxable year is applicable, on its income as
22 computed under section 641 of the Internal Revenue Code, as modified by s. 71.05
23 (6) to (12), (19) and (20).

24 **SECTION 1352.** 71.17 (6) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1352**

1 71.17 (6) FUNERAL TRUSTS. If a qualified funeral trust makes the election under
2 section 685 of the Internal Revenue Code for federal income tax purposes, that
3 election applies for purposes of this chapter and each trust shall compute its own tax
4 and shall apply the rates under s. 71.06 (1), (1m), (1n) ~~or~~, (1p), or (1q).

5 **SECTION 1353.** 71.22 (4) (i) of the statutes is created to read:

6 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
7 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
8 December 31, 2012, means the federal Internal Revenue Code as amended to
9 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102-227, sections
10 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
11 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
12 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L. 107-16, sections
13 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section
14 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections
15 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L.
16 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,
17 and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73,
18 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
19 (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222, P.L.
20 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division
21 A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections 8215,
22 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5 of P.L.
23 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L.
24 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections 4,
25 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and

ASSEMBLY BILL 40**SECTION 1353**

1 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
2 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
3 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
4 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
5 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
6 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
7 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
8 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
9 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
10 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
11 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, indirectly affected in the
12 provisions applicable to this subchapter by P.L. 99-514, excluding sections 803 (d)
13 (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514, P.L. 100-203,
14 P.L. 100-647, excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
15 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
16 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
17 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
18 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
19 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
20 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
21 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
22 P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
23 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
24 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
25 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.

ASSEMBLY BILL 40**SECTION 1353**

1 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
2 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
3 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
4 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
5 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
6 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
7 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
8 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
9 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
10 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
11 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
12 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
13 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
14 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
15 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.
16 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
17 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
18 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
19 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
20 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections
21 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
22 10908, and 10909 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, P.L.
23 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections
24 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L.
25 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121 of P.L.

ASSEMBLY BILL 40**SECTION 1353**

1 112-141, and sections 101 and 902 of P.L. 112-240. The Internal Revenue Code
2 applies for Wisconsin purposes at the same time as for federal purposes, except that
3 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
4 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
5 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
6 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
7 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
8 do not apply to this paragraph with respect to taxable years beginning after
9 December 31, 2010, except that changes to the Internal Revenue Code made by
10 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
11 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
12 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
13 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
14 for taxable years beginning before January 1, 2013, and changes to the Internal
15 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that
16 indirectly affect the provisions applicable to this subchapter made by sections 101
17 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
18 purposes.

19 **SECTION 1354.** 71.22 (4) (o) of the statutes is repealed.

20 **SECTION 1355.** 71.22 (4) (p) of the statutes is renumbered 71.22 (4) (a).

21 **SECTION 1356.** 71.22 (4) (q) of the statutes is renumbered 71.22 (4) (b).

22 **SECTION 1357.** 71.22 (4) (r) of the statutes is renumbered 71.22 (4) (c).

23 **SECTION 1358.** 71.22 (4) (s) of the statutes is renumbered 71.22 (4) (d).

24 **SECTION 1359.** 71.22 (4) (t) of the statutes is renumbered 71.22 (4) (e).

25 **SECTION 1360.** 71.22 (4) (u) of the statutes is renumbered 71.22 (4) (f).

ASSEMBLY BILL 40**SECTION 1361**

1 **SECTION 1361.** 71.22 (4) (um) of the statutes is renumbered 71.22 (4) (g).

2 **SECTION 1362.** 71.22 (4) (un) of the statutes is renumbered 71.22 (4) (h) and
3 amended to read:

4 71.22 (4) (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
5 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
6 December 31, 2010, and before January 1, 2013, means the federal Internal Revenue
7 Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
9 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
10 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
11 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and
12 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403
13 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and
14 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
15 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section
16 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
17 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L.
18 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
19 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except
20 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,
21 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
22 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
23 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
24 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
25 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of

ASSEMBLY BILL 40**SECTION 1362**

1 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
2 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
3 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of
4 P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152, P.L. 111-203, except
5 section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and 217 of P.L.
6 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.
7 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240, and as
8 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
9 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
10 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
11 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
12 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
13 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
14 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
15 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
16 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
17 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
18 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
19 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
20 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
21 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
22 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
23 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
24 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
25 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.

ASSEMBLY BILL 40**SECTION 1362**

1 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
2 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
3 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
4 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
5 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
6 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
7 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
8 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
9 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
10 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
11 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.
12 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
13 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
14 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
15 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
16 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections
17 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111-148, section 1407
18 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of
19 P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L.
20 111-325, and section 902 of P.L. 112-240. The Internal Revenue Code applies for
21 Wisconsin purposes at the same time as for federal purposes, except that changes
22 made by section 209 of P.L. 109-222, sections 117, 406, 409, 410, 412, 417, 418, 424,
23 and 425 of division A and section 403 of division C of P.L. 109-432, sections 8215,
24 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding
25 sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b),

ASSEMBLY BILL 40**SECTION 1362**

1 (e), and (g) of P.L. 110-172, sections 110 and 113 of P.L. 110-245, sections 15312,
2 15313, 15314, and 15342 of P.L. 110-246, sections 3031, 3032, 3033, 3041, 3051,
3 3052, 3061, and 3092 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L.
4 110-317, sections 116, 208, and 211 of division B and section 504 of division C of P.L.
5 110-343, section 14 of P.L. 111-92, sections 531, 532, and 533 of P.L. 111-147,
6 sections 10908 and 10909 of P.L. 111-148, and section 2043 of P.L. 111-240 do not
7 apply for taxable years beginning before January 1, 2011. Amendments to the
8 federal Internal Revenue Code enacted after December 31, 2010, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 2010, and
10 before January 1, 2013, except that changes to the Internal Revenue Code made by
11 section 902 of P.L. 112-240, and changes that indirectly affect the provisions
12 applicable to this subchapter made by section 902 of P.L. 112-240, apply for
13 Wisconsin purposes at the same time as for federal purposes.

14 **SECTION 1363.** 71.22 (4m) (i) of the statutes is created to read:

15 71.22 (4m) (i) For taxable years that begin after December 31, 2012, "Internal
16 Revenue Code," for corporations that are subject to a tax on unrelated business
17 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
18 to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102-227, sections
19 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
20 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
21 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L. 107-16, sections
22 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section
23 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections
24 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L.
25 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,

ASSEMBLY BILL 40**SECTION 1363**

1 and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73,
2 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
3 (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222, P.L.
4 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division
5 A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections 8215,
6 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5 of P.L.
7 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L.
8 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections 4,
9 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
10 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
11 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
12 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
13 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
14 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
15 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
16 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
17 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
18 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
19 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
20 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly affected
21 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
22 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
23 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
24 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
25 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.

ASSEMBLY BILL 40**SECTION 1363**

1 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
2 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
3 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
4 excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.
5 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
6 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
7 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
8 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
9 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
10 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
11 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
12 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
13 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
14 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
15 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
16 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
17 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
18 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
19 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
20 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
21 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
22 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
23 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
24 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
25 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.

ASSEMBLY BILL 40**SECTION 1363**

1 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
2 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
3 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
4 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
5 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
6 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
7 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211,
8 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240.
9 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
10 federal purposes, except that changes made by P.L. 106-573, sections 9004, 9005,
11 9012, 9013, 9014, 9016, and 10902 of P.L. 111-148, sections 1403 and 1407 of P.L.
12 111-152, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
13 40241, 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning
14 before January 1, 2013. Amendments to the federal Internal Revenue Code enacted
15 after December 31, 2010, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 2010, except that changes to the Internal Revenue
17 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
18 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
19 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
20 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
21 112-141, do not apply for taxable years beginning before January 1, 2013, and
22 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240,
23 and changes that indirectly affect the provisions applicable to this subchapter made
24 by sections 101 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same
25 time as for federal purposes.

ASSEMBLY BILL 40**SECTION 1364**

1 **SECTION 1364.** 71.22 (4m) (m) of the statutes is repealed.

2 **SECTION 1365.** 71.22 (4m) (n) of the statutes is renumbered 71.22 (4m) (a).

3 **SECTION 1366.** 71.22 (4m) (o) of the statutes is renumbered 71.22 (4m) (b).

4 **SECTION 1367.** 71.22 (4m) (p) of the statutes is renumbered 71.22 (4m) (c).

5 **SECTION 1368.** 71.22 (4m) (q) of the statutes is renumbered 71.22 (4m) (d).

6 **SECTION 1369.** 71.22 (4m) (r) of the statutes is renumbered 71.22 (4m) (e).

7 **SECTION 1370.** 71.22 (4m) (s) of the statutes is renumbered 71.22 (4m) (f).

8 **SECTION 1371.** 71.22 (4m) (sm) of the statutes is renumbered 71.22 (4m) (g).

9 **SECTION 1372.** 71.22 (4m) (sn) of the statutes is renumbered 71.22 (4m) (h) and
10 amended to read:

11 71.22 (4m) (h) For taxable years that begin after December 31, 2010, and
12 before January 1, 2013, "Internal Revenue Code," for corporations that are subject
13 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
14 Internal Revenue Code as amended to December 31, 2010, excluding sections 103,
15 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
16 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
17 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
18 P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
19 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
20 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,
21 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
22 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section
23 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
24 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
25 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,

ASSEMBLY BILL 40**SECTION 1372**

1 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
2 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
3 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
4 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
5 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
6 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
7 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
8 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
9 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
10 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,
11 and 10909 of P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152, P.L.
12 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and
13 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113
14 of P.L. 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240,
15 and as indirectly affected in the provisions applicable to this subchapter by P.L.
16 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
17 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
18 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
19 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
20 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
21 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
22 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
23 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,
24 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
25 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.

ASSEMBLY BILL 40**SECTION 1372**

1 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
2 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
3 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
4 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
5 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
6 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
7 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
8 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
9 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
10 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
11 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
12 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
13 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
14 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
15 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
16 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
17 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
18 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
19 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
20 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
21 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
22 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and
23 10909 of P.L. 111-148, section 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L.
24 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and
25 2113 of P.L. 111-240, P.L. ~~and 111-325~~, and section 902 of P.L. 112-240. The Internal

ASSEMBLY BILL 40**SECTION 1372**

1 Revenue Code applies for Wisconsin purposes at the same time as for federal
2 purposes, except that changes made by section 209 of P.L. 109-222, sections 117, 406,
3 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.
4 109-432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L.
5 110-142, excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding
6 sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, sections 110 and 113 of P.L.
7 110-245, sections 15312, 15313, 15314, and 15342 of P.L. 110-246, sections 3031,
8 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110-289, P.L. 110-317,
9 excluding section 9 (e) of P.L. 110-317, sections 116, 208, and 211 of division B and
10 section 504 of division C of P.L. 110-343, section 14 of P.L. 111-92, sections 531, 532,
11 and 533 of P.L. 111-147, sections 10908 and 10909 of P.L. 111-148, and section 2043
12 of P.L. 111-240 do not apply for taxable years beginning before January 1, 2011.
13 Amendments to the Internal Revenue Code enacted after December 31, 2010, do not
14 apply to this paragraph with respect to taxable years beginning after
15 December 31, 2010, and before January 1, 2013, except that changes to the Internal
16 Revenue Code made by section 902 of P.L. 112-240, and changes that indirectly affect
17 the provisions applicable to this subchapter made by section 902 of P.L. 112-240,
18 apply for Wisconsin purposes at the same time as for federal purposes.

19 **SECTION 1373.** 71.26 (1m) (L) of the statutes is created to read:

20 71.26 (1m) (L) Those issued under s. 231.03 (6), if the bonds or notes are issued
21 for the benefit of a person who is eligible to receive the proceeds of bonds or notes from
22 another entity for the same purpose for which the bonds or notes are issued under
23 s. 231.03 (6) and the interest income received from the other bonds or notes is exempt
24 from taxation under this subchapter.

25 **SECTION 1374.** 71.26 (2) (b) 9. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1374**

1 71.26 (2) (b) 9. For taxable years that begin after December 31, 2012, for a
2 corporation, conduit, or common law trust which qualifies as a regulated investment
3 company, real estate mortgage investment conduit, real estate investment trust, or
4 financial asset securitization investment trust under the Internal Revenue Code as
5 amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102-227,
6 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections
7 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and
8 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L. 107-16,
9 sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27,
10 section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311,
11 sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357,
12 P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329,
13 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
14 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
15 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
16 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
17 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
18 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5
19 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
20 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
21 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
22 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
23 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
24 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
25 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections

ASSEMBLY BILL 40**SECTION 1374**

1 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
2 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
3 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
4 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
5 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
6 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
7 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly affected
8 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
9 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
10 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
11 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
12 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
13 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
14 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
15 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
16 excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.
17 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
18 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
19 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
20 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
21 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
22 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
23 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
24 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
25 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,

ASSEMBLY BILL 40**SECTION 1374**

1 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
2 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
3 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
4 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
5 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
6 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
7 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
8 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
9 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
10 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
11 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
12 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
13 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
14 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
15 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
16 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
17 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
18 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
19 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211,
20 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240,
21 “net income” means the federal regulated investment company taxable income,
22 federal real estate mortgage investment conduit taxable income, federal real estate
23 investment trust or financial asset securitization investment trust taxable income
24 of the corporation, conduit, or trust as determined under the Internal Revenue Code
25 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.

ASSEMBLY BILL 40**SECTION 1374**

1 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
2 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
3 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L.
4 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
5 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
6 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
7 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
8 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
9 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
10 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
11 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
12 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
13 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5
14 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
15 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
16 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
17 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
18 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
19 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
20 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
21 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
22 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
23 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
24 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
25 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858

ASSEMBLY BILL 40**SECTION 1374**

1 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
2 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly affected
3 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
4 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
5 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
6 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
7 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
8 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
9 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
10 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
11 excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.
12 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
13 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
14 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
15 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
16 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
17 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
18 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
19 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
20 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
21 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
22 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
23 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
24 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
25 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A

ASSEMBLY BILL 40**SECTION 1374**

1 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
2 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
3 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
4 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
5 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
6 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
7 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
8 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
9 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
10 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
11 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, section 1407 of
12 P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L.
13 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L. 111-325,
14 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242,
15 and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, except that
16 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated
17 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to
18 December 31, 1980, shall continue to be depreciated under the Internal Revenue
19 Code as amended to December 31, 1980, and except that the appropriate amount
20 shall be added or subtracted to reflect differences between the depreciation or
21 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
22 under this chapter of any property disposed of during the taxable year. The Internal
23 Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and
24 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
25 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,

ASSEMBLY BILL 40**SECTION 1374**

1 sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section
2 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and
3 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403
4 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and
5 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
6 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section
7 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
8 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L.
9 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
10 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except
11 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,
12 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
13 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
14 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
15 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
16 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
17 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
18 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
19 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,
20 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L. 111-152, except section
21 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226,
22 except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043,
23 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section
24 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and
25 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly

ASSEMBLY BILL 40**SECTION 1374**

1 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
2 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
3 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
9 excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L.
10 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
11 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
12 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
13 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
14 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
15 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
16 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
17 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
18 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
19 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
20 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
21 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
22 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
23 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
24 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
25 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.

ASSEMBLY BILL 40**SECTION 1374**

1 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
2 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
3 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
4 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
5 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
6 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
7 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
8 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
9 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
10 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
11 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
12 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211,
13 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240
14 applies for Wisconsin purposes at the same time as for federal purposes, except that
15 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
16 10902 of P.L. 111-148, and sections 1403 and 1407 of P.L. 111-152, section 1858 of
17 P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and
18 100121 of P.L. 112-141 do not apply for taxable years beginning before January 1,
19 2013. Amendments to the federal Internal Revenue Code enacted after December
20 31, 2010, do not apply to this paragraph with respect to taxable years beginning after
21 December 31, 2010, except that changes to the Internal Revenue Code made by
22 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
23 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
24 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
25 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply

ASSEMBLY BILL 40**SECTION 1374**

1 for taxable years beginning before January 1, 2013, and changes to the Internal
2 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that
3 indirectly affect the provisions applicable to this subchapter made by sections 101
4 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
5 purposes.

6 **SECTION 1375.** 71.26 (2) (b) 15. of the statutes is repealed.

7 **SECTION 1376.** 71.26 (2) (b) 16. of the statutes is renumbered 71.26 (2) (b) 1.

8 **SECTION 1377.** 71.26 (2) (b) 17. of the statutes is renumbered 71.26 (2) (b) 2.

9 **SECTION 1378.** 71.26 (2) (b) 18. of the statutes is renumbered 71.26 (2) (b) 3.

10 **SECTION 1379.** 71.26 (2) (b) 19. of the statutes is renumbered 71.26 (2) (b) 4.

11 **SECTION 1380.** 71.26 (2) (b) 20. of the statutes is renumbered 71.26 (2) (b) 5.

12 **SECTION 1381.** 71.26 (2) (b) 21. of the statutes is renumbered 71.26 (2) (b) 6.

13 **SECTION 1382.** 71.26 (2) (b) 22. of the statutes is renumbered 71.26 (2) (b) 7.

14 **SECTION 1383.** 71.26 (2) (b) 23. of the statutes is renumbered 71.26 (2) (b) 8. and
15 amended to read:

16 71.26 (2) (b) 8. For taxable years that begin after December 31, 2010, and
17 before January 1, 2013, for a corporation, conduit, or common law trust which
18 qualifies as a regulated investment company, real estate mortgage investment
19 conduit, real estate investment trust, or financial asset securitization investment
20 trust under the Internal Revenue Code as amended to December 31, 2010, excluding
21 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
22 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
23 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165
24 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of
25 P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173,

ASSEMBLY BILL 40**SECTION 1383**

1 sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211,
2 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305,
3 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58,
4 section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as
5 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135,
6 sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117,
7 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division
8 C of P.L. 109-432, P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of
9 P.L. 110-28, P.L. 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections
10 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301
11 of P.L. 110-245, P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and
12 15342 of P.L. 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of
13 P.L. 110-317, P.L. 110-343, except sections 116, 208, 211, and 301 of division B and
14 sections 313 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261,
15 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201
16 of P.L. 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108,
17 10908, and 10909 of P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152,
18 P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215
19 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and
20 2113 of P.L. 111-240, and P.L. 111-312, and as amended by section 902 of P.L.
21 112-240, and as indirectly affected in the provisions applicable to this subchapter by
22 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
23 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
24 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
25 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.

ASSEMBLY BILL 40**SECTION 1383**

1 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
2 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
3 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
4 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,
5 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
6 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
7 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
8 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
9 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
10 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
11 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
12 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
13 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
14 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
15 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
16 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
17 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
18 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
19 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
20 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
21 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
22 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
23 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
24 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
25 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.

ASSEMBLY BILL 40**SECTION 1383**

1 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
2 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
3 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and
4 10909 of P.L. 111-148, section 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L.
5 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and
6 2113 of P.L. 111-240 and P.L. 111-325, and section 902 of P.L. 112-240, “net income”
7 means the federal regulated investment company taxable income, federal real estate
8 mortgage investment conduit taxable income, federal real estate investment trust
9 or financial asset securitization investment trust taxable income of the corporation,
10 conduit, or trust as determined under the Internal Revenue Code as amended to
11 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102-227, sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
13 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
14 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
15 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
16 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
17 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
18 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
19 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
20 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
21 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
22 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
23 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
24 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5
25 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,

ASSEMBLY BILL 40**SECTION 1383**

1 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
2 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
3 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
4 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
5 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
6 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
7 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111-148, P.L. 111-152,
8 except section 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L. 111-203,
9 P.L. 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except
10 sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as
11 amended by section 902 of P.L. 112-240, and as indirectly affected in the provisions
12 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
13 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
14 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
15 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
16 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
17 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
18 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
19 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
20 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
21 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
22 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
23 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
24 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
25 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.

ASSEMBLY BILL 40**SECTION 1383**

1 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
2 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
3 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
4 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
5 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
6 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
7 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
8 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
9 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
10 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
11 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
12 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
13 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.
14 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
15 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
16 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
17 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
18 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections
19 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111-148, section 1407
20 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of
21 P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L.
22 111-325, and section 902 of P.L. 112-240, except that property that, under s. 71.02
23 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
24 under the Internal Revenue Code as amended to December 31, 1980, shall continue
25 to be depreciated under the Internal Revenue Code as amended to

ASSEMBLY BILL 40**SECTION 1383**

1 December 31, 1980, and except that the appropriate amount shall be added or
2 subtracted to reflect differences between the depreciation or adjusted basis for
3 federal income tax purposes and the depreciation or adjusted basis under this
4 chapter of any property disposed of during the taxable year. The Internal Revenue
5 Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
6 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
7 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
8 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
9 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and
10 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403
11 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and
12 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
13 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section
14 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
15 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L.
16 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
17 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except
18 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,
19 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
20 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
21 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
22 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
23 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
24 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
25 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.

ASSEMBLY BILL 40**SECTION 1383**

1 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of
2 P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152, P.L. 111-203, except
3 section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and 217 of P.L.
4 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.
5 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240, and as
6 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
7 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
8 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
9 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
11 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
12 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
13 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
14 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
15 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
16 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L.
17 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
18 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
19 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316,
20 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211,
21 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476,
22 P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
23 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146
24 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135,
25 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),

ASSEMBLY BILL 40**SECTION 1383**

1 (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections
2 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406,
3 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.
4 109-432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L.
5 110-142, excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding
6 sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section
7 301 of P.L. 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
8 110-246, P.L. 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L.
9 110-317, excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of
10 division B and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L.
11 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B
12 of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147,
13 sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111-148,
14 section 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215
15 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240,
16 ~~and P.L. 111-325, and section 902 of P.L. 112-240~~, applies for Wisconsin purposes at
17 the same time as for federal purposes, except that changes made by section 209 of
18 P.L. 109-222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
19 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
20 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
21 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
22 sections 110 and 113 of P.L. 110-245, sections 15312, 15313, 15314, and 15342 of P.L.
23 110-246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L.
24 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections 116, 208, and
25 211 of division B and section 504 of division C of P.L. 110-343, section 14 of P.L.

ASSEMBLY BILL 40**SECTION 1383**

1 111-92, sections 531, 532, and 533 of P.L. 111-147, sections 10908 and 10909 of P.L.
2 111-148, and section 2043 of P.L. 111-240 do not apply for taxable years beginning
3 before January 1, 2011. Amendments to the Internal Revenue Code enacted after
4 December 31, 2010, do not apply to this subdivision with respect to taxable years that
5 begin after December 31, 2010, and before January 1, 2013, except that changes to
6 the Internal Revenue Code made by section 902 of P.L. 112-240, and changes that
7 indirectly affect the provisions applicable to this subchapter made by section 902 of
8 P.L. 112-240, apply for Wisconsin purposes at the same time as for federal purposes.

9 **SECTION 1384.** 71.28 (1dj) (am) 4h. of the statutes is amended to read:

10 71.28 (1dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal
11 Revenue Code so that the amount of the credit is 25% of the qualified first-year
12 wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works employment
13 position for service either in an unsubsidized position or in a trial job under s. 49.147
14 (3), 2011 stats., and so that the amount of the credit is 20% of the qualified first-year
15 wages if the wages are not paid to such an applicant.

16 **SECTION 1385.** 71.28 (1dx) (a) 4. of the statutes is amended to read:

17 71.28 (1dx) (a) 4. “Full-time job” ~~means a regular, nonseasonal full-time~~
18 ~~position in which an individual, as a condition of employment, is required to work at~~
19 ~~least 2,080 hours per year, including paid leave and holidays, and for which the~~
20 ~~individual receives pay that is equal to at least 150% of the federal minimum wage~~
21 ~~and receives benefits that are not required by federal or state law. “Full-time job”~~
22 ~~does not include initial training before an employment position begins~~ has the
23 meaning given in s. 238.30 (2m).

24 **SECTION 1386.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1386**

1 71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides
2 in an area designated by the federal government as an economic revitalization area,
3 a person who is employed in an unsubsidized job but meets the eligibility
4 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
5 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
6 in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match
7 program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care
8 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
9 economically disadvantaged youth, an economically disadvantaged veteran, a
10 supplemental security income recipient, a general assistance recipient, an
11 economically disadvantaged ex-convict, a qualified summer youth employee, as
12 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
13 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
14 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

15 **SECTION 1387.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

16 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
18 of full-time jobs created in a development zone and filled by a member of a targeted
19 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
20 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

21 **SECTION 1388.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

22 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
23 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
24 of full-time jobs created in a development zone and not filled by a member of a

ASSEMBLY BILL 40**SECTION 1388**

1 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
2 the subsidies and reimbursements paid under s. 49.147 (3m) (e) for those jobs.

3 **SECTION 1389.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

4 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
6 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
7 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
8 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
9 and for which significant capital investment was made and by then subtracting the
10 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
11 ~~under s. 49.147 (3m) (e)~~ for those jobs.

12 **SECTION 1390.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

13 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
14 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
15 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
16 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
17 a development zone and not filled by a member of a targeted group and by then
18 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
19 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

20 **SECTION 1391.** 71.28 (3w) (b) 1. a. of the statutes is amended to read:

21 71.28 (3w) (b) 1. a. The number of full-time employees whose annual wages
22 are greater than \$20,000 the amount determined by multiplying 2,080 by 150
23 percent of the federal minimum wage in a tier I county or municipality or greater
24 than \$30,000 in a tier II county or municipality and who the claimant employed in
25 the enterprise zone in the taxable year, minus the number of full-time employees

ASSEMBLY BILL 40**SECTION 1391**

1 whose annual wages were greater than \$20,000 the amount determined by
2 multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or
3 municipality or greater than \$30,000 in a tier II county or municipality and who the
4 claimant employed in the area that comprises the enterprise zone in the base year.

5 **SECTION 1392.** 71.28 (3w) (b) 1. b. of the statutes is amended to read:

6 71.28 (3w) (b) 1. b. The number of full-time employees whose annual wages
7 are greater than \$20,000 the amount determined by multiplying 2,080 by 150
8 percent of the federal minimum wage in a tier I county or municipality or greater
9 than \$30,000 in a tier II county or municipality and who the claimant employed in
10 the state in the taxable year, minus the number of full-time employees whose annual
11 wages were greater than \$20,000 the amount determined by multiplying 2,080 by
12 150 percent of the federal minimum wage in a tier I county or municipality or greater
13 than \$30,000 in a tier II county or municipality and who the claimant employed in
14 the state in the base year.

15 **SECTION 1393.** 71.28 (3w) (b) 2. of the statutes is amended to read:

16 71.28 (3w) (b) 2. Determine the claimant's average zone payroll by dividing
17 total wages for full-time employees whose annual wages are greater than \$20,000
18 the amount determined by multiplying 2,080 by 150 percent of the federal minimum
19 wage in a tier I county or municipality or greater than \$30,000 in a tier II county or
20 municipality and who the claimant employed in the enterprise zone in the taxable
21 year by the number of full-time employees whose annual wages are greater than
22 \$20,000 the amount determined by multiplying 2,080 by 150 percent of the federal
23 minimum wage in a tier I county or municipality or greater than \$30,000 in a tier II
24 county or municipality and who the claimant employed in the enterprise zone in the
25 taxable year.

ASSEMBLY BILL 40**SECTION 1394**

1 **SECTION 1394.** 71.28 (3w) (b) 3. of the statutes is amended to read:

2 71.28 (3w) (b) 3. For employees in a tier I county or municipality, subtract
3 \$20,000 the amount determined by multiplying 2,080 by 150 percent of the federal
4 minimum wage from the amount determined under subd. 2. and for employees in a
5 tier II county or municipality, subtract \$30,000 from the amount determined under
6 subd. 2.

7 **SECTION 1395.** 71.28 (3w) (bm) 2. of the statutes is amended to read:

8 71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
9 4., and subject to the limitations provided in this subsection and s. 238.399 or s.
10 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under
11 s. 71.23 an amount equal to the percentage, as determined under s. 238.399 or s.
12 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in
13 the taxable year to all of the claimant's full-time employees whose annual wages are
14 greater than \$20,000 the amount determined by multiplying 2,080 by 150 percent
15 of the federal minimum wage in a tier I county or municipality, not including the
16 wages paid to the employees determined under par. (b) 1., or greater than \$30,000
17 in a tier II county or municipality, not including the wages paid to the employees
18 determined under par. (b) 1., and who the claimant employed in the enterprise zone
19 in the taxable year, if the total number of such employees is equal to or greater than
20 the total number of such employees in the base year. A claimant may claim a credit
21 under this subdivision for no more than 5 consecutive taxable years.

22 **SECTION 1396.** 71.28 (5i) (b) of the statutes is amended to read:

23 71.28 (5i) (b) *Filing claims.* Subject to the limitations provided in this
24 subsection, for taxable years beginning after December 31, 2011, and before January
25 1, 2014, a claimant may claim as a credit against the taxes imposed under s. 71.23,

ASSEMBLY BILL 40**SECTION 1396**

1 up to the amount of those taxes, an amount equal to 50 percent of the amount the
2 claimant paid in the taxable year for information technology hardware or software
3 that is used to maintain medical records in electronic form, if the claimant is a health
4 care provider, as defined in s. 146.81 (1) (a) to (p).

5 **SECTION 1397.** 71.28 (5r) (a) 2. of the statutes is amended to read:

6 71.28 **(5r)** (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ 440.55
7 (1) (c).

8 **SECTION 1398.** 71.28 (5r) (a) 6. b. of the statutes is amended to read:

9 71.28 **(5r)** (a) 6. b. A school approved under s. ~~38.50~~ 440.55, if the delivery of
10 education occurs in this state.

11 **SECTION 1399.** 71.34 (1g) (i) of the statutes is created to read:

12 71.34 **(1g)** (i) "Internal Revenue Code" for tax-option corporations, for taxable
13 years that begin after December 31, 2012, means the federal Internal Revenue Code
14 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
15 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
16 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
17 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L.
18 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
19 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
20 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
21 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
22 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
23 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
24 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
25 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of

ASSEMBLY BILL 40**SECTION 1399**

1 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
2 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5
3 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
4 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
5 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
6 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
7 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
8 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
9 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
10 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
11 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
12 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
13 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
14 2112, and 2113 of P.L. 111-240, P.L. 111-312, and as amendeded by section 1858 of P.L.
15 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121 of P.L.
16 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly affected in the
17 provisions applicable to this subchapter by P.L. 99-514, excluding sections 803 (d)
18 (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514, P.L. 100-203,
19 P.L. 100-647, excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
20 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
21 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
22 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
23 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
24 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
25 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.

ASSEMBLY BILL 40**SECTION 1399**

1 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
2 P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
3 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
4 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
5 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
6 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
7 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
8 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
9 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
10 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
11 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
12 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
13 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
14 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
15 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
16 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
17 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
18 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
19 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
20 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.
21 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
22 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
23 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
24 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
25 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections

ASSEMBLY BILL 40**SECTION 1399**

1 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
2 10908, and 10909 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, P.L.
3 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections
4 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L.
5 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121 of P.L.
6 112-141, and sections 101 and 902 of P.L. 112-240, except that section 1366 (f)
7 (relating to pass-through of items to shareholders) is modified by substituting the
8 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue
9 Code applies for Wisconsin purposes at the same time as for federal purposes, except
10 that changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
11 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
12 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
13 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
14 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
15 do not apply to this paragraph with respect to taxable years beginning after
16 December 31, 2010, except that changes to the Internal Revenue Code made by
17 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
18 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
19 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
20 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
21 for taxable years beginning before January 1, 2013, and changes to the Internal
22 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that
23 indirectly affect the provisions applicable to this subchapter made by sections 101
24 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
25 purposes.

ASSEMBLY BILL 40**SECTION 1400**

1 **SECTION 1400.** 71.34 (1g) (o) of the statutes is repealed.

2 **SECTION 1401.** 71.34 (1g) (p) of the statutes is renumbered 71.34 (1g) (a).

3 **SECTION 1402.** 71.34 (1g) (q) of the statutes is renumbered 71.34 (1g) (b).

4 **SECTION 1403.** 71.34 (1g) (r) of the statutes is renumbered 71.34 (1g) (c).

5 **SECTION 1404.** 71.34 (1g) (s) of the statutes is renumbered 71.34 (1g) (d).

6 **SECTION 1405.** 71.34 (1g) (t) of the statutes is renumbered 71.34 (1g) (e).

7 **SECTION 1406.** 71.34 (1g) (u) of the statutes is renumbered 71.34 (1g) (f).

8 **SECTION 1407.** 71.34 (1g) (um) of the statutes is renumbered 71.34 (1g) (g).

9 **SECTION 1408.** 71.34 (1g) (un) of the statutes is renumbered 71.34 (1g) (h) and
10 amended to read:

11 71.34 (1g) (h) “Internal Revenue Code” for tax-option corporations, for taxable
12 years that begin after December 31, 2010, and before January 1, 2013, means the
13 federal Internal Revenue Code as amended to December 31, 2010, excluding sections
14 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
15 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
16 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
17 P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
18 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
19 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,
20 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
21 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section
22 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
23 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
24 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,
25 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,

ASSEMBLY BILL 40**SECTION 1408**

1 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
2 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
3 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
4 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
5 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
6 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
7 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
8 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
9 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,
10 and 10909 of P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152, P.L.
11 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and
12 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113
13 of P.L. 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240,
14 and as indirectly affected in the provisions applicable to this subchapter by P.L.
15 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812
16 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and, P.L. 100-203, P.L. 100-647,
17 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
18 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
19 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
20 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
21 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
22 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
23 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
24 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
25 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.

ASSEMBLY BILL 40**SECTION 1408**

1 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
2 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
3 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
4 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
5 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
6 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
7 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
8 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
9 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
10 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
11 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
12 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,
13 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
14 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,
15 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,
16 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
17 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,
18 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
19 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
20 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
21 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
22 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
23 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9021,
24 9022, 10108, 10908, and 10909 of P.L. 111-148, section 1407 of P.L. 111-152, P.L.
25 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections

ASSEMBLY BILL 40**SECTION 1408**

1 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-325, and section 902
2 of P.L. 112-240, except that section 1366 (f) (relating to pass-through of items to
3 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
4 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
5 at the same time as for federal purposes, except that changes made by section 209
6 of P.L. 109-222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division
7 A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
8 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
9 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
10 sections 110 and 113 of P.L. 110-245, sections 15312, 15313, 15314, and 15342 of P.L.
11 110-246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L.
12 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections 116, 208, and
13 211 of division B and section 504 of division C of P.L. 110-343, section 14 of P.L.
14 111-92, sections 531, 532, and 533 of P.L. 111-147, sections 10908 and 10909 of P.L.
15 111-148, and section 2043 of P.L. 111-240 do not apply for taxable years beginning
16 before January 1, 2011. Amendments to the federal Internal Revenue Code enacted
17 after December 31, 2010, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 2010, and before January 1, 2013, except that changes
19 to the Internal Revenue Code made by section 902 of P.L. 112-240, and changes that
20 indirectly affect the provisions applicable to this subchapter made by section 902 of
21 P.L. 112-240, apply for Wisconsin purposes at the same time as for federal purposes.

22 **SECTION 1409.** 71.42 (2) (i) of the statutes is created to read:

23 71.42 (2) (i) For taxable years that begin after December 31, 2012, "Internal
24 Revenue Code" means the federal Internal Revenue Code as amended to
25 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102-227, sections

ASSEMBLY BILL 40**SECTION 1409**

1 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
2 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
3 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L. 107-16, sections
4 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section
5 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections
6 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L.
7 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,
8 and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73,
9 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
10 (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222, P.L.
11 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division
12 A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections 8215,
13 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5 of P.L.
14 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L.
15 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections 4,
16 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
17 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
18 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
19 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
20 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
21 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
22 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
23 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
24 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
25 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858

ASSEMBLY BILL 40**SECTION 1409**

1 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
2 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as indirectly affected
3 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
4 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
5 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
6 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
7 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
8 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
9 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
10 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573,
11 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
12 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
13 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
14 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
15 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
16 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
17 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
18 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
19 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
20 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
21 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
22 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
23 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,
24 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
25 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,

ASSEMBLY BILL 40**SECTION 1409**

1 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,
2 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
3 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,
4 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
5 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
6 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
7 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
8 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
9 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,
10 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
11 111-148, sections 1403 and 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L.
12 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and
13 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L. 112-10, section 1108 of P.L.
14 112-95, sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101
15 and 902 of P.L. 112-240, except that "Internal Revenue Code" does not include
16 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
17 applies for Wisconsin purposes at the same time as for federal purposes, except that
18 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
19 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
20 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
21 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
22 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
23 do not apply to this paragraph with respect to taxable years beginning after
24 December 31, 2010, except that changes to the Internal Revenue Code made by
25 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,

ASSEMBLY BILL 40**SECTION 1409**

1 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
2 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
3 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
4 for taxable years beginning before January 1, 2013, and changes to the Internal
5 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that
6 indirectly affect the provisions applicable to this subchapter made by sections 101
7 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
8 purposes.

9 **SECTION 1410.** 71.42 (2) (n) of the statutes is repealed.

10 **SECTION 1411.** 71.42 (2) (o) of the statutes is renumbered 71.42 (2) (a).

11 **SECTION 1412.** 71.42 (2) (p) of the statutes is renumbered 71.42 (2) (b).

12 **SECTION 1413.** 71.42 (2) (q) of the statutes is renumbered 71.42 (2) (c).

13 **SECTION 1414.** 71.42 (2) (r) of the statutes is renumbered 71.42 (2) (d).

14 **SECTION 1415.** 71.42 (2) (s) of the statutes is renumbered 71.42 (2) (e).

15 **SECTION 1416.** 71.42 (2) (t) of the statutes is renumbered 71.42 (2) (f).

16 **SECTION 1417.** 71.42 (2) (tm) of the statutes is renumbered 71.42 (2) (g).

17 **SECTION 1418.** 71.42 (2) (tn) of the statutes is renumbered 71.42 (2) (h) and
18 amended to read:

19 71.42 (2) (h) For taxable years that begin after December 31, 2010, and before
20 January 1, 2013, "Internal Revenue Code" means the federal Internal Revenue Code
21 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
22 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
23 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
24 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
25 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and

ASSEMBLY BILL 40**SECTION 1418**

1 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403
2 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and
3 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
4 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section
5 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
6 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L.
7 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
8 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except
9 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,
10 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
11 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
12 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
13 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
14 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
15 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
16 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
17 111-148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of
18 P.L. 111-148, P.L. 111-152, except section 1407 of P.L. 111-152, P.L. 111-203, except
19 section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and 217 of P.L.
20 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.
21 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240, and as
22 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
23 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
24 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
25 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.

ASSEMBLY BILL 40**SECTION 1418**

1 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
2 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
3 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
4 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
5 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
6 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)
7 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
8 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
9 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
10 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
11 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
12 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
13 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
14 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
15 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
16 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
17 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,
18 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
19 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,
20 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,
21 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
22 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,
23 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
24 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
25 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504

ASSEMBLY BILL 40**SECTION 1418**

1 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
2 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
3 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9021,
4 9022, 10108, 10908, and 10909 of P.L. 111-148, section 1407 of P.L. 111-152, P.L.
5 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections
6 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-325, and section 902
7 of P.L. 112-240, except that "Internal Revenue Code" does not include section 847 of
8 the federal Internal Revenue Code. The Internal Revenue Code applies for
9 Wisconsin purposes at the same time as for federal purposes, except that changes
10 made by section 209 of P.L. 109-222, sections 117, 406, 409, 410, 412, 417, 418, 424,
11 and 425 of division A and section 403 of division C of P.L. 109-432, sections 8215,
12 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding
13 sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b),
14 (e), and (g) of P.L. 110-172, sections 110 and 113 of P.L. 110-245, sections 15312,
15 15313, 15314, and 15342 of P.L. 110-246, sections 3031, 3032, 3033, 3041, 3051,
16 3052, 3061, and 3092 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L.
17 110-317, sections 116, 208, and 211 of division B and section 504 of division C of P.L.
18 110-343, section 14 of P.L. 111-92, sections 531, 532, and 533 of P.L. 111-147,
19 sections 10908 and 10909 of P.L. 111-148, and section 2043 of P.L. 111-240 do not
20 apply for taxable years beginning before January 1, 2011. Amendments to the
21 federal Internal Revenue Code enacted after December 31, 2010, do not apply to this
22 paragraph with respect to taxable years beginning after December 31, 2010, and
23 before January 1, 2013, except that changes to the Internal Revenue Code made by
24 section 902 of P.L. 112-240, and changes that indirectly affect the provisions

ASSEMBLY BILL 40**SECTION 1418**

1 applicable to this subchapter made by section 902 of P.L. 112-240, apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1419.** 71.45 (1t) (L) of the statutes is created to read:

4 71.45 (1t) (L) Those issued under s. 231.03 (6), if the bonds or notes are issued
5 for the benefit of a person who is eligible to receive the proceeds of bonds or notes from
6 another entity for the same purpose for which the bonds or notes are issued under
7 s. 231.03 (6) and the interest income received from the other bonds or notes is exempt
8 from taxation under this subchapter.

9 **SECTION 1420.** 71.47 (1dj) (am) 4h. of the statutes is amended to read:

10 71.47 (1dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal
11 Revenue Code so that the amount of the credit is 25% of the qualified first-year
12 wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works employment
13 position for service either in an unsubsidized position or in a trial job under s. 49.147
14 (3), 2011 stats., and so that the amount of the credit is 20% of the qualified first-year
15 wages if the wages are not paid to such an applicant.

16 **SECTION 1421.** 71.47 (1dx) (a) 4. of the statutes is amended to read:

17 71.47 (1dx) (a) 4. “Full-time job” ~~means a regular, nonseasonal full-time~~
18 ~~position in which an individual, as a condition of employment, is required to work at~~
19 ~~least 2,080 hours per year, including paid leave and holidays, and for which the~~
20 ~~individual receives pay that is equal to at least 150% of the federal minimum wage~~
21 ~~and receives benefits that are not required by federal or state law. “Full-time job”~~
22 ~~does not include initial training before an employment position begins~~ has the
23 meaning given in s. 238.30 (2m).

24 **SECTION 1422.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1422**

1 71.47 (1dx) (a) 5. “Member of a targeted group” means a person who resides
2 in an area designated by the federal government as an economic revitalization area,
3 a person who is employed in an unsubsidized job but meets the eligibility
4 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
5 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
6 in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match
7 program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care
8 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
9 economically disadvantaged youth, an economically disadvantaged veteran, a
10 supplemental security income recipient, a general assistance recipient, an
11 economically disadvantaged ex-convict, a qualified summer youth employee, as
12 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
13 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
14 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

15 **SECTION 1423.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

16 71.47 (1dx) (b) 2. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
18 of full-time jobs created in a development zone and filled by a member of a targeted
19 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
20 ~~subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

21 **SECTION 1424.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

22 71.47 (1dx) (b) 3. The amount determined by multiplying the amount
23 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
24 of full-time jobs created in a development zone and not filled by a member of a

ASSEMBLY BILL 40**SECTION 1424**

1 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
2 the subsidies and reimbursements paid under s. 49.147 (3m) (e) for those jobs.

3 **SECTION 1425.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

4 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
6 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
7 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
8 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
9 and for which significant capital investment was made and by then subtracting the
10 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
11 ~~under s. 49.147 (3m) (e)~~ for those jobs.

12 **SECTION 1426.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

13 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
14 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
15 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
16 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
17 a development zone and not filled by a member of a targeted group and by then
18 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
19 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

20 **SECTION 1427.** 71.47 (3w) (b) 1. a. of the statutes is amended to read:

21 71.47 (3w) (b) 1. a. The number of full-time employees whose annual wages
22 are greater than \$20,000 the amount determined by multiplying 2,080 by 150
23 percent of the federal minimum wage in a tier I county or municipality or greater
24 than \$30,000 in a tier II county or municipality and who the claimant employed in
25 the enterprise zone in the taxable year, minus the number of full-time employees

ASSEMBLY BILL 40**SECTION 1427**

1 whose annual wages were greater than \$20,000 the amount determined by
2 multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or
3 municipality or greater than \$30,000 in a tier II county or municipality and who the
4 claimant employed in the area that comprises the enterprise zone in the base year.

5 **SECTION 1428.** 71.47 (3w) (b) 1. b. of the statutes is amended to read:

6 71.47 (3w) (b) 1. b. The number of full-time employees whose annual wages
7 are greater than \$20,000 the amount determined by multiplying 2,080 by 150
8 percent of the federal minimum wage in a tier I county or municipality or greater
9 than \$30,000 in a tier II county or municipality and who the claimant employed in
10 the state in the taxable year, minus the number of full-time employees whose annual
11 wages were greater than \$20,000 the amount determined by multiplying 2,080 by
12 150 percent of the federal minimum wage in a tier I county or municipality or greater
13 than \$30,000 in a tier II county or municipality and who the claimant employed in
14 the state in the base year.

15 **SECTION 1429.** 71.47 (3w) (b) 2. of the statutes is amended to read:

16 71.47 (3w) (b) 2. Determine the claimant's average zone payroll by dividing
17 total wages for full-time employees whose annual wages are greater than \$20,000
18 the amount determined by multiplying 2,080 by 150 percent of the federal minimum
19 wage in a tier I county or municipality or greater than \$30,000 in a tier II county or
20 municipality and who the claimant employed in the enterprise zone in the taxable
21 year by the number of full-time employees whose annual wages are greater than
22 \$20,000 the amount determined by multiplying 2,080 by 150 percent of the federal
23 minimum wage in a tier I county or municipality or greater than \$30,000 in a tier II
24 county or municipality and who the claimant employed in the enterprise zone in the
25 taxable year.

ASSEMBLY BILL 40**SECTION 1430**

1 **SECTION 1430.** 71.47 (3w) (b) 3. of the statutes is amended to read:

2 71.47 (3w) (b) 3. For employees in a tier I county or municipality, subtract
3 \$20,000 the amount determined by multiplying 2,080 by 150 percent of the federal
4 minimum wage from the amount determined under subd. 2. and for employees in a
5 tier II county or municipality, subtract \$30,000 from the amount determined under
6 subd. 2.

7 **SECTION 1431.** 71.47 (3w) (bm) 2. of the statutes is amended to read:

8 71.47 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
9 4., and subject to the limitations provided in this subsection and s. 238.399 or s.
10 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under
11 s. 71.43 an amount equal to the percentage, as determined under s. 238.399 or s.
12 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in
13 the taxable year to all of the claimant's full-time employees whose annual wages are
14 greater than \$20,000 the amount determined by multiplying 2,080 by 150 percent
15 of the federal minimum wage in a tier I county or municipality, not including the
16 wages paid to the employees determined under par. (b) 1., or greater than \$30,000
17 in a tier II county or municipality, not including the wages paid to the employees
18 determined under par. (b) 1., and who the claimant employed in the enterprise zone
19 in the taxable year, if the total number of such employees is equal to or greater than
20 the total number of such employees in the base year. A claimant may claim a credit
21 under this subdivision for no more than 5 consecutive taxable years.

22 **SECTION 1432.** 71.47 (5i) (b) of the statutes is amended to read:

23 71.47 (5i) (b) *Filing claims.* Subject to the limitations provided in this
24 subsection, for taxable years beginning after December 31, 2011, and before January
25 1, 2014, a claimant may claim as a credit against the taxes imposed under s. 71.43,

ASSEMBLY BILL 40**SECTION 1432**

1 up to the amount of those taxes, an amount equal to 50 percent of the amount the
2 claimant paid in the taxable year for information technology hardware or software
3 that is used to maintain medical records in electronic form, if the claimant is a health
4 care provider, as defined in s. 146.81 (1) (a) to (p).

5 **SECTION 1433.** 71.47 (5r) (a) 2. of the statutes is amended to read:

6 71.47 (5r) (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ 440.55
7 (1) (c).

8 **SECTION 1434.** 71.47 (5r) (a) 6. b. of the statutes is amended to read:

9 71.47 (5r) (a) 6. b. A school approved under s. ~~38.50~~ 440.55, if the delivery of
10 education occurs in this state.

11 **SECTION 1435.** 71.613 (3) (f) of the statutes is renumbered 71.613 (3) (f) (intro.)
12 and amended to read:

13 71.613 (3) (f) (intro.) The maximum amount of the credits that may be claimed
14 under this section ~~in any fiscal year is \$27,007,200~~ is an amount specified under this
15 paragraph. If the total amount of eligible claims exceed this amount, the excess
16 claims shall be paid in the next succeeding fiscal year to ensure that the limit
17 specified in this paragraph is not exceeded. The maximum amount of the credits that
18 may be claimed under this section in any fiscal year is one of the following:

19 **SECTION 1436.** 71.613 (3) (f) 1. of the statutes is created to read:

20 71.613 (3) (f) 1. For a fiscal year before the 2013-14 fiscal year, \$27,007,200.

21 **SECTION 1437.** 71.613 (3) (f) 2. of the statutes is created to read:

22 71.613 (3) (f) 2. For the 2013-14 fiscal year, and for every succeeding fiscal year,
23 \$25,304,300.

24 **SECTION 1438.** 71.64 (9) (b) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1438**

1 71.64 **(9)** (b) (intro.) The department shall from time to time adjust the
2 withholding tables to reflect any changes in income tax rates, any applicable surtax
3 or any changes in dollar amounts in s. 71.06 (1), (1m), (1n), (1p), ~~(1q)~~, and (2) resulting
4 from statutory changes, except as follows:

5 **SECTION 1439.** 71.67 (5) (a) of the statutes is amended to read:

6 71.67 **(5)** (a) *Wager winnings.* A person holding a license to sponsor and
7 manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any
8 payment of pari-mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount
9 determined by multiplying the amount of the payment by the highest rate applicable
10 to individuals under s. 71.06 (1) (a) to (c), (1m), (1n) ~~or~~, (1p), or (1q) if the amount of
11 the payment is more than \$1,000.

12 **SECTION 1440.** 71.67 (5m) of the statutes is amended to read:

13 71.67 **(5m)** WITHHOLDING FROM PAYMENTS TO PURCHASE ASSIGNMENT OF LOTTERY
14 PRIZE. A person that purchases an assignment of a lottery prize shall withhold from
15 the amount of any payment made to purchase the assignment the amount that is
16 determined by multiplying the amount of the payment by the highest rate applicable
17 to individuals under s. 71.06 (1) (a) to (c), (1m), (1n) ~~or~~, (1p), or (1q). Subsection (5)
18 (b), (c) and (d), as it applies to the amounts withheld under sub. (5) (a), applies to the
19 amount withheld under this subsection.

20 **SECTION 1441.** 71.83 (1) (a) 11. of the statutes is created to read:

21 71.83 **(1)** (a) 11. 'Negligently filed claims.' A person who negligently files an
22 incorrect claim for refund of tax, or credits, under this chapter is subject to a penalty
23 of 25 percent of the difference between the amount claimed and the amount that
24 should have been claimed.

25 **SECTION 1442.** 71.83 (1) (b) 7. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1442**

1 71.83 (1) (b) 7. 'Fraudulently filed claims.' A person who fraudulently files an
2 incorrect claim for refund of tax, or credits, under this chapter is subject to a penalty
3 of 100 percent of the difference between the amount claimed and the amount that
4 should have been claimed.

5 **SECTION 1443.** 71.83 (2) (b) 1. of the statutes is amended to read:

6 71.83 (2) (b) 1. 'False income tax return; fraud.' Any person, other than a
7 corporation or limited liability company, who renders a false or fraudulent income
8 tax return with intent to defeat or evade any assessment required by this chapter,
9 or to obtain a refund or credit with fraudulent intent, is guilty of a Class H felony and
10 may be assessed the cost of prosecution. In this subdivision, "return" includes a
11 separate return filed by a spouse with respect to a taxable year for which a joint
12 return is filed under s. 71.03 (2) (g) to (L) after the filing of that separate return, and
13 a joint return filed by the spouses with respect to a taxable year for which a separate
14 return is filed under s. 71.03 (2) (m) after the filing of that joint return.

15 **SECTION 1444.** 71.83 (5) of the statutes is created to read:

16 71.83 (5) INELIGIBILITY TO CLAIM CERTAIN CREDITS. (a) *Definitions.* In this
17 subsection:

18 1. "Credit" means the earned income tax credit under s. 71.07 (9e) or the
19 homestead credit under subch. VIII.

20 2. "Fraudulent claim" means a claim for a credit, filed by an individual, that
21 is false or excessive and filed with fraudulent intent, as determined by the
22 department.

23 3. "Reckless claim" means a claim for a credit, filed by an individual, that is
24 improper, due to reckless or intentional disregard of the provisions in this chapter
25 or of rules and regulations of the department, as determined by the department.

ASSEMBLY BILL 40**SECTION 1444**

1 (b) *Disallowance period.* 1. An individual who files a fraudulent claim may not
2 file a claim for a credit for 10 successive taxable years, beginning with the taxable
3 year that begins immediately after the taxable year for which the department
4 determined that the individual filed a fraudulent claim.

5 2. An individual who files a reckless claim may not file a claim for a credit for
6 2 successive taxable years, beginning with the taxable year that begins immediately
7 after the taxable year for which the department determined that the individual filed
8 a reckless claim.

9 (c) *Reinstatement.* After the period described under par. (b) during which an
10 individual may not file a claim for a credit, he or she may file a claim for a credit,
11 subject to any requirements that the department may impose on the individual to
12 demonstrate that he or she is eligible to claim the credit.

13 **SECTION 1445.** 71.91 (6) (a) 1. of the statutes is renumbered 71.91 (6) (a) 1g.

14 **SECTION 1446.** 71.91 (6) (a) 1d. of the statutes is created to read:

15 71.91 (6) (a) 1d. "Continuous levy" means a levy that is in effect from the date
16 on which it is served on a 3rd party until the liability out of which the levy arose is
17 satisfied or until the levy is released, whichever occurs first.

18 **SECTION 1447.** 71.91 (6) (a) 2n. of the statutes is created to read:

19 71.91 (6) (a) 2n. "Noncontinuous levy" means a levy that is in effect on the date
20 on which it is served on a 3rd party.

21 **SECTION 1448.** 71.91 (6) (b) of the statutes is amended to read:

22 71.91 (6) (b) *Powers of levy and distraint.* If any person who is liable for any
23 tax administered by the department neglects or refuses to pay that tax within 10
24 days after that tax becomes delinquent, the department may collect that tax and the
25 expenses of the levy by levy upon, and sale of, any property belonging to that person

ASSEMBLY BILL 40**SECTION 1448**

1 or any property on which there is a lien as provided by sub. (4) in respect to that
2 delinquent tax. Whenever any property that has been levied upon under this section
3 is not sufficient to satisfy the claim of the department, the department may levy upon
4 any other property liable to levy of the person against whom that claim exists until
5 the taxes and expenses of the levy are fully paid. A levy imposed under this
6 paragraph may be continuous or noncontinuous, except that a levy on commissions,
7 wages, or salaries is continuous ~~until the liability out of which it arose is satisfied.~~

8 **SECTION 1449.** 71.91 (6) (f) 1. of the statutes is amended to read:

9 71.91 (6) (f) 1. As soon as practicable after obtaining property, the department
10 shall notify, in ~~writing~~ the manner prescribed by the department, the owner of any
11 real or personal property, and, at the possessor's request, the possessor of any
12 personal property, obtained by the department under this subsection. That notice
13 may be left at the person's usual place of residence or business. If the owner cannot
14 be located or has no dwelling or place of business in this state, or if the property is
15 obtained as a result of a continuous levy on commissions, wages or salaries, the
16 department may mail a notice to the owner's last-known address. That notice shall
17 specify the sum demanded and shall contain, in the case of personal property, an
18 account of the property obtained and, in the case of real property, a description with
19 reasonable certainty of the property seized.

20 **SECTION 1450.** 71.91 (6) (f) 2. of the statutes is amended to read:

21 71.91 (6) (f) 2. As soon as practicable after obtaining property, the department
22 ~~shall notify the owner in the manner prescribed under subd. 1. and shall cause a~~
23 notice of the sale to be published in a newspaper published or generally circulated
24 within the county where the property was obtained. If there is no newspaper
25 published or generally circulated in that county, the department shall post that

ASSEMBLY BILL 40**SECTION 1450**

1 notice at the city, town or village hall nearest the place where the property was
2 obtained and in at least 2 other public places. That notice shall specify the property
3 to be sold and the time, place, manner and conditions of the sale.

4 **SECTION 1451.** 71.93 (3) (a) of the statutes is renumbered 71.93 (3) (a) (intro.)
5 and amended to read:

6 71.93 (3) (a) (intro.) The department of revenue shall setoff any debt or other
7 amount owed to the department, regardless of the origin of the debt or of the amount,
8 its nature or its date. If after the setoff there remains a refund in excess of \$10, the
9 department shall set off the remaining refund against certified debts of other state
10 agencies. entities in the following order:

11 (am) If more than one certified debt exists for any debtor for the same type of
12 debt specified under par. (a) 1. to 9., the refund shall be first set off against the
13 earliest debt certified, except that no child support or spousal support obligation
14 submitted by an agency of another state may be set off until all debts owed to and
15 certified by state agencies of this state have been set off. When all debts have been
16 satisfied, any remaining refund shall be refunded to the debtor by the department.
17 Any legal action contesting a setoff under this paragraph shall be brought against
18 the state agency entity that certified the debt under ~~sub. (2)~~.

19 **SECTION 1452.** 71.93 (3) (a) 1. to 9. of the statutes are created to read:

20 71.93 (3) (a) 1. Wisconsin child support debt certified by the department of
21 children and families under sub. (2).

22 2. State agency debt collected pursuant to an agreement under sub. (8) and debt
23 owed to the courts, the legislature, or an authority, as defined in s. 16.41 (4), collected
24 pursuant to an agreement under sub. (8).

ASSEMBLY BILL 40**SECTION 1452**

1 3. Debt owed to local units of government collected pursuant to an agreement
2 under sub. (8).

3 4. Debt certified under sub. (2), other than child support debt certified by the
4 department of children and families.

5 5. Child support or spousal support obligations submitted by an agency of
6 another state.

7 6. Debt certified under s. 71.935 (2).

8 7. Federal tax obligations collected pursuant to an agreement under s. 73.03
9 (52) (a).

10 8. Tribal obligations collected pursuant to an agreement under s. 73.03 (52n).

11 9. Tax obligations of other states collected pursuant to an agreement under s.
12 73.03 (52m).

13 **SECTION 1453.** 71.93 (8) (b) 6. of the statutes is amended to read:

14 71.93 (8) (b) 6. If the debtor owes debt to the department and to other entities,
15 payments shall first apply to debts owed to the department, then to the state
16 agencies, ~~the courts, the legislature, and authorities, as defined in s. 16.41 (4), in the~~
17 ~~order in which the debts were referred to the department, and then to local units of~~
18 ~~government in the order in which the debts were referred to the department~~ other
19 entities in the order determined under sub. (3) (a).

20 **SECTION 1454.** 73.03 (27) of the statutes is amended to read:

21 73.03 (27) ~~To~~ With regard to taxes and fees administered by the department,
22 to write off from the records of the department ~~income, franchise, sales, use,~~
23 ~~withholding, motor fuel, gift, beverage and cigarette tax, fee,~~ and economic
24 development surcharge liabilities, following a determination by the secretary of

ASSEMBLY BILL 40**SECTION 1454**

1 revenue that they are not collectible. Taxes written off under this subsection remain
2 legal obligations.

3 **SECTION 1455.** 73.03 (52) (a) of the statutes is amended to read:

4 73.03 **(52)** (a) To enter into agreements with the Internal Revenue Service that
5 provide for offsetting state tax refunds against federal tax obligations; and to charge
6 a fee up to \$25 per transaction for such offsets; and offsetting federal tax refunds
7 against state tax obligations, and collecting the offset cost from the debtor, if the
8 agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs
9 under those agreements.

10 **SECTION 1456.** 73.03 (52m) of the statutes is amended to read:

11 73.03 **(52m)** To enter into agreements with other states that provide for
12 offsetting state tax refunds against tax and nontax obligations of other states and
13 offsetting tax refunds of other states against state tax and nontax obligations, if the
14 agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs
15 under those agreements.

16 **SECTION 1457.** 73.03 (63) of the statutes is amended to read:

17 73.03 **(63)** Notwithstanding the amount limitations specified under s. ~~71.07~~
18 ~~(5d) (e) 1. and s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats., or s. 238.15 (3) (d),~~ in
19 consultation with the ~~department of commerce or the~~ Wisconsin Economic
20 Development Corporation, to carry forward to subsequent taxable years unclaimed
21 credit amounts of the early stage seed investment credits under ss. 71.07 (5b), 71.28
22 (5b), 71.47 (5b), and 76.638 and the angel investment credit under s. 71.07 (5d).
23 Annually, no later than July 1, the ~~department of commerce or the~~ Wisconsin
24 Economic Development Corporation shall submit to the department of revenue its

ASSEMBLY BILL 40**SECTION 1457**

1 recommendations for the carry forward of credit amounts as provided under this
2 subsection.

3 **SECTION 1458.** 73.03 (66) of the statutes is repealed.

4 **SECTION 1459.** 73.03 (69) of the statutes is created to read:

5 73.03 **(69)** (a) To, effective on January 1, 2014, implement a program to register
6 businesses for purposes of s. 71.05 (25) and (26). A business shall register
7 electronically with the department each year for which the business desires
8 registration.

9 (b) A business may register under this subsection if, in the business's taxable
10 year ending immediately before the date of the businesses registration, all of the
11 following apply:

12 1. The business has at least 2 full-time employees and the amount of payroll
13 compensation paid by the business in this state is equal to at least 50 percent of the
14 amount of all payroll compensation paid by the business.

15 2. The value of real and tangible personal property owned or rented and used
16 by the business in this state is equal to at least 50 percent of the value of all real and
17 tangible personal property owned or rented and used by the business.

18 (c) The department may adopt rules for the administration of this subsection.

19 (d) For each year beginning after December 31, 2013, the department shall
20 compile a list of businesses registered under this subsection and shall make the list
21 available to the public at the department's Internet site.

22 **SECTION 1460.** 73.03 (70) of the statutes is created to read:

23 73.03 **(70)** In conjunction with the department of workforce development, to
24 submit to the joint committee on finance, no later than June 30 of each year, a report
25 describing the impact of the tax credits under ss. 71.07 (6n), 71.28 (6n), and 71.47 (6n)

ASSEMBLY BILL 40**SECTION 1460**

1 on unemployed veterans in this state. The report shall also specify the number and
2 type of businesses that have claimed the credits under ss. 71.07 (6n), 71.28 (6n), and
3 71.47 (6n). Within 14 working days after the submittal date of the report, the
4 cochairpersons of the committee shall notify the department of workforce
5 development and the department of revenue that the committee has scheduled a
6 meeting for the purpose of reviewing the report.

7 **SECTION 1461.** 73.0301 (1) (d) 6. of the statutes is amended to read:

8 73.0301 (1) (d) 6. A license or certificate of registration issued by the
9 department of financial institutions, or a division of it, under ss. 138.09, 138.12,
10 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04,
11 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

12 **SECTION 1462.** 73.0301 (1) (d) 6m. of the statutes is created to read:

13 73.0301 (1) (d) 6m. A certificate or registration issued under 168.23 (3).

14 **SECTION 1463.** 73.0301 (1) (e) of the statutes is amended to read:

15 73.0301 (1) (e) "Licensing department" means the department of
16 administration; the department of agriculture, trade and consumer protection; the
17 board of commissioners of public lands; the department of children and families; the
18 government accountability board; the department of financial institutions; the
19 department of health services; the department of natural resources; the department
20 of public instruction; the department of safety and professional services; the
21 department of workforce development; the office of the commissioner of insurance;
22 or the department of transportation.

23 **SECTION 1464.** 73.16 (1) (a) of the statutes is repealed.

24 **SECTION 1465.** 73.16 (1) (ab) of the statutes is created to read:

25 73.16 (1) (ab) "Combined group" has the meaning given in s. 71.255 (1) (a).

ASSEMBLY BILL 40**SECTION 1466**

1 **SECTION 1466.** 73.16 (3) of the statutes is created to read:

2 73.16 (3) RELYING ON PAST AUDITS. (a) A person who is subject to a determination
3 by the department, including all other members of that person's combined group for
4 purposes of determining the tax due under s. 71.23 for taxable years beginning after
5 December 31, 2008, shall not be liable for any amount that the department asserts
6 that the person owes if all of the following conditions are satisfied:

7 1. The liability asserted by the department is the result of a tax issue during
8 the period associated with a prior determination for which the person is subject to
9 and the tax issue is the same as the tax issue during the period associated with the
10 current determination.

11 2. A department employee who was involved in the prior determination
12 identified or reviewed the tax issue before completing the prior determination, as
13 shown by any schedules, exhibits, audit reports, documents, or other written
14 evidence pertaining to the determination, and the schedules, exhibits, reports,
15 documents and other written evidence show that the department did not adjust the
16 person's treatment of the tax issue.

17 3. The liability asserted by the department as described under subd. 1. was not
18 asserted in the prior determination.

19 (b) This subsection does not apply to any period associated with a
20 determination, if the period begins after the promulgation of a rule, dissemination
21 of written guidance to the public or to the person who is subject to the determination,
22 the effective date of a statute, or the date on which a tax appeals commission or court
23 decision becomes final and conclusive and if the rule, guidance, statute, or decision
24 imposes the liability as a result of the tax issue described in par. (a) 1. This subsection
25 does not apply to any period associated with a determination if the taxpayer did not

ASSEMBLY BILL 40**SECTION 1466**

1 give the department employee adequate and accurate information or if the issue is
2 settled by a written agreement between the department and the taxpayer.

3 **SECTION 1467.** 76.14 of the statutes is amended to read:

4 **76.14 Remedies for nonpayment of taxes.** All taxes levied under this
5 subchapter upon the property of any company defined in s. 76.02, which are not paid
6 at the time provided by law, shall thereupon become delinquent and bear interest at
7 the rate of 1.5% per month until actually paid. Upon a showing by the department
8 under s. 73.16 (4), the failure of any such company to pay the taxes and interest so
9 required of the company within 60 days after the entry of final judgment dismissing
10 in whole or in part any action of the company to restrain or set aside a tax, or the
11 failure of the company within 60 days after the entry of final judgment in favor of the
12 state for the taxes and interest to pay the judgment shall be cause for forfeiture of
13 all the rights, privileges and franchises granted by special charter or obtained under
14 general laws, by or under which the company is organized and its business is
15 operated. The attorney general upon the showing by the department under s. 73.16
16 (4) shall proceed by action to have forfeiture of such rights, privileges and franchises
17 of the company duly declared. Any such company, at any time before the final
18 judgment for forfeiture of such rights, privileges and franchises is rendered, may be
19 permitted, absent a showing by the department under s. 73.16 (4), to pay the taxes,
20 interest and the costs of the action upon special application to the court in which the
21 action is pending upon such terms as the court directs. Section 71.91, as it applies
22 to the collection of delinquent taxes under ch. 71, applies to the collection of
23 delinquent taxes under this subchapter.

24 **SECTION 1468.** 76.636 (1) (d) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1468**

1 76.636 (1) (d) ~~“Full-time job” means a regular, nonseasonal, full-time position~~
2 ~~in which an individual, as a condition of employment, is required to work at least~~
3 ~~2,080 hours per year, including paid leave and holidays, and for which the individual~~
4 ~~receives pay that is equal to at least 150 percent of the federal minimum wage and~~
5 ~~receives benefits that are not required by federal or state law. “Full-time job” does~~
6 ~~not include initial training before an employment position begins~~ has the meaning
7 given in s. 238.30 (2m).

8 **SECTION 1469.** 76.636 (1) (e) 3. of the statutes is amended to read:

9 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
10 (1) (n), 2011 stats., or in a ~~real work, real pay project position under s. 49.147 (3m)~~
11 trial employment match program job, as defined in s. 49.141 (1) (n).

12 **SECTION 1470.** 76.636 (2) (b) of the statutes is amended to read:

13 76.636 (2) (b) The amount determined by multiplying the amount determined
14 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
15 jobs created in a development zone and filled by a member of a targeted group and
16 by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
17 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

18 **SECTION 1471.** 76.636 (2) (c) of the statutes is amended to read:

19 76.636 (2) (c) The amount determined by multiplying the amount determined
20 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
21 jobs created in a development zone and not filled by a member of a targeted group
22 and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
23 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

24 **SECTION 1472.** 76.636 (2) (d) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1472**

1 76.636 (2) (d) The amount determined by multiplying the amount determined
2 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
3 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
4 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
5 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
6 which significant capital investment was made and by then subtracting the
7 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
8 ~~under s. 49.147 (3m) (e)~~ for those jobs.

9 **SECTION 1473.** 76.636 (2) (e) of the statutes is amended to read:

10 76.636 (2) (e) The amount determined by multiplying the amount determined
11 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
12 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,
13 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
14 development zone and not filled by a member of a targeted group and by then
15 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
16 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

17 **SECTION 1474.** 76.84 (5) of the statutes is created to read:

18 76.84 (5) Section 71.91, as it applies to the collection of delinquent taxes under
19 ch. 71, applies to the collection of delinquent taxes under this subchapter.

20 **SECTION 1475.** 77.51 (2d) of the statutes is created to read:

21 77.51 (2d) “Custom farming services” include services performed by a
22 veterinarian to animals that are farm livestock or work stock.

23 **SECTION 1476.** 77.51 (10f) of the statutes is amended to read:

24 77.51 (10f) “Prepaid wireless calling service” means a telecommunications
25 service that provides the right to utilize mobile wireless service as well as other

ASSEMBLY BILL 40**SECTION 1476**

1 nontelecommunications services, including the download of digital products
2 delivered electronically, content, and ancillary services, and that is paid for prior to
3 use and sold in predetermined dollar units ~~whereby the number of units declines or~~
4 dollars that decrease with use in a known amount.

5 **SECTION 1477.** 77.51 (10m) (a) 3. (intro.) of the statutes is amended to read:

6 77.51 (10m) (a) 3. (intro.) Food and food ingredients sold with eating utensils
7 that are provided by the retailer of the food and food ingredients, including plates,
8 bowls, knives, forks, spoons, glasses, cups, napkins, or straws. In this subdivision,
9 “plate” does not include a container or packaging used to transport food and food
10 ingredients. For purposes of this subdivision, a retailer provides utensils if any of
11 the following applies:

12 **SECTION 1478.** 77.51 (10m) (a) 3. b. of the statutes is amended to read:

13 77.51 (10m) (a) 3. b. For retailers not described under subd. 3. a., the retailer’s
14 customary practice is to physically give or hand the utensils to the purchaser, except
15 that plates, bowls, glasses, or cups that are necessary for the purchaser to receive the
16 food and food ingredients need only be made available to the purchaser.

17 **SECTION 1479.** 77.51 (11d) of the statutes is amended to read:

18 77.51 (11d) For purposes of subs. (1ag), (1f), (3pf), and (9p) and ss. 77.52 (20)
19 and (21), 77.522, and 77.54 (51) ~~and~~, (52), and (60), “product” includes tangible
20 personal property, and items, property, and goods under s. 77.52 (1) (b), (c), and (d),
21 and services.

22 **SECTION 1480.** 77.51 (11m) of the statutes is amended to read:

23 77.51 (11m) “Prosthetic device” means a replacement, corrective, or supportive
24 device, including the repair parts and replacement parts for the device, that is placed
25 in or worn on the body to artificially replace a missing portion of the body; to prevent

ASSEMBLY BILL 40**SECTION 1480**

1 or correct a physical deformity or malfunction; or to support a weak or deformed
2 portion of the body.

3 **SECTION 1481.** 77.51 (12m) (a) 2. of the statutes is amended to read:

4 77.51 (12m) (a) 2. The cost of materials used, labor or service cost, interest,
5 losses, all costs of transportation to the seller, all taxes imposed on the seller, except
6 as provided in par. (b) 3m., and any other expense of the seller.

7 **SECTION 1482.** 77.51 (12m) (b) 3m. of the statutes is created to read:

8 77.51 (12m) (b) 3m. Taxes imposed on the seller that are separately stated on
9 the invoice, bill of sale, or similar document that the seller gives to the purchaser if
10 the law imposing or authorizing the tax provides that the seller may, but is not
11 required to, pass on to and collect the tax from the user or consumer.

12 **SECTION 1483.** 77.51 (15b) (a) 2. of the statutes is amended to read:

13 77.51 (15b) (a) 2. The cost of materials used, labor or service cost, interest,
14 losses, all costs of transportation to the seller, all taxes imposed on the seller, except
15 as provided in par. (b) 3m., and any other expense of the seller.

16 **SECTION 1484.** 77.51 (15b) (b) 3m. of the statutes is created to read:

17 77.51 (15b) (b) 3m. Taxes imposed on the seller that are separately stated on
18 the invoice, bill of sale, or similar document that the seller gives to the purchaser if
19 the law imposing or authorizing the tax provides that the seller may, but is not
20 required to, pass on to and collect the tax from the user or consumer.

21 **SECTION 1485.** 77.52 (2) (a) 11. of the statutes is amended to read:

22 77.52 (2) (a) 11. The producing, fabricating, processing, printing, or imprinting
23 of tangible personal property or items, property, or goods under s. ~~77.52~~ sub. (1) (b),
24 (c), or (d) for a consideration for consumers who furnish directly or indirectly the
25 materials used in the producing, fabricating, processing, printing, or imprinting.

ASSEMBLY BILL 40**SECTION 1485**

1 This subdivision does not apply to the printing or imprinting of tangible personal
2 property or items, property, or goods under s. ~~77.52 sub.~~ (1) (b), (c), or (d) that results
3 in printed material, catalogs, or envelopes that are exempt under s. 77.54 (25) ~~or,~~
4 (25m), or (59).

5 **SECTION 1486.** 77.52 (21) (b) of the statutes is amended to read:

6 77.52 (21) (b) ~~A~~ Except as provided in sub. (2m) (a), a person who provides a
7 product that is not distinct and identifiable because it is provided free of charge to
8 a purchaser who must also purchase another product that is subject to the tax
9 imposed under this subchapter from that person in the same transaction may
10 purchase the product provided free of charge without tax, for resale.

11 **SECTION 1487.** 77.522 (4) (a) 9. of the statutes is amended to read:

12 77.522 (4) (a) 9. “Place of primary use” means ~~place of primary use, as~~
13 ~~determined under 4 USC 116 to 126, as amended by P.L. 106-252~~ the residential
14 street address or the primary business street address of the customer. In the case
15 of mobile telecommunications services, “place of primary use” means a street address
16 within the licensed service area of the home service provider.

17 **SECTION 1488.** 77.53 (16) of the statutes is amended to read:

18 77.53 (16) If the purchase, rental or lease of tangible personal property, or
19 items, property, or goods under s. 77.52 (1) (b), (c), or (d), or service subject to the tax
20 imposed by this section was subject to a sales tax by another state in which the
21 purchase was made, the amount of sales tax paid the other state shall be applied as
22 a credit against and deducted from the tax, to the extent thereof, imposed by this
23 section, except no credit may be applied against and deducted from a sales tax paid
24 on the purchase of advertising and promotional direct mail, if the advertising and
25 promotional direct mail purchaser did not provide to the seller a direct pay permit,

ASSEMBLY BILL 40**SECTION 1488**

1 an exemption certificate claiming advertising and promotional direct mail, or other
2 information that indicates the appropriate taxing jurisdiction to which the
3 advertising and promotional direct mail is delivered to the ultimate recipients. In
4 this subsection “sales tax” includes a use or excise tax imposed on the use of tangible
5 personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or
6 taxable service by the state to which the sale was sourced and “state” includes the
7 District of Columbia and the commonwealth of Puerto Rico but does not include the
8 several territories organized by congress.

9 **SECTION 1489.** 77.54 (57) (a) 1f. of the statutes is renumbered 77.51 (1c).

10 **SECTION 1490.** 77.54 (57) (a) 1m. of the statutes is renumbered 77.51 (1d).

11 **SECTION 1491.** 77.54 (57) (a) 4. of the statutes is renumbered 77.51 (10rn).

12 **SECTION 1492.** 77.54 (57) (a) 5. of the statutes is repealed.

13 **SECTION 1493.** 77.54 (57) (b) 1. of the statutes is repealed.

14 **SECTION 1494.** 77.54 (57) (b) 2. of the statutes is repealed.

15 **SECTION 1495.** 77.54 (57) (b) 4. of the statutes is amended to read:

16 77.54 **(57)** (b) 4. The items listed in sub. (3m) (a) to (m), ~~medicines~~ drugs, semen
17 for artificial insemination, fuel, and electricity that are used exclusively and directly
18 in raising animals that are sold primarily to a biotechnology business, a public or
19 private institution of higher education, or a governmental unit for exclusive and
20 direct use by any such entity in qualified research or manufacturing.

21 **SECTION 1496.** 77.54 (57d) of the statutes is created to read:

22 77.54 **(57d)** (a) In this subsection:

23 1. “Building” has the meaning given in s. 70.111 (10) (a) 1.

24 2. “Combined group” has the meaning given in s. 71.255 (1) (a).

25 3. “Machinery” has the meaning given in s. 70.11 (27) (a) 2.

ASSEMBLY BILL 40**SECTION 1496**

1 4. "Qualified research" means qualified research as defined under section 41
2 (d) (1) of the Internal Revenue Code, except that it includes qualified research that
3 is funded by a member of a combined group for another member of a combined group.

4 5. "Used exclusively" has the meaning given in sub. (3) (b) 3.

5 (b) The sales price from the sale of and the storage, use, or other consumption
6 of machinery and equipment, including attachments, parts, and accessories, and
7 other tangible personal property or items or property under s. 77.52 (1) (b) or (c) that
8 are sold to any of the following and that are consumed or destroyed or lose their
9 identities while being used exclusively and directly in qualified research:

10 1. A person engaged in manufacturing in this state at a building assessed under
11 s. 70.995.

12 2. A person engaged primarily in biotechnology in this state.

13 3. A combined group member who is conducting qualified research for another
14 combined group member and that other combined group member is a person
15 described under subd. 1. or 2.

16 **SECTION 1497.** 77.54 (60) of the statutes is created to read:

17 77.54 (60) (a) In this subsection, "lump sum contract" means a contract to
18 perform real property construction activities and to provide tangible personal
19 property, items or property under s. 77.52 (1) (b) or (c), or taxable services and for
20 which the contractor quotes the charge for labor, services of subcontractors, tangible
21 personal property, items and property under s. 77.52 (1) (b) and (c), and taxable
22 services as one price, including a contract for which the contractor itemizes the
23 charges for labor, services of subcontractors, tangible personal property, items and
24 property under s. 77.52 (1) (b) and (c), and taxable services as part of a schedule of
25 values or similar document.

ASSEMBLY BILL 40**SECTION 1497**

1 (b) The sales price from the sale of and the storage, use, or other consumption
2 of tangible personal property, items and property under s. 77.52 (1) (b) and (c), and
3 taxable services that are sold by a contractor as part of a lump sum contract, if the
4 total sales price of all such taxable products is less than 10 percent of the total
5 amount of the lump sum contract. Except as provided in par. (c), the contractor is
6 the consumer of such taxable products and shall pay the tax imposed under this
7 subchapter on the taxable products.

8 (c) If the lump sum contract is entered into with an entity that is exempt from
9 taxation under sub. (9a), the contractor is the consumer of all taxable products used
10 by the contractor in real property construction activities, but the contractor may
11 purchase without tax, for resale, tangible personal property, items and property
12 under s. 77.52 (1) (b) and (c), and taxable services that are sold by the contractor as
13 part of the lump sum contract with the entity and that are not consumed by the
14 contractor in real property construction activities.

15 **SECTION 1498.** 77.58 (1) (a) of the statutes is amended to read:

16 77.58 (1) (a) If the amount of tax for any calendar quarter exceeds ~~\$600~~ \$1,200,
17 the department may require by written notice to the taxpayer that the taxes imposed
18 on and after the date specified in the notice are due and payable on the last day of
19 the month next succeeding the calendar month for which imposed.

20 **SECTION 1499.** 77.585 (10) of the statutes is created to read:

21 77.585 (10) A retailer who receives an exemption certificate after reporting a
22 sale as taxable may either claim a deduction for the tax amount on a subsequent
23 return or file an amended return for the period in which the transaction was
24 originally reported.

25 **SECTION 1500.** 77.59 (4) (a) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1500**

1 77.59 (4) (a) Except as provided in sub. (3m), at any time within 4 years after
2 the due date, ~~or in the case of buyers the unextended due date~~, of a person's
3 corresponding Wisconsin income or franchise tax return or, if exempt, within 4 years
4 of the 15th day of the 4th month of the year following the close of the calendar or fiscal
5 year for which that person files a claim, that person may, unless a determination by
6 the department by office or field audit of a seller has been made and unless a
7 determination by office audit of a buyer other than an audit in which the tax that is
8 the subject of the refund claim was not adjusted has been made and unless a
9 determination by field audit of the buyer has been made, file with the department
10 a claim for refund of taxes paid to the department by that person. If the amount of
11 the claim is at least \$50 or if either the seller has ceased doing business, the buyer
12 is being field audited or the seller may no longer file a claim, the buyer may, within
13 the time period under this subsection, file a claim with the department for a refund
14 of the taxes paid to the seller. A claim is timely if it fulfills the requirements under
15 s. 77.61 (14). A buyer may claim a refund under this paragraph only on a form
16 prescribed by the department, only by signing that form and only if the seller signs
17 the form unless the department waives that requirement. If both a buyer and a seller
18 file a valid claim for the same refund, the department may pay either claim. The
19 claim for refund shall be regarded as a request for determination. The determination
20 thus requested shall be made by the department within one year after the claim for
21 refund is received by it unless the taxpayer has consented in writing to an extension
22 of the one-year time period prior to its expiration.

23 **SECTION 1501.** 77.62 (intro.) of the statutes is amended to read:

24 **77.62 Collection of delinquent sales and use taxes.** (intro.) The
25 department of revenue may exercise the powers vested in it by ss. 71.80 (12), 71.82

ASSEMBLY BILL 40**SECTION 1501**

1 (2), 71.91 (1) (a) and (c), (2) to ~~(5m)~~ and (7), 71.92 and 73.0301 in connection with
2 collection of delinquent sales and use taxes including, without limitation because of
3 enumeration, the power incorporated by reference in s. 71.91 (5) (j), and the power
4 to:

5 **SECTION 1502.** 77.982 (2) of the statutes is amended to read:

6 77.982 (2) Sections 77.51 (1f), (3pf), (9p), (12m), (14), (14g), (15a), and (15b),
7 77.52 (1b), (3), (5), (13), (14), and (18) to (23), 77.54 (51) and (52), 77.58 (1) to (5), (6m),
8 and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (6), (8), (9), and (12) to (15),
9 and (19m), and 77.62, as they apply to the taxes under subch. III, apply to the tax
10 under this subchapter. Section 77.73, as it applies to the taxes under subch. V,
11 applies to the tax under this subchapter.

12 **SECTION 1503.** 77.991 (2) of the statutes is amended to read:

13 77.991 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5),
14 (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60,
15 77.61 (2), (3m), (5), (6), (8), (9), and (12) to (15), and (19m), and 77.62, as they apply
16 to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73,
17 as it applies to the taxes under subch. V, applies to the tax under this subchapter.
18 The renter shall collect the tax under this subchapter from the person to whom the
19 passenger car is rented.

20 **SECTION 1504.** 77.9951 (2) of the statutes is amended to read:

21 77.9951 (2) Sections 77.51 (3r), (12m), (14), (14g), (15a), and (15b), 77.52 (1b),
22 (3), (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59,
23 77.60, 77.61 (2), (3m), (5), (6), (8), (9), and (12) to (15), and (19m), and 77.62, as they
24 apply to the taxes under subch. III, apply to the fee under this subchapter. The renter

ASSEMBLY BILL 40**SECTION 1504**

1 shall collect the fee under this subchapter from the person to whom the vehicle is
2 rented.

3 **SECTION 1505.** 77.996 (6) of the statutes is amended to read:

4 77.996 (6) "Gross receipts" means the sales price, as defined in s. 77.51 (15b),
5 except as provided in s. 77.585 (7), of tangible personal property and taxable services
6 sold by a dry cleaning facility. "Gross receipts" does not include the license fee
7 imposed under s. 77.9961 (1m) that is passed on to customers.

8 **SECTION 1506.** 78.07 (1) of the statutes is amended to read:

9 78.07 (1) ~~Motor~~ Except as provided in subs. (1a) and (3), motor vehicle fuel that
10 is produced, refined, blended or manufactured, or imported for manufacturing, by
11 any person at a refinery, marine terminal, pipeline terminal, pipeline tank farm or
12 place of manufacture is received by a supplier when the motor vehicle fuel is removed
13 from a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of
14 manufacture and placed in tank cars, tank trucks, tank wagons or other types of
15 transportation equipment, containers or facilities at such refinery, marine terminal,
16 pipeline terminal, pipeline tank farm or place of manufacture or when the motor
17 vehicle fuel is placed in any tank or other container from which sales or deliveries
18 not involving transportation of the motor vehicle fuel are made directly.

19 **SECTION 1507.** 78.07 (1a) of the statutes is created to read:

20 78.07 (1a) Motor vehicle fuel shipped by pipeline spur to an airport hydrant
21 system is received when the motor vehicle fuel is received from the main pipeline into
22 the initial or primary storage facility or holding terminal by the owner of the storage
23 facility or holding terminal.

24 **SECTION 1508.** 78.07 (3) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1508**

1 78.07 (3) Except as provided in ~~sub.~~ subs. (1) and (1a), motor vehicle fuel
2 imported is received at the time and place of unloading by the person for whose
3 account that shipment or delivery is made.

4 **SECTION 1509.** 78.68 (10) of the statutes is amended to read:

5 78.68 (10) Except as provided in ss. 78.19, 78.20 (2) and 78.75 (1m) (b), s. 71.75
6 (2), and (4) to (7) and (10) as it applies to the taxes under ch. 71 applies to the taxes
7 under this chapter. ~~Section~~ Sections 71.74 (13), 71.75 (9) and (10), 71.80 (3), 71.93,
8 71.935, and 73.03 (52), (52m), and (52n), as it applies they apply to refunds of the
9 taxes under ch. 71 ~~applies~~ apply to the refund of the taxes under this chapter.

10 **SECTION 1510.** 79.05 (6) (a) of the statutes is amended to read:

11 79.05 (6) (a) If a municipality transfers to another governmental unit
12 responsibility for providing any service that the municipality provided in the
13 preceding year, its budget for the preceding year shall be decreased to reflect the cost
14 that the municipality incurred to provide that service, as determined by the
15 department of revenue, except that, if the municipality makes payments to the other
16 governmental unit for providing the service, pursuant to a contract, the amount of
17 the payments are included in its budget for the year the payments are made for the
18 purpose of determining eligibility under sub. (2) (c).

19 **SECTION 1511.** 79.05 (6) (b) of the statutes is amended to read:

20 79.05 (6) (b) If a municipality increases the services that it provides by adding
21 responsibility for providing a service transferred to it from another governmental
22 unit in any year, its budget for the preceding year shall be increased to reflect the cost
23 of that service, as determined by the department of revenue, except that, if the
24 municipality receives payments from the other governmental unit for providing the
25 service, pursuant to a contract, the amount of the payments are not included in its

ASSEMBLY BILL 40**SECTION 1511**

1 budget for the year in which the payments are received for the purpose of
2 determining eligibility under sub. (2) (c).

3 **SECTION 1512.** 79.095 (2) (a) of the statutes is amended to read:

4 79.095 (2) (a) On or before ~~May 1~~ the 2nd Monday in June, the value of the
5 property that is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for
6 which the municipality assesses property.

7 **SECTION 1513.** 79.095 (4) of the statutes is amended to read:

8 79.095 (4) PAYMENT. The department shall calculate the payments due each
9 taxing jurisdiction under this section by multiplying the full value as of the January
10 1 of the preceding year of the property that is exempt under s. 70.11 (39) and (39m)
11 and that is located in the jurisdiction by the full-value gross tax rate of the
12 jurisdiction for the preceding year. The department shall certify the amount of the
13 payment due each taxing jurisdiction to the department of administration, which
14 shall make the payments on or before ~~the first Monday in May except that, beginning~~
15 ~~in 2007, the department of administration shall make the payments on or before the~~
16 4th Monday in July. For purposes of ch. 121, school districts shall treat the payments
17 made in July under this subsection as if they had been received in the previous school
18 year.

19 **SECTION 1514.** 79.10 (4) of the statutes is amended to read:

20 79.10 (4) SCHOOL LEVY TAX CREDIT. Except as provided in sub. (5m), the ~~amounts~~
21 amount appropriated under s. 20.835 (3) (b) ~~and (c)~~ shall be distributed to
22 municipalities in proportion to their share of the sum of average school tax levies for
23 all municipalities.

24 **SECTION 1515.** 83.015 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1515**

1 83.015 (2) (b) In any county with a highway commissioner appointed under s.
2 83.01 (1) (b) or (c), the county highway committee shall be only a policy-making body
3 determining the broad outlines and principles governing administration and the
4 county highway commissioner shall have the administrative powers and duties
5 prescribed for the county highway committee under par. (a), sub. (3) (a) and ss.
6 27.065 (4) (b) and (13), 32.05 (1) (a), 82.08, 83.01 (6), 83.013, 83.018, 83.025 (1) and
7 (3), 83.026, 83.035, 83.04, 83.05 (1), 83.07 to 83.09, 83.12, 83.14 (6), 83.17, 83.18,
8 83.42 (3) and (4), 84.01 (5), 84.06 (3), 84.07 (1) and (2), 84.09 (1), (3) (a) to (c) and (4),
9 84.10 (1), 86.04 (1) and (2), 86.07 (2), 86.19 (3), 86.34 ~~(1)~~ (1m), 114.33 (5), 349.07 (2),
10 349.11 (4) and (10) and 349.15 (2). No statutory power, duty or function specified
11 elsewhere for the county highway commissioner may be deemed impliedly repealed
12 for the sole reason that reference to it has been omitted in this paragraph.

13 **SECTION 1516.** 84.01 (30) (g) 3. of the statutes is amended to read:

14 84.01 (30) (g) 3. Notwithstanding any other statute except ss. 13.48 (14) (am)
15 and 16.848 (1), the department may sell, at the appraised value, the real estate upon
16 which a park-and-ride facility is or may be located, if the department determines
17 that the sale is in the best interests of the public and the department determines that
18 the real estate will be used in a manner consistent with the state's transportation
19 interests.

20 **SECTION 1517.** 84.01 (33) (intro.) of the statutes is amended to read:

21 84.01 (33) HIGHWAY PROJECT DESIGN INVENTORY. (intro.) By July 1, 2014, and
22 continuously thereafter, the department shall maintain an inventory of completed
23 designs for highway projects such that the estimated costs of the inventory of projects
24 for each program is not less than ~~65~~ 20 percent of the annual amount of funding

ASSEMBLY BILL 40**SECTION 1517**

1 provided to each program. The department shall maintain an inventory for each of
2 the following:

3 **SECTION 1518.** 84.01 (36) of the statutes is created to read:

4 84.01 (36) SPONSORSHIP AND PARTNERSHIP AGREEMENTS. (a) In this subsection:

5 1. "Partner" means any person, whether public or private, that enters into an
6 agreement with the department under par. (c).

7 2. "Sponsor" means any person, whether public or private, that enters into an
8 agreement with the department under par. (b).

9 (b) Notwithstanding ss. 86.19 (1) and 86.191 (1), the department may enter into
10 sponsorship agreements under which the department displays advertising,
11 promotional, or sponsorship material, or other information, associated with the
12 sponsor at locations owned or controlled by the department in exchange for the
13 sponsor's payment of fees or provision of services to the department.

14 (c) Notwithstanding s. 84.25 (11), the department may enter into partnership
15 agreements under which the department authorizes a partner to engage in
16 commercial activity at locations owned or controlled by the department in exchange
17 for the partner's payment of fees or provision of services to the department.

18 (d) All fees received under this subsection shall be deposited in the general fund
19 and credited to the appropriation account under s. 20.395 (3) (eg).

20 (e) For each agreement under par. (b) or (c), the contract shall be awarded on
21 the basis of competitive proposals in accordance with procedures established by the
22 department. Requests for proposals shall be advertised in the manner determined
23 by the department. Each contract shall be awarded to the person submitting the
24 most advantageous competitive proposal as determined by the department. If the
25 proposal of the person submitting the most advantageous competitive proposal is

ASSEMBLY BILL 40**SECTION 1518**

1 determined by the department to be less than the estimated reasonable value to the
2 department or not in the public interest, the department may reject all proposals.
3 The secretary shall enter into each contract on behalf of the state. Every such
4 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87, and 16.89, but
5 ss. 16.528, 16.752, 16.753, and 16.754 apply to the contract.

6 **SECTION 1519.** 84.013 (3) (ak) of the statutes is repealed.

7 **SECTION 1520.** 84.013 (3) (dm) of the statutes is repealed.

8 **SECTION 1521.** 84.013 (3) (kb) of the statutes is repealed.

9 **SECTION 1522.** 84.013 (3) (pe) of the statutes is repealed.

10 **SECTION 1523.** 84.013 (3) (rg) of the statutes is repealed.

11 **SECTION 1524.** 84.013 (3) (rp) of the statutes is repealed.

12 **SECTION 1525.** 84.013 (3) (te) of the statutes is repealed.

13 **SECTION 1526.** 84.013 (3) (tg) of the statutes is repealed.

14 **SECTION 1527.** 84.013 (3) (tm) of the statutes is repealed.

15 **SECTION 1528.** 84.013 (3) (tp) of the statutes is repealed.

16 **SECTION 1529.** 84.013 (3) (tv) of the statutes is repealed.

17 **SECTION 1530.** 84.013 (3) (tx) of the statutes is repealed.

18 **SECTION 1531.** 84.013 (3) (wg) of the statutes is repealed.

19 **SECTION 1532.** 84.013 (3) (yd) of the statutes is repealed.

20 **SECTION 1533.** 84.013 (3m) (a) of the statutes is repealed.

21 **SECTION 1534.** 84.013 (3m) (b) of the statutes is repealed.

22 **SECTION 1535.** 84.014 (5r) of the statutes is repealed.

23 **SECTION 1536.** 84.0145 (2) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1536**

1 84.0145 (2) Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway
2 megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq),
3 (av), (ax), and (ct) and 20.866 (2) (uup) and (uur).

4 **SECTION 1537.** 84.017 (2) of the statutes is amended to read:

5 84.017 (2) Subject to sub. (3) and s. 86.255, any high-cost state highway bridge
6 project may be funded only from the appropriations under ~~s. ss.~~ 20.395 (3) (dr), (dw),
7 and (dy) and 20.866 (2) (uup).

8 **SECTION 1538.** 84.02 (5) (a) of the statutes is amended to read:

9 84.02 (5) (a) As often as it deems necessary, the department shall publish
10 highway service maps showing the state trunk highway system and such other main
11 highways and other features as may seem desirable. Such highway service maps
12 shall be sold by the department at a price to be fixed by it, which shall be not less than
13 cost. The department may permit the use of ~~the base plates~~ its digital base map data
14 for other maps and publications ~~in consideration of~~ and may charge a fair fee for such
15 use. The department shall make and publish or duplicate such highway service
16 maps as are required for its use, and, ~~in only one fiscal year of each fiscal biennium,~~
17 shall publish folded highway maps of Wisconsin for free distribution to the public.
18 The department shall ensure that the folded highway maps bear information
19 regarding the requirements of s. 347.48 (4).

20 **SECTION 1539.** 84.06 (1) of the statutes is renumbered 84.06 (1) (intro.) and
21 amended to read:

22 84.06 (1) DEFINITIONS. (intro.) In this section,;

23 (a) Subject to par. (b), “improvement” or “highway improvement” includes
24 construction, all of the following:

ASSEMBLY BILL 40**SECTION 1539**

1 1. Construction, reconstruction, rehabilitation, and processes incidental to
2 building, fabricating, or bettering a highway or street, ~~but not maintenance. The~~
3 ~~terms do not include the,~~

4 **(b) 2.** The installation, replacement, rehabilitation, or maintenance of highway
5 signs, traffic control signals, highway lighting, or pavement markings, or the
6 maintenance of traffic control signals or intelligent transportation systems, unless
7 incidental to building, fabricating, or bettering a highway or street.

8 **SECTION 1540.** 84.06 (1) (a) 2. of the statutes is created to read:

9 84.06 (1) (a) 2. Highway operations or activities that are life-cycle or
10 investment driven and that are based on an asset management philosophy in which
11 taking action adds service life by preventing or delaying deterioration of highway
12 system functionality.

13 **SECTION 1541.** 84.06 (1) (b) (intro.) and 1. of the statutes are created to read:

14 84.06 (1) (b) (intro.) “Improvement” or “highway improvement” does not
15 include any of the following:

16 1. Maintenance activities described in s. 84.07 (1).

17 **SECTION 1542.** 84.06 (13) of the statutes is created to read:

18 84.06 (13) **CERTAIN EXPENDITURES LIMITED.** The department may not encumber
19 or expend, from the appropriations under s. 20.395 (3) (aq), (cq), and (cr), more than
20 a total of \$20,000,000 in any fiscal year for the installation, replacement, or
21 rehabilitation, not incidental to another highway improvement, of traffic control
22 signals and intelligent transportation systems.

23 **SECTION 1543.** 84.07 (1) of the statutes is amended to read:

24 84.07 (1) ~~STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY~~ ROUTINE
25 MAINTENANCE. ~~The~~ Subject to sub. (1r), the state trunk highway system shall be

ASSEMBLY BILL 40**SECTION 1543**

1 maintained by the state at state expense. The department shall prescribe by rule
2 specifications for such maintenance and may contract with any county highway
3 committee or municipality to have all or certain parts of the work of maintaining the
4 state trunk highways within or beyond the limits of the county or municipality,
5 including interstate bridges, performed by the county or municipality, and any
6 county or municipality may enter into such contract. ~~General maintenance~~
7 Maintenance activities include the application of protective coatings, the removal
8 and control of snow, the removal, treatment and sanding of ice, interim repair of
9 highway surfaces and adjacent structures, and all other operations, activities and
10 processes required on a regular, continuing basis for the preservation of the
11 highways on the state trunk system, and including the care and protection of trees
12 and other roadside vegetation and suitable planting to prevent soil erosion or to
13 beautify highways pursuant to s. 66.1037, and all routine measures deemed
14 necessary to provide adequate traffic service. ~~Special maintenance activities include~~
15 ~~the restoration, reinforcement, complete repair or other activities which the~~
16 ~~department deems are necessary on an individual basis for specified portions of the~~
17 ~~state trunk system.~~ Maintenance activities also include the installation,
18 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,
19 highway lighting, and pavement markings, and the maintenance of traffic control
20 signals and intelligent transportation systems. The department may contract with
21 a private entity for services or materials or both associated with the installation,
22 replacement, rehabilitation, or maintenance of highway signs, ~~traffic control signals,~~
23 highway lighting, and pavement markings, and the maintenance of traffic control
24 signals and intelligent transportation systems.

25 **SECTION 1544.** 84.07 (1r) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1544**

1 84.07 (1r) SPONSORSHIP AND PARTNERSHIP AGREEMENTS. The department may
2 enter into sponsorship and partnership agreements under s. 84.01 (36) that require
3 the sponsor or partner to perform maintenance activities, in accordance with the
4 department's standards, for the benefit of the department.

5 **SECTION 1545.** 84.07 (2) of the statutes is renumbered 84.07 (2) (a) and
6 amended to read:

7 84.07 (2) (a) ~~When~~ Except as provided in par. (b), when any county or
8 municipality maintains the state trunk highways within or beyond the limits of the
9 county or municipality, including interstate bridges, in compliance with the
10 arrangement with the department, the department shall pay the actual cost of the
11 maintenance, including the allowance for materials and the use of county or
12 municipal machinery and overhead expenses agreed upon in advance. ~~The~~ Except
13 as provided in par. (b), the payments shall be made upon presentation by the county
14 highway committee or municipal clerk of a properly itemized and verified account.
15 ~~The~~ For payments made under this paragraph, the county highway committee or
16 municipal clerk shall present the itemized accounts for ~~general~~ maintenance work
17 no later than one month following the period during which the work is performed.

18 **SECTION 1546.** 84.07 (2) (b) of the statutes is created to read:

19 84.07 (2) (b) When any county or municipality maintains the state trunk
20 highways within or beyond the limits of the county or municipality, including
21 interstate bridges, in compliance with the arrangement with the department, the
22 department and the county or municipality may agree to a payment method and
23 terms other than that specified in par. (a), including payment according to a contract
24 price for maintenance services rather than payment of the actual cost of the
25 maintenance.

ASSEMBLY BILL 40**SECTION 1547**

1 **SECTION 1547.** 84.09 (1) of the statutes is amended to read:

2 84.09 (1) The department may acquire by gift, devise, purchase or
3 condemnation any lands for establishing, laying out, widening, enlarging,
4 extending, constructing, reconstructing, improving and maintaining highways and
5 other transportation related facilities, or interests in lands in and about and along
6 and leading to any or all of the same; and after establishment, layout and completion
7 of such improvements, the department may, subject to any prior action under s. 13.48
8 (14) (am) or 16.848 (1), convey such lands thus acquired and not necessary for such
9 improvements, with reservations concerning the future use and occupation of such
10 lands so as to protect such public works and improvements and their environs and
11 to preserve the view, appearance, light, air and usefulness of such public works.
12 Whenever the department deems it necessary to acquire any such lands or interests
13 therein for any transportation related purpose, it shall so order and in such order or
14 on a map or plat show the old and new locations and the lands and interests required,
15 and shall file a copy of the order and map with the county clerk and county highway
16 committee of each county in which such lands or interests are required or, in lieu of
17 filing a copy of the order and map, may file or record a plat in accordance with s.
18 84.095. For the purposes of this section the department may acquire private or public
19 lands or interests in such lands. When so provided in the department's order, such
20 land shall be acquired in fee simple. Unless it elects to proceed under sub. (3), the
21 department shall endeavor to obtain easements or title in fee simple by conveyance
22 of the lands or interests required at a price, including any damages, deemed
23 reasonable by the department. The instrument of conveyance shall name the state
24 as grantee and shall be recorded in the office of the register of deeds. The purchase
25 or acquisition of lands or interests therein under this section is excepted and exempt

ASSEMBLY BILL 40**SECTION 1547**

1 from s. 20.914 (1). The department may purchase or accept donations of remnants
2 of tracts or parcels of land existing at the time or after it has acquired portions of such
3 tracts or parcels by purchase or condemnation for transportation purposes where in
4 the judgment of the department such action would assist in making whole the
5 landowner, a part of whose lands have been taken for transportation purposes and
6 would serve to minimize the overall costs of such taking by the public. This
7 subsection does not apply to lands that are sold under s. 16.848.

8 **SECTION 1548.** 84.09 (5) (a) of the statutes is amended to read:

9 84.09 (5) (a) Subject to pars. (b) and (c) and any prior action under s. 13.48 (14)
10 (am) or 16.848 (1), and subject to the approval of the governor, the department may
11 sell at public or private sale property of whatever nature owned by the state and
12 under the jurisdiction of the department when the department determines that the
13 property is no longer necessary for the state's use for transportation purposes and,
14 if real property, the real property is not the subject of a petition under s. 16.310 (2).
15 The department shall present to the governor a full and complete report of the
16 property to be sold, the reason for the sale, and the minimum price for which the same
17 should be sold, together with an application for the governor's approval of the sale.
18 The governor shall thereupon make such investigation as he or she may deem
19 necessary and approve or disapprove the application. Upon such approval and
20 receipt of the full purchase price, the department shall by appropriate deed or other
21 instrument transfer the property to the purchaser. The approval of the governor is
22 not required for public or private sale of property having an appraised value at the
23 time of sale of not more than \$15,000, for the transfer of surplus state real property
24 to the department of administration under s. 16.310, or for the transfer of surplus
25 state personal property to the department of tourism under sub. (5s). The funds

ASSEMBLY BILL 40**SECTION 1548**

1 derived from sales under this subsection shall be deposited in the transportation
2 fund, and the expense incurred by the department in connection with the sale shall
3 be paid from such fund.

4 **SECTION 1549.** 84.09 (5) (c) 1. (intro.) of the statutes is amended to read:

5 84.09 (5) (c) 1. (intro.) ~~Prior~~ Subject to any prior action under s. 13.48 (14) (am)
6 or 16.848 (1), prior to conducting a public sale on a generally marketable surplus land
7 parcel under par. (b), the department shall contact the county, municipality, and the
8 local school district where the land parcel is located and the department of natural
9 resources to solicit interest in acquiring the parcel for public use. Upon notification
10 from the department, the county, municipality, local school district, and department
11 of natural resources must respond to the department, stating their interest in the
12 land for public use, within 60 days. Failure to respond within 60 days constitutes
13 noninterest in the land parcel.

14 **SECTION 1550.** 84.09 (5) (c) 2. (intro.) of the statutes is amended to read:

15 84.09 (5) (c) 2. (intro.) Except as provided in subd. 2m. and subject to any prior
16 action under s. 13.48 (14) (am) or 16.848 (1), if a county, a municipality, a local school
17 district, or the department of natural resources expresses interest in acquiring the
18 land for public use, the department shall offer the county, municipality, local school
19 district, or department of natural resources the property at its appraised value if all
20 of the following are true:

21 **SECTION 1551.** 84.09 (5) (c) 2m. (intro.) of the statutes is amended to read:

22 84.09 (5) (c) 2m. (intro.) If a county, municipality, or a local school district
23 expresses interest in acquiring the land for public use related to transportation or
24 infrastructure, the department may, subject to any prior action under s. 13.48 (14)
25 (am) or 16.848 (1), offer the county, municipality, or the local school district the

ASSEMBLY BILL 40**SECTION 1551**

1 property, for less than the appraised value of the property, if all of the following are
2 true:

3 **SECTION 1552.** 84.09 (5m) of the statutes is amended to read:

4 84.09 (5m) Subject to the approval of the governor in the manner, scope, and
5 form provided by sub. (5) (a), and subject to any prior action under s. 13.48 (14) (am)
6 or 16.848 (1), the department may convey lands or interests therein acquired
7 pursuant to this section and improvements installed thereon to municipalities
8 within whose limits such lands or interests therein are located. The conveyance of
9 said lands or interests therein and improvements shall restrict the use of the
10 premises by the municipality to the uses for which they were acquired, except that
11 said lands or interests therein declared by the department to be excess may be so
12 conveyed without restrictions as to use. This subsection shall apply only to the sale
13 of property acquired by the department for a project that is completed before May 25,
14 2006. The department may sell property that is acquired by the department for a
15 project that is completed after May 25, 2006, to a municipality under sub. (5) (c), as
16 applicable.

17 **SECTION 1553.** 84.09 (6) of the statutes is amended to read:

18 84.09 (6) ~~Lands~~ Subject to any prior action under s. 13.48 (14) (am) or 16.848
19 (1), lands held by any other state department or independent agency may, with the
20 approval of the governor, be conveyed to the department in the manner prescribed
21 by statute and, if none is prescribed, then by a conveyance authorized by appropriate
22 order or resolution of the head of the department or independent agency concerned.

23 **SECTION 1554.** 84.09 (9) of the statutes is repealed.

24 **SECTION 1555.** 84.29 (5) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1555**

1 84.29 (5) CONSTRUCTION OF GRADE SEPARATIONS AT INTERSECTIONS. In the
2 furtherance of the public interest and general welfare of the state and the traveling
3 public in the development of the interstate system, the department is authorized and
4 empowered to construct grade separations at intersections of any interstate highway
5 with other public highways and railroads and to change and adjust the lines of public
6 highways and if necessary combine or relocate the same to adjust traffic service to
7 grade separation structures. The entire cost of grade separations and relocations
8 and alterations of local roads as so determined by the department shall be a part of
9 the construction of and financed as a part of the cost of the interstate highway. The
10 department may by agreement with a county or municipality or by order summarily
11 vacate or relocate any town, county, city or village highway as part of the construction
12 of an interstate highway but shall pay any damage legally payable under existing
13 law to any property owner directly injured by the vacation or relocation of such street
14 or highway. The department is empowered to enter into agreement with the unit of
15 government having jurisdiction over the local highway relocated or altered as a part
16 of the interstate highway improvement with respect to maintenance thereof, and in
17 the absence of mutual agreement to the contrary, such relocated or altered highway
18 shall be maintained by the unit of government having jurisdiction thereof before it
19 was so relocated or altered, except any parts thereof which the department
20 determines to be useful in the operation of or for access to the interstate highway,
21 which parts shall be maintained by the state, subject to s. 84.07 (1r), as a part of the
22 interstate highway. The action by the department relative to vacation and relocation
23 or combining a public highway under jurisdiction of any county, town, city or village
24 shall be conclusive.

25 **SECTION 1556.** 84.295 (6) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1556**

1 84.295 (6) CONSTRUCTION OF GRADE SEPARATIONS AT INTERSECTIONS. In the
2 furtherance of the public interest and general welfare of the state and the traveling
3 public in the development of freeways or expressways, the department is authorized
4 and empowered to construct grade separations at intersections of any freeway or
5 expressway with other public highways and railroads and to change and adjust the
6 lines of public highways and if necessary combine, relocate or extend the same to
7 adjust traffic service to grade separation structures. The entire cost of grade
8 separations and relocations, alterations or extensions of local roads as so determined
9 by the department shall be a part of the construction of and financed as a part of the
10 cost of the freeway or expressway. The department may by agreement with a county
11 or municipality or by order summarily vacate or relocate any town, county, city or
12 village highway as part of the construction of a freeway or expressway but shall pay
13 any damage legally payable under existing law to any property owner directly
14 injured by the vacation or relocation of such street or highway. The department is
15 empowered to enter into agreement with the units of government having jurisdiction
16 over a local highway relocated, altered or extended as a part of the freeway or
17 expressway improvement with respect to maintenance thereof, and in the absence
18 of mutual agreement to the contrary, such relocated, altered or extended highway
19 shall be maintained by the unit of government having jurisdiction thereof before it
20 was so relocated, altered or extended, except any parts thereof which the department
21 determines to be useful in operation of or for access to the freeway or expressway,
22 including structures over the freeway or expressway, which parts shall be
23 maintained by the state, subject to s. 84.07 (1r), as a part of the freeway or
24 expressway. The action by the department relative to vacation, relocation, extension

ASSEMBLY BILL 40**SECTION 1556**

1 or combining of a public highway under jurisdiction of any county, town, city or
2 village shall be conclusive.

3 **SECTION 1557.** 84.40 (2) (a) of the statutes is amended to read:

4 84.40 (2) (a) May Subject to any prior action under s. 13.48 (14) (am) or 16.848
5 (1), may sell and convey to a nonprofit-sharing corporation any public right-of-way
6 available for highway purposes and any existing highways or other improvements
7 thereon owned by the state or under the jurisdiction of the department for such
8 consideration and upon such terms and conditions as the department deems in the
9 public interest.

10 **SECTION 1558.** 84.555 (1m) of the statutes is amended to read:

11 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of
12 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for
13 expenditure obligations under s. 84.95 and s. 84.014 ~~and~~, the proceeds of general
14 obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure
15 obligations for the Marquette interchange reconstruction project under s. 84.014, for
16 the reconstruction of the I 94 north-south corridor, as defined in s. 84.014 (5m) (ag)
17 1., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m) (ag) 2.,
18 and for southeast Wisconsin freeway megaprojects under s. 84.0145, and for
19 high-cost state highway bridge projects under s. 84.017, and the proceeds of general
20 obligation bonds issued under s. 20.866 (2) (uur) may be used to fund expenditure
21 obligations for southeast Wisconsin freeway megaprojects under s. 84.0145.

22 **SECTION 1559.** 84.59 (6) of the statutes is amended to read:

23 84.59 (6) The building commission may contract revenue obligations when it
24 reasonably appears to the building commission that all obligations incurred under
25 this section can be fully paid from moneys received or anticipated and pledged to be

ASSEMBLY BILL 40**SECTION 1559**

1 received on a timely basis. Except as provided in this subsection, the principal
2 amount of revenue obligations issued under this section may not exceed
3 ~~\$3,351,547,300~~ \$3,768,059,300, excluding any obligations that have been defeased
4 under a cash optimization program administered by the building commission, to be
5 used for transportation facilities under s. 84.01 (28) and major highway projects for
6 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
7 amount, the building commission may contract revenue obligations under this
8 section as the building commission determines is desirable to refund outstanding
9 revenue obligations contracted under this section, to make payments under
10 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect
11 to revenue obligations issued under this section, and to pay expenses associated with
12 revenue obligations contracted under this section.

13 **SECTION 1560.** 85.021 of the statutes is created to read:

14 **85.021 Transportation alternatives program. (1) DEFINITIONS.** In this
15 section:

16 (a) "Political subdivision" means any city, village, town, or county.

17 (b) "Transportation alternatives" has the meaning given in 23 USC 101 (a).

18 **(2) PROGRAM.** (a) The department may administer a program to award grants
19 of assistance to any political subdivision for transportation alternatives activities
20 consistent with federal regulations promulgated under 23 USC 213. The grants shall
21 be awarded from the appropriations under s. 20.395 (2) (js), (jv), and (jx).

22 (b) Any project for which a grant is awarded under par. (a) shall be commenced
23 within 4 years from the date that the grant is awarded. For purposes of this
24 paragraph, a planning project is commenced when a planning study is begun and an
25 infrastructure project is commenced when construction is begun.

ASSEMBLY BILL 40**SECTION 1561**

1 **SECTION 1561.** 85.024 of the statutes is repealed.

2 **SECTION 1562.** 85.026 of the statutes is repealed.

3 **SECTION 1563.** 85.027 of the statutes is repealed.

4 **SECTION 1564.** 85.029 of the statutes is repealed.

5 **SECTION 1565.** 85.09 (2) (a) of the statutes is amended to read:

6 85.09 (2) (a) The department of transportation shall have the first right to
7 acquire, for present or future transportational or recreational purposes, any
8 property used in operating a railroad or railway, including land and rails, ties,
9 switches, trestles, bridges, and the like located on that property, that has been
10 abandoned. The department of transportation may, in connection with abandoned
11 rail property, assign this right to a state agency, the board of regents of the University
12 of Wisconsin System, any county or municipality, or any transit commission.
13 Acquisition by the department of transportation may be by gift, purchase, or
14 condemnation in accordance with the procedure under s. 32.05. In addition to its
15 property management authority under s. 85.15, the department of transportation
16 may, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), lease and collect
17 rents and fees for any use of rail property pending discharge of the department's duty
18 to convey property that is not necessary for a public purpose. No person owning
19 abandoned rail property, including any person to whom ownership reverts upon
20 abandonment, may convey or dispose of any abandoned rail property without first
21 obtaining a written release from the department of transportation indicating that
22 the first right of acquisition under this subsection will not be exercised or assigned.
23 No railroad or railway may convey any rail property prior to abandonment if the rail
24 property is part of a rail line shown on the railroad's system map as in the process
25 of abandonment, expected to be abandoned, or under study for possible

ASSEMBLY BILL 40**SECTION 1565**

1 abandonment unless the conveyance or disposal is for the purpose of providing
2 continued rail service under another company or agency. Any conveyance made
3 without obtaining such release is void. The first right of acquisition of the
4 department of transportation under this subsection does not apply to any rail
5 property declared by the department to be abandoned before January 1, 1977. The
6 department of transportation may acquire any abandoned rail property under this
7 section regardless of the date of its abandonment.

8 **SECTION 1566.** 85.09 (4) of the statutes is amended to read:

9 85.09 (4) ACQUISITION AND CONVEYANCE. Upon its own initiative, the department
10 may determine at any time whether the rail property is abandoned, and whether it
11 is in the best interest of the state to acquire the rail property. Within 90 days after
12 being requested by any state agency, any railroad or any county or municipality in
13 which the rail property is located, the department shall, subject to sub. (5) (b), make
14 a determination of the abandonment status and, if found to be abandoned, shall
15 determine whether it is in the best interest of the public to acquire the rail property.
16 If it is determined to acquire the rail property or any part or interest therein, the
17 department shall, within 180 days of the determination of its abandoned status, or
18 the interstate commerce commission's final order permitting the abandonment, or
19 the termination of any efforts to negotiate an agreement for continual operation of
20 rail service on the line, whichever occurs last, determine the fair market value of the
21 rail property and acquire the rail property at a price deemed reasonable by the
22 department or make a relocation order under s. 32.05. In making its determination,
23 the department shall consider long-range potential for use of the rail property for
24 restoration of railroad service and for other transportation related purposes. The
25 department shall solicit the opinions of appropriate state agencies, affected counties

ASSEMBLY BILL 40**SECTION 1566**

1 and municipalities and other interested persons. The department shall give due
2 consideration to an expressed desire by a state agency or an affected county or
3 municipality to acquire, in whole or in part, the rail property under consideration.
4 Subject to any prior action under s. 13.48 (14) (am) or 16.848 (1) and subject to sub.
5 (6), all or part of any interest in abandoned rail property acquired by the department
6 under this section or under s. 66.941 (7), 1975 stats., may be subsequently conveyed
7 to another state agency or a county or municipality for transportational purposes,
8 recreational purposes, scenic purposes or for the purpose of constructing a
9 correctional institution, or to a railroad for continued railroad transportation
10 operations when the railroad has operated on the rail property for 5 years and the
11 department may make such conveyances for such purposes. Any determination of
12 the department under this section that rail property is not abandoned shall not
13 preclude the undertaking of a subsequent investigation and determination
14 concerning the same rail property or any portion thereof. If at any time subsequent
15 to the acquisition of rail property under this section the department determines that
16 the rail property is not suitable for transportational purposes, recreational purposes,
17 scenic purposes or for the purpose of constructing a correctional institution, or that
18 the rail property or any interest therein may be conveyed to any other person on
19 terms which are not inconsistent with the potential use of the rail property for
20 transportational purposes, recreational purposes, scenic purposes or for the purpose
21 of constructing a correctional institution or which yield a benefit, including financial
22 benefits, to the state which outweighs the benefit derived from the rail property if
23 used for transportational purposes, recreational purposes, scenic purposes or for the
24 purpose of constructing a correctional institution, the department may convey the
25 rail property or such interest therein, subject to any prior action under s. 13.48 (14)

ASSEMBLY BILL 40**SECTION 1566**

1 (am) or 16.848 (1) and subject to sub. (6). The department shall give notice of its
2 intention to make the conveyance, and state and local units of government shall have
3 the first 6 months in which to exercise their opportunity to acquire the rail property
4 or interest therein. The railroad from which the rail property was acquired shall
5 have the next 6 months in which to exercise its opportunity to reacquire the rail
6 property or interest therein.

7 **SECTION 1567.** 85.09 (4i) of the statutes is amended to read:

8 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department, subject to any prior
9 action under s. 13.48 (14) (am) or 16.848 (1), shall sell at public or private sale rail
10 property acquired under sub. (4) when the department determines that the rail
11 property is not necessary for a public purpose and, if real property, the real property
12 is not the subject of a petition under s. 16.310 (2). Upon receipt of the full purchase
13 price, the department shall, by appropriate deed or other instrument, transfer the
14 rail property to the purchaser. The funds derived from sales under this subsection
15 shall be deposited in the transportation fund, and the expense incurred by the
16 department in connection with the sale shall be paid from the appropriation under
17 s. 20.395 (2) (bq). ~~This subsection does not apply to real property that is sold under~~
18 ~~s. 16.848.~~

19 **SECTION 1568.** 85.15 (1) of the statutes is amended to read:

20 85.15 (1) The Subject to any prior action under s. 13.48 (14) (am) or 16.848 (1),
21 the department may improve, use, maintain or lease any property acquired for
22 highway, airport or any other transportation purpose until the property is actually
23 needed for any such purpose and may permit use of the property for purposes and
24 upon such terms and conditions as the department deems in the public interest.

25 **SECTION 1569.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1569**

1 85.20 (4m) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
2 department shall pay \$66,585,600 for aid payable for calendar year 2010,
3 \$68,583,200 for aid payable for calendar year 2011, and \$61,724,900 for aid payable
4 for calendar year years 2012 and thereafter 2013 and, prorated, for the 1st quarter
5 of calendar year 2014, to the eligible applicant that pays the local contribution
6 required under par. (b) 1. for an urban mass transit system that has annual operating
7 expenses of \$80,000,000 or more. From the appropriation under s. 20.395 (1) (hc),
8 the department shall pay \$61,724,900 for aid payable for calendar year 2015 and
9 thereafter and, prorated, for the 2nd, 3rd, and 4th quarters of calendar year 2014,
10 to the eligible applicant that pays the local contribution required under par. (b) 1. for
11 an urban mass transit system that has annual operating expenses of \$80,000,000 or
12 more. If the eligible applicant that receives aid under this subd. 6. cm. is served by
13 more than one urban mass transit system, the eligible applicant may allocate the aid
14 between the urban mass transit systems in any manner the eligible applicant
15 considers desirable.

16 **SECTION 1570.** 85.20 (4m) (a) 6. cm. of the statutes, as affected by 2013
17 Wisconsin Act (this act), is amended to read:

18 85.20 (4m) (a) 6. cm. ~~From the appropriation under s. 20.395 (1) (ht), the~~
19 ~~department shall pay \$66,585,600 for aid payable for calendar year 2010,~~
20 ~~\$68,583,200 for aid payable for calendar year 2011, and \$61,724,900 for aid payable~~
21 ~~for calendar years 2012 and 2013 and, prorated, for the 1st quarter of calendar year~~
22 ~~2014, to the eligible applicant that pays the local contribution required under par.~~
23 ~~(b) 1. for an urban mass transit system that has annual operating expenses of~~
24 ~~\$80,000,000 or more.~~ From the appropriation under s. 20.395 (1) (hc), the
25 department shall pay \$61,724,900 for aid payable for calendar year 2015 and

ASSEMBLY BILL 40**SECTION 1570**

1 thereafter and, prorated, for the 2nd, 3rd, and 4th quarters of calendar year 2014,
2 to the eligible applicant that pays the local contribution required under par. (b) 1. for
3 an urban mass transit system that has annual operating expenses of \$80,000,000 or
4 more. If the eligible applicant that receives aid under this subd. 6. cm. is served by
5 more than one urban mass transit system, the eligible applicant may allocate the aid
6 between the urban mass transit systems in any manner the eligible applicant
7 considers desirable.

8 **SECTION 1571.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

9 85.20 (~~4m~~) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
10 department shall pay \$17,496,400 for aid payable for calendar year 2010,
11 \$18,021,300 for aid payable for calendar year 2011, and \$16,219,200 for aid payable
12 for calendar year years 2012 and thereafter 2013 and, prorated, for the 1st quarter
13 of calendar year 2014, to the eligible applicant that pays the local contribution
14 required under par. (b) 1. for an urban mass transit system that has annual operating
15 expenses in excess of \$20,000,000 but less than \$80,000,000. From the appropriation
16 under s. 20.395 (1) (hd), the department shall pay \$16,219,200 for aid payable for
17 calendar year 2015 and thereafter, and, prorated, for the 2nd, 3rd, and 4th quarters
18 of calendar year 2014, to the eligible applicant that pays the local contribution
19 required under par. (b) 1. for an urban mass transit system that has annual operating
20 expenses in excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant
21 that receives aid under this subd. 6. d. is served by more than one urban mass transit
22 system, the eligible applicant may allocate the aid between the urban mass transit
23 systems in any manner the eligible applicant considers desirable.

24 **SECTION 1572.** 85.20 (4m) (a) 6. d. of the statutes, as affected by 2013 Wisconsin
25 Act (this act), is amended to read:

ASSEMBLY BILL 40**SECTION 1572**

1 85.20 **(4m)** (a) 6. d. ~~From the appropriation under s. 20.395 (1) (hu), the~~
2 ~~department shall pay \$17,496,400 for aid payable for calendar year 2010,~~
3 ~~\$18,021,300 for aid payable for calendar year 2011, and \$16,219,200 for aid payable~~
4 ~~for calendar years 2012 and 2013 and, prorated, for the 1st quarter of calendar year~~
5 ~~2014, to the eligible applicant that pays the local contribution required under par.~~
6 ~~(b) 1. for an urban mass transit system that has annual operating expenses in excess~~
7 ~~of \$20,000,000 but less than \$80,000,000. From the appropriation under s. 20.395~~
8 ~~(1) (hd), the department shall pay \$16,219,200 for aid payable for calendar year 2015~~
9 ~~and thereafter, and, prorated, for the 2nd, 3rd, and 4th quarters of calendar year~~
10 ~~2014, to the eligible applicant that pays the local contribution required under par.~~
11 ~~(b) 1. for an urban mass transit system that has annual operating expenses in excess~~
12 ~~of \$20,000,000 but less than \$80,000,000. If the eligible applicant that receives aid~~
13 ~~under this subd. 6. d. is served by more than one urban mass transit system, the~~
14 ~~eligible applicant may allocate the aid between the urban mass transit systems in~~
15 ~~any manner the eligible applicant considers desirable.~~

16 **SECTION 1573.** 85.20 (4m) (a) 6. e. of the statutes is amended to read:

17 85.20 **(4m)** (a) 6. e. From the appropriation under s. 20.395 (1) ~~(hw)~~ (he), the
18 department may pay the uniform percentage for each eligible applicant for a
19 commuter or light rail system that has been enumerated under s. 85.062 (3). An
20 eligible applicant may not receive aid under subd. 6. cm. or d., 7., or 8. for a commuter
21 rail or light rail transit system.

22 **SECTION 1574.** 85.20 (4m) (a) 7. a. of the statutes is amended to read:

23 85.20 **(4m)** (a) 7. a. From the appropriation under s. 20.395 (1) (hr), beginning
24 with aid payable for calendar year 2002 and for each calendar year thereafter, the
25 uniform percentage for each eligible applicant served by an urban mass transit

ASSEMBLY BILL 40**SECTION 1574**

1 system operating within an urbanized area having a population as shown in the 2000
2 2010 federal decennial census of at least 50,000 or receiving federal mass transit aid
3 for such area, and not specified in subd. 6.

4 **SECTION 1575.** 85.20 (4m) (a) 7. a. of the statutes, as affected by 2013 Wisconsin
5 Act (this act), is amended to read:

6 85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (~~hr~~) (ha),
7 beginning with aid payable for calendar year 2002 and for each calendar year
8 thereafter, the uniform percentage for each eligible applicant served by an urban
9 mass transit system operating within an urbanized area having a population as
10 shown in the 2010 federal decennial census of at least 50,000 or receiving federal
11 mass transit aid for such area, and not specified in subd. 6.

12 **SECTION 1576.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

13 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
14 amounts for aids are ~~\$25,099,500 in calendar year 2010, \$25,852,500 in calendar~~
15 ~~year 2011, and \$23,267,200 in calendar year~~ years 2012 and 2013 and \$23,544,900
16 in calendar year 2014 and thereafter. These amounts, to the extent practicable, shall
17 be used to determine the uniform percentage in the particular calendar year.

18 **SECTION 1577.** 85.20 (4m) (a) 8. a. of the statutes is amended to read:

19 85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), beginning
20 with aid payable for calendar year 2002 and for each calendar year thereafter, the
21 uniform percentage for each eligible applicant served by an urban mass transit
22 system operating within an area having a population as shown in the 2000 2010
23 federal decennial census of less than 50,000 or receiving federal mass transit aid for
24 such area.

ASSEMBLY BILL 40**SECTION 1578**

1 **SECTION 1578.** 85.20 (4m) (a) 8. a. of the statutes, as affected by 2013 Wisconsin
2 Act (this act), is amended to read:

3 85.20 (**4m**) (a) 8. a. From the appropriation under s. 20.395 (1) (~~hs~~) (**hb**),
4 beginning with aid payable for calendar year 2002 and for each calendar year
5 thereafter, the uniform percentage for each eligible applicant served by an urban
6 mass transit system operating within an area having a population as shown in the
7 2010 federal decennial census of less than 50,000 or receiving federal mass transit
8 aid for such area.

9 **SECTION 1579.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

10 85.20 (**4m**) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
11 amounts for aids are \$5,681,600 in calendar year 2010, \$5,852,200 in calendar year
12 2011, and \$5,267,000 in calendar year years 2012 and 2013 and \$4,989,300 in
13 calendar year 2014 and thereafter. These amounts, to the extent practicable, shall
14 be used to determine the uniform percentage in the particular calendar year.

15 **SECTION 1580.** 85.20 (4s) of the statutes is amended to read:

16 85.20 (**4s**) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
17 between the department and eligible applicants under this section shall provide that
18 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the
19 state's fiscal year shall be provided from the following fiscal year's appropriation
20 under s. 20.395 (1) (~~hr~~), (~~hs~~), (~~ht~~), (~~hu~~), or (~~hw~~) (ha), (hb), (hc), (hd), or (he).

21 **SECTION 1581.** 85.63 of the statutes is created to read:

22 **85.63 Surveying reference station system.** (1) The department shall
23 administer a surveying reference station system consisting of all of the following:

24 (a) A passive system consisting of a network of monuments located throughout
25 the state that are used to generate latitude, longitude, and elevation data.

ASSEMBLY BILL 40**SECTION 1581**

1 (b) An active surveying reference station system consisting of reference
2 stations statewide that continuously transmit global positioning system data to a
3 system server, and the server that receives and processes the data received from the
4 reference stations.

5 (2) The department may charge a fee for providing access to the system under
6 sub. (1) in an amount to be established by rule. All fees received under this
7 subsection shall be deposited in the general fund and credited to the appropriation
8 account under s. 20.395 (3) (jg).

9 **SECTION 1582.** 86.34 (title) of the statutes is amended to read:

10 **86.34 (title) Flood Disaster damage aids.**

11 **SECTION 1583.** 86.34 (1) of the statutes is renumbered 86.34 (1m), and 86.34
12 (1m) (a) and (b), as renumbered, are amended to read:

13 86.34 (1m) (a) When any ~~public highway, street, alley or bridge not on the state~~
14 ~~trunk highway system~~ is damaged by flood a disaster, the county highway
15 committee, or the governing body of the municipality having jurisdiction over the
16 maintenance ~~thereof~~ of the highway, may adopt a petition for aid under this section
17 and file a certified copy ~~thereof~~ of the petition with the department. To be eligible
18 for aid the petition shall be filed not later than 2 months after the occurrence of the
19 ~~flood~~ disaster damage, except as provided in par. (b). All such petitions shall state
20 the dates on which the ~~flood~~ disaster damage occurred and as nearly as practical
21 state the location, nature, and extent of the damage.

22 (b) The department may extend the filing deadline under par. (a) if it appears
23 reasonably likely that federal disaster aid may be forthcoming or when widespread
24 or continuous ~~flooding~~ disaster damage makes an evaluation of ~~flood~~ damage
25 difficult.

ASSEMBLY BILL 40**SECTION 1584**

1 **SECTION 1584.** 86.34 (1g) of the statutes is created to read:

2 86.34 (1g) In this section:

3 (a) "Catastrophic highway failure" means the sudden failure of a major element
4 or segment of the highway system due to a cause that is external to a highway, but
5 does not include any failure primarily attributable to gradual and progressive
6 deterioration or lack of proper maintenance of a highway.

7 (b) "Disaster" means any of the following:

8 1. A severe storm, flood, fire, tornado, mudslide, or other natural event external
9 to a highway or a catastrophic highway failure.

10 2. An event or recurring damage caused by any governmental unit or person
11 acting under the direction or approval of, or permit issued by, any governmental unit
12 and in response to an event described in subd. 1.

13 (c) "Governmental unit" means the state or any state agency, as defined in s.
14 20.001 (1); any county, city, village, town, or other political subdivision of the state;
15 or the federal government or any of its agencies.

16 (d) "Highway" means a highway, as defined in s. 340.01 (22), that is not on the
17 state trunk highway system.

18 **SECTION 1585.** 86.34 (2) of the statutes is amended to read:

19 86.34 (2) The department shall make such investigation as it deems necessary
20 and within 6 months from the date of filing the petition shall make its determination
21 as to the granting of aid, the amount thereof, and the conditions under which it is
22 granted. In making its determination the department shall cause an estimate to be
23 made of the cost of repairing or replacing the facilities damaged or destroyed by the
24 flood to standards and efficiency similar to those previously existing immediately
25 before the damage or destruction, and also an estimate of the cost of reconstructing

ASSEMBLY BILL 40**SECTION 1585**

1 the facilities to a higher type or improving any such facilities if determined to be
2 warranted and advisable. Except as provided in sub- subs. (2m) and (6), the amount
3 of aid payable for damage caused by a disaster described in sub. (1g) (b) 1. shall be
4 three-fourths 75 percent of the cost of repair or replacement to standards similar to
5 those previously existing immediately before the damage or destruction, plus 50%
6 of the increased cost of the reconstruction to a higher type or the improvement of any
7 of the facilities. Except as provided in subs. (2m) and (6), the amount of aid payable
8 for damage caused by a disaster described in sub. (1g) (b) 2. shall be 70 percent of the
9 cost of repair or replacement to standards similar to those existing immediately
10 before the damage or destruction. The department may revise estimates on the basis
11 of additional facts. The county, town, village, or city shall pay the remainder of the
12 cost not allowed as aid, but this shall not invalidate any other provision of the
13 statutes whereby the cost may be shared by the county and the town, village, or city.

14 **SECTION 1586.** 86.34 (2m) of the statutes is amended to read:

15 86.34 (2m) If Subject to sub. (6), if the department's estimate under sub. (2) of
16 the cost of repair or improvement of the facilities determined by the department to
17 be eligible for aid is \$15,000 or less, the department shall offer the petitioner an
18 amount of aid equal to 75% of the total amount of the department's estimate for
19 damage caused by a disaster described in sub. (1g) (b) 1. or 70 percent of the total
20 amount of the department's estimate for damage caused by a disaster described in
21 sub. (1g) (b) 2. If the petitioner accepts aid under this subsection, the aid shall be paid
22 to the petitioner or, subject to sub. (5), the county, and no other form of aid is available
23 under this section for the repair or improvement of such facilities.

24 **SECTION 1587.** 86.34 (6) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1587**

1 86.34 (6) The department may not pay aid under this section in excess of
2 \$1,000,000, in connection with disaster damage resulting from a single disaster,
3 unless the payment of aid is approved by the governor.

4 **SECTION 1588.** 93.02 of the statutes is amended to read:

5 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
6 of the duties of the department, all of whom shall be under the classified service
7 except the deputy secretary, the ~~executive assistant~~ deputy secretary, and, subject
8 to s. 230.08 (4) (a), the administrators of divisions. Each such deputy secretary,
9 ~~executive assistant~~ deputy secretary, or administrator shall be appointed by the
10 secretary with the approval of the board.

11 **SECTION 1589.** 93.135 (title) of the statutes is amended to read:

12 **93.135 (title) License denial, nonrenewal, suspension or restriction**
13 **based on failure to pay support or taxes.**

14 **SECTION 1590.** 93.135 (1) (rg) of the statutes is created to read:

15 93.135 (1) (rg) A certification or registration under s. 168.23 (3).

16 **SECTION 1591.** 93.135 (4) of the statutes is created to read:

17 93.135 (4) The department shall deny an application for the issuance or
18 renewal of certification or registration under s. 168.23 (3), or shall suspend or restrict
19 such a certification or registration, if the department of revenue certifies under s.
20 73.0301 that the holder of the certification or registration is liable for delinquent
21 taxes.

22 **SECTION 1592.** 93.40 (1) (g) of the statutes is amended to read:

23 93.40 (1) (g) Promote the growth of the dairy industry through research,
24 planning, and assistance, including grants and loans to dairy producers and grants
25 to persons operating processing plants.

ASSEMBLY BILL 40**SECTION 1593**

1 **SECTION 1593.** 93.60 of the statutes is repealed.

2 **SECTION 1594.** 98.246 (1) of the statutes is amended to read:

3 98.246 (1) In this section, “petroleum products” has the meaning given under
4 s. ~~168.03~~ 168.01 (3).

5 **SECTION 1595.** 101.02 (18m) of the statutes is renumbered 93.06 (1pm) and
6 amended to read:

7 93.06 (1pm) TESTING OF PETROLEUM PRODUCTS. The department may perform,
8 or contract for the performance of, testing of petroleum products other than testing
9 provided under ch. 168. The department may establish a schedule of fees for such
10 petroleum product testing services. The department shall credit all revenues
11 received from fees established under this subsection to the appropriation account
12 under s. ~~20.165 (2) (ga)~~ 20.115 (1) (gc). Revenues from fees established under this
13 subsection may be used by the department to pay for testing costs, including
14 laboratory supplies and equipment amortization, for such products.

15 **SECTION 1596.** 101.02 (18r) of the statutes is created to read:

16 101.02 (18r) The department shall promulgate a rule specifying fees for plan
17 reviews relating to the storage, handling, or use of flammable or combustible liquids
18 or federally regulated hazardous substances, as defined in s. 168.21 (3).

19 **SECTION 1597.** 101.02 (20) (a) of the statutes is amended to read:

20 101.02 (20) (a) For purposes of this subsection, “license” means a license,
21 permit, or certificate of certification or registration issued by the department for an
22 occupation or profession under s. ~~101.09 (3) (e)~~, 101.122 (2) (c), ~~101.143 (2) (g)~~,
23 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.178 (2) or (3) (a), 101.63 (2) or (2m),
24 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951,
25 101.952, 101.96 (2), 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16,

ASSEMBLY BILL 40**SECTION 1597**

1 145.165, 145.17, 145.175, 145.18, or 167.10 (6m) or under rules promulgated under
2 ch. 101 or 145.

3 **SECTION 1598.** 101.02 (21) (a) of the statutes is amended to read:

4 101.02 (21) (a) In this subsection, “license” means a license, permit, or
5 certificate of certification or registration issued by the department for an occupation
6 or profession under s. ~~101.09 (3) (e)~~, 101.122 (2) (c), ~~101.143 (2) (g)~~, 101.147, 101.15
7 (2) (e), 101.16 (3g), 101.17, 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73
8 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.96 (2),
9 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,
10 145.175, 145.18, or 167.10 (6m) or under rules promulgated under ch. 101 or 145.

11 **SECTION 1599.** 101.02 (24) (a) 2. of the statutes is amended to read:

12 101.02 (24) (a) 2. “License” means a license, permit, or certificate of
13 certification or registration issued by the department for an occupation or profession
14 under s. ~~101.09 (3) (e)~~, 101.122 (2) (c), ~~101.143 (2) (g)~~, 101.147, 101.15 (2) (e), 101.16
15 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.654,
16 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952,
17 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,
18 145.175, 145.18, or 167.10 (6m) or under rules promulgated under ch. 101 or 145.

19 **SECTION 1600.** 101.09 (title) of the statutes is repealed.

20 **SECTION 1601.** 101.09 (1) (intro.) of the statutes is renumbered 168.21 (intro.)
21 and amended to read:

22 **168.21 Definitions.** (intro.) In this ~~section~~ subchapter:

23 **SECTION 1602.** 101.09 (1) (a) of the statutes is renumbered 168.21 (1).

24 **SECTION 1603.** 101.09 (1) (am) of the statutes is renumbered 168.21 (3).

25 **SECTION 1604.** 101.09 (1) (b) of the statutes is renumbered 168.21 (4).

ASSEMBLY BILL 40**SECTION 1605**

1 **SECTION 1605.** 101.09 (1) (c) of the statutes is renumbered 168.21 (5).

2 **SECTION 1606.** 101.09 (1) (cm) of the statutes is renumbered 168.21 (6).

3 **SECTION 1607.** 101.09 (1) (d) of the statutes is renumbered 168.21 (7).

4 **SECTION 1608.** 101.09 (2) (title) of the statutes is renumbered 168.22 (title).

5 **SECTION 1609.** 101.09 (2) (a) of the statutes is renumbered 168.22 (1) and
6 amended to read:

7 168.22 (1) Except as provided under ~~pars. (b) to (d)~~ subs. (2) to (5), every person
8 who constructs, owns or controls a tank for the storage, handling or use of liquid that
9 is flammable or combustible or a federally regulated hazardous substance shall
10 comply with the standards adopted under ~~sub. (3)~~ s. 168.23.

11 **SECTION 1610.** 101.09 (2) (b) of the statutes is renumbered 168.22 (2) and
12 amended to read:

13 168.22 (2) This ~~section~~ subchapter does not apply to storage tanks which
14 require a hazardous waste license under s. 291.25.

15 **SECTION 1611.** 101.09 (2) (c) of the statutes is renumbered 168.22 (3) and
16 amended to read:

17 168.22 (3) This ~~section~~ subchapter does not apply to storage tanks which are
18 installed above ground level and which are less than 5,000 gallons in capacity.

19 **SECTION 1612.** 101.09 (2) (cm) (intro.) of the statutes is renumbered 168.22 (4)
20 (intro.) and amended to read:

21 168.22 (4) (intro.) Any rules promulgated under ~~sub. (3)~~ s. 168.23 requiring an
22 owner to test the ability of a storage tank, connected piping or ancillary equipment
23 to prevent an inadvertent release of a stored substance do not apply to storage tanks
24 that satisfy all of the following:

ASSEMBLY BILL 40**SECTION 1613**

1 **SECTION 1613.** 101.09 (2) (cm) 1. to 3. of the statutes are renumbered 168.22
2 (4) (a) to (c).

3 **SECTION 1614.** 101.09 (2) (d) of the statutes is renumbered 168.22 (5) and
4 amended to read:

5 168.22 (5) This ~~section~~ subchapter does not apply to a pressurized natural gas
6 pipeline system regulated under 49 CFR 192 and 193.

7 **SECTION 1615.** 101.09 (3) (title) of the statutes is renumbered 168.23 (title).

8 **SECTION 1616.** 101.09 (3) (a) of the statutes is renumbered 168.23 (1).

9 **SECTION 1617.** 101.09 (3) (b) of the statutes is renumbered 168.23 (2) and
10 amended to read:

11 168.23 (2) The department may transfer any information which the
12 department receives under ~~par. (a)~~ sub. (1) to any other agency or governmental unit.
13 The department and any such agency shall treat the name of the owner and the
14 location of any noncommercial storage tank which stores heating oil for consumptive
15 use on the premises, required to be submitted to the department under ~~par. (a)~~ sub.
16 (1), as confidential and shall not permit inspection or copying under s. 19.35 of any
17 record containing the information.

18 **SECTION 1618.** 101.09 (3) (c) of the statutes is renumbered 168.23 (3) and
19 amended to read:

20 168.23 (3) The rule promulgated under ~~par. (a)~~ sub. (1) may require the
21 certification or registration of persons who install, remove, clean, line, perform
22 tightness testing on and inspect tanks and persons who perform site assessments.
23 Any rule requiring certification or registration shall also authorize the revocation or
24 suspension of the certification or registration. The department may not require an

ASSEMBLY BILL 40**SECTION 1618**

1 individual who is eligible for the veterans fee waiver program under s. 45.44 to pay
2 any fee that may be charged pursuant to such a rule.

3 **SECTION 1619.** 101.09 (3) (d) of the statutes is renumbered 168.23 (4) and
4 amended to read:

5 168.23 (4) The department shall promulgate a rule specifying fees for plan
6 review and inspection of tanks for the storage, handling, or use of flammable or
7 combustible liquids and for any certification or registration required under ~~par. (e)~~
8 sub. (3).

9 **SECTION 1620.** 101.09 (3m) (title) of the statutes is renumbered 168.24 (title).

10 **SECTION 1621.** 101.09 (3m) (a) of the statutes is renumbered 168.24 (1) and
11 amended to read:

12 168.24 (1) In this ~~subsection~~ section, “hazardous substance” means a
13 combustible liquid, a flammable liquid, or a federally regulated hazardous
14 substance.

15 **SECTION 1622.** 101.09 (3m) (b) of the statutes is renumbered 168.24 (2) and
16 amended to read:

17 168.24 (2) The department may not impose any requirement that specifies that
18 pipe connections at the top of a storage tank and beneath all freestanding pumps and
19 dispensers that routinely contain a hazardous substance be placed within secondary
20 containment sumps, if the pipe connections were installed or in place on or before
21 February 1, 2009. This ~~subsection~~ section does not apply after December 31, 2020.

22 **SECTION 1623.** 101.09 (4) (title) of the statutes is renumbered 168.25 (title).

23 **SECTION 1624.** 101.09 (4) (a) of the statutes is renumbered 168.25 (1) and
24 amended to read:

25 168.25 (1) The department shall enforce this ~~section~~ subchapter.

ASSEMBLY BILL 40**SECTION 1625**

1 **SECTION 1625.** 101.09 (4) (b) of the statutes is renumbered 168.25 (2) and
2 amended to read:

3 168.25 (2) The department shall issue orders directing and requiring
4 compliance with the rules and standards of the department adopted under this
5 ~~section~~ subchapter whenever, in the judgment of the department, the rules or
6 standards are threatened with violation, are being violated or have been violated.

7 **SECTION 1626.** 101.09 (4) (c) of the statutes is renumbered 168.25 (3).

8 **SECTION 1627.** 101.09 (5) of the statutes is renumbered 168.26 and amended
9 to read:

10 **168.26 Penalties.** Any person who violates this ~~section~~ subchapter or any rule
11 or order adopted under this ~~section~~ subchapter shall forfeit not less than \$10 nor
12 more than \$5,000 for each violation. Each violation of this ~~section~~ subchapter or any
13 rule or order under this ~~section~~ subchapter constitutes a separate offense and each
14 day of continued violation is a separate offense.

15 **SECTION 1628.** 101.1206 (1) of the statutes is amended to read:

16 101.1206 (1) The department shall establish statewide standards for erosion
17 control at building sites that have a land disturbance that is less than one acre in area
18 and that are for the construction of public buildings, as defined in s. 101.01 (12), and
19 buildings that are places of employment, ~~as defined in s. 101.01 (11).~~

20 **SECTION 1629.** 101.14 (5) (a) of the statutes is amended to read:

21 101.14 (5) (a) Subject to par. (b), in addition to any fee charged by the
22 department by rule for plan review and approval for the construction of a new or
23 additional installation or change in operation of a previously approved installation
24 for the storage, handling or use of a liquid that is flammable or combustible or a
25 federally regulated hazardous substance, as defined in s. ~~101.09 (1) (am)~~ 168.21 (3),

ASSEMBLY BILL 40**SECTION 1629**

1 the department shall collect a groundwater fee of \$100 for each plan review
2 submittal. The moneys collected under this subsection shall be credited to the
3 environmental fund for environmental management.

4 **SECTION 1630.** 101.14 (5) (b) of the statutes is amended to read:

5 101.14 (5) (b) Notwithstanding par. (a), an installation for the storage,
6 handling or use of a liquid that is flammable or combustible or a federally regulated
7 hazardous substance, as defined in s. ~~101.09 (1) (am)~~ 168.21 (3), that has a capacity
8 of less than 1,000 gallons is not subject to the groundwater fee under par. (a).

9 **SECTION 1631.** 101.142 (title) and (1) (intro.) of the statutes are renumbered
10 168.28 (title) and (1) (intro.).

11 **SECTION 1632.** 101.142 (1) (a) of the statutes is renumbered 168.28 (1) (a) and
12 amended to read:

13 168.28 (1) (a) ~~“Petroleum Notwithstanding s. 168.01 (3), “petroleum product”~~
14 means materials derived from petroleum, natural gas, or asphalt deposits and
15 includes gasoline, diesel and heating fuels, liquefied petroleum gases, lubricants,
16 waxes, greases, and petrochemicals.

17 **SECTION 1633.** 101.142 (1) (b) and (2) of the statutes are renumbered 168.28
18 (1) (b) and (2).

19 **SECTION 1634.** 101.143 (title) and (1) (intro.) and (ad) of the statutes are
20 renumbered 292.63 (title) and (1) (intro.) and (ad).

21 **SECTION 1635.** 101.143 (1) (am) of the statutes is repealed.

22 **SECTION 1636.** 101.143 (1) (b) of the statutes is repealed.

23 **SECTION 1637.** 101.143 (1) (bm) to (i) of the statutes are renumbered 292.63 (1)
24 (bm) to (i).

25 **SECTION 1638.** 101.143 (1m) of the statutes is renumbered 292.63 (1m).

ASSEMBLY BILL 40**SECTION 1639**

1 **SECTION 1639.** 101.143 (2) (title) and (b) and (c) of the statutes are renumbered
2 292.63 (2) (title) and (b) and (c).

3 **SECTION 1640.** 101.143 (2) (d) of the statutes is renumbered 292.63 (2) (d) and
4 amended to read:

5 292.63 (2) (d) The department shall reserve a portion, not to exceed 20%, of the
6 amount annually appropriated under s. ~~20.165 (2) (v)~~ 20.370 (2) (eu) for awards
7 under this section to be used to fund emergency remedial action and claims that
8 exceed the amount initially anticipated.

9 **SECTION 1641.** 101.143 (2) (e) to (g) of the statutes are renumbered 292.63 (2)
10 (e) to (g).

11 **SECTION 1642.** 101.143 (2) (h) of the statutes is renumbered 292.63 (2) (h), and
12 292.63 (2) (h) (intro.) and 3., as renumbered, are amended to read:

13 **292.63 (2) (h) (intro.)** ~~The department of safety and professional services and~~
14 ~~the department of natural resources, jointly,~~ shall promulgate rules designed to
15 facilitate effective and cost-efficient administration of the program under this
16 section that specify all of the following:

17 3. Review procedures that must be followed by employees of the department
18 ~~of natural resources and the department of commerce~~ in reviewing the information
19 submitted under subd. 1.

20 **SECTION 1643.** 101.143 (2) (i) of the statutes is renumbered 292.63 (2) (i), and
21 292.63 (2) (i) (intro.) and 1., as renumbered, are amended to read:

22 292.63 (2) (i) (intro.) ~~The department of safety and professional services and~~
23 ~~the department of natural resources, jointly,~~ shall promulgate rules specifying
24 procedures for evaluating remedial action plans and procedures to be used by
25 employees of the department ~~of safety and professional services and the department~~

ASSEMBLY BILL 40**SECTION 1643**

1 of natural resources while remedial actions are being conducted. The departments
2 department shall specify procedures that include all of the following:

3 1. Annual reviews that include application of the method in the rules
4 promulgated under sub. (2e) ~~(b)~~ (a) to determine the risk posed by discharges that
5 are the subject of the remedial actions.

6 **SECTION 1644.** 101.143 (2) (j) of the statutes is renumbered 292.63 (2) (j), and
7 292.63 (2) (j) (intro.) and 1., as renumbered, are amended to read:

8 292.63 (2) (j) (intro.) The department of ~~safety and professional services and~~
9 ~~the department of natural resources, jointly,~~ shall promulgate rules specifying all of
10 the following:

11 1. The conditions under which employees of the department of ~~commerce and~~
12 ~~the department of natural resources~~ must issue approvals under sub. (3) (c) 4.

13 **SECTION 1645.** 101.143 (2) (k) of the statutes is repealed.

14 **SECTION 1646.** 101.143 (2) (L) of the statutes is renumbered 292.63 (2) (L) and
15 amended to read:

16 292.63 (2) (L) The department may promulgate rules for the assessment and
17 collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and
18 for providing other assistance requested by applicants under this section. Any
19 moneys collected under this paragraph shall be credited to the appropriation account
20 under s. ~~20.165 (2) (Lm)~~ 20.370 (2) (ej).

21 **SECTION 1647.** 101.143 (2e) (title) of the statutes is renumbered 292.63 (2e)
22 (title).

23 **SECTION 1648.** 101.143 (2e) (a) of the statutes is renumbered 292.63 (2e) (a) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 1648**

1 292.63 (2e) (a) ~~The department of safety and professional services and the~~
2 ~~department of natural resources shall attempt to agree on promulgate rules that~~
3 ~~specify a method, which shall include individualized consideration of the routes for~~
4 ~~migration of petroleum product contamination at each site, for determining the risk~~
5 ~~to public health, safety and welfare and to the environment posed by discharges for~~
6 ~~which the department of safety and professional services receives notification under~~
7 ~~sub. (3) (a) 3.~~

8 **SECTION 1649.** 101.143 (2e) (b) of the statutes is repealed.

9 **SECTION 1650.** 101.143 (2e) (c) of the statutes is renumbered 292.63 (2e) (c) and
10 amended to read:

11 292.63 (2e) (c) ~~The department of natural resources or, if the discharge is~~
12 ~~covered under s. 101.144 (2) (b), the department of safety and professional services~~
13 ~~shall apply the method in the rules promulgated under par. (b) (a) to determine the~~
14 ~~risk posed by a discharge for which the department of safety and professional~~
15 ~~services receives notification under sub. (3) (a) 3.~~

16 **SECTION 1651.** 101.143 (2m) of the statutes is repealed.

17 **SECTION 1652.** 101.143 (3) (title) and (a) of the statutes are renumbered 292.63
18 (3) (title) and (a), and 292.63 (3) (a) 4., 5. and 9., as renumbered, are amended to read:

19 292.63 (3) (a) 4. The owner or operator registers the petroleum product storage
20 system or the home oil tank system is registered with the department of agriculture,
21 trade and consumer protection under s. ~~101.09~~ 168.23.

22 5. The owner or operator or the person reports the discharge in a timely manner
23 to the division of emergency management in the department of military affairs or to
24 the department ~~of natural resources~~, according to the requirements under s. 292.11.

ASSEMBLY BILL 40**SECTION 1652**

1 9. The owner or operator or the person follows standards for groundwater
2 restoration in the groundwater standards in the rules promulgated by the
3 department of ~~natural resources~~ under ss. 160.07 and 160.09 and restores the
4 environment, to the extent practicable, according to those standards at the site of the
5 discharge from a petroleum product storage system or home oil tank system.

6 **SECTION 1653.** 101.143 (3) (ae) of the statutes is renumbered 292.63 (3) (ae) and
7 amended to read:

8 292.63 (3) (ae) *New systems.* An owner or operator or a person owning a home
9 oil tank system is not eligible for an award under this section for costs incurred
10 because of a petroleum product discharge from an underground petroleum product
11 storage tank system or a home oil tank system that meets the performance standards
12 in 40 CFR 280.20 or in rules promulgated by of the department of agriculture, trade
13 and consumer protection relating to underground petroleum product storage tank
14 systems installed after December 22, 1988, if the discharge is confirmed after
15 December 31, 1995.

16 **SECTION 1654.** 101.143 (3) (ah) of the statutes is renumbered 292.63 (3) (ah)
17 and amended to read:

18 292.63 (3) (ah) *New aboveground systems.* An owner or operator is not eligible
19 for an award under this section for costs incurred because of a petroleum product
20 discharge from a petroleum product storage system that is not an underground
21 petroleum product storage tank system and that meets the performance standards
22 in rules promulgated by of the department of agriculture, trade and consumer
23 protection relating to petroleum product storage systems that are not underground
24 petroleum product storage tank systems and that are installed after April 30, 1991,
25 if the discharge is confirmed after December 22, 2001.

ASSEMBLY BILL 40**SECTION 1655**

1 **SECTION 1655.** 101.143 (3) (am) of the statutes is renumbered 292.63 (3) (am)
2 and amended to read:

3 292.63 (3) (am) *Upgraded underground systems.* 1. An owner or operator or
4 a person owning a home oil tank system is not eligible for an award under this section
5 for costs incurred because of a petroleum product discharge from an underground
6 petroleum product storage tank system or a home oil tank system if the discharge
7 is confirmed after December 31, 1995, and the discharge is confirmed, or activities
8 under par. (c) or (g) are begun with respect to that discharge, after the day on which
9 the underground petroleum product storage tank system or home oil tank system
10 first meets the upgrading requirements in 40 CFR 280.21 (b) to (d) or in rules
11 ~~promulgated by~~ of the department of agriculture, trade and consumer protection
12 relating to the upgrading of existing underground petroleum product storage tank
13 systems, except as provided in subd. 2.

14 2. If an underground petroleum product storage tank system or home oil tank
15 system first meets the upgrading requirements in 40 CFR 280.21 (b) to (d) or in rules
16 ~~promulgated by~~ of the department of agriculture, trade and consumer protection
17 relating to the upgrading of existing underground petroleum product storage tank
18 systems, after December 31, 1993, and the owner or operator or person owning the
19 home oil tank system applies for private pollution liability insurance covering the
20 underground petroleum product storage tank system or home oil tank system within
21 30 days after the day on which the underground petroleum product storage tank
22 system or home oil tank system first meets those upgrading requirements, then the
23 owner or operator or person remains eligible for an award for costs incurred because
24 of a petroleum product discharge, from that underground petroleum product storage
25 tank system or home oil tank system, which is confirmed, and with respect to which

ASSEMBLY BILL 40**SECTION 1655**

1 activities under par. (c) or (g) are begun, before the 91st day after the day on which
2 the underground petroleum product storage tank system or home oil tank system
3 first meets those upgrading requirements.

4 **SECTION 1656.** 101.143 (3) (ap) of the statutes is renumbered 292.63 (3) (ap)
5 and amended to read:

6 292.63 (3) (ap) *Upgraded aboveground systems.* An owner or operator is not
7 eligible for an award under this section for costs incurred because of a petroleum
8 product discharge from a petroleum product storage system that is not an
9 underground petroleum product storage tank system if the discharge is confirmed
10 after December 22, 2001, and the discharge is confirmed, or activities under par. (c)
11 or (g) are begun with respect to that discharge, after the day on which the petroleum
12 product storage system first meets the upgrading requirements in rules
13 ~~promulgated by~~ of the department of agriculture, trade and consumer protection
14 relating to the upgrading of existing petroleum product storage systems that are not
15 underground petroleum product storage tank systems.

16 **SECTION 1657.** 101.143 (3) (av) of the statutes is renumbered 292.63 (3) (av) and
17 amended to read:

18 292.63 (3) (av) *Claims submitted for petroleum product storage systems on*
19 *tribal trust lands.* The owner or operator of a petroleum product storage system
20 located on trust lands of an American Indian tribe may submit a claim for an award
21 under sub. (4) if the owner or operator otherwise satisfies par. (a) and complies with
22 the rules promulgated under this section and any ~~other rules promulgated by~~ of the
23 department of agriculture, trade and consumer protection concerning petroleum
24 product storage systems.

ASSEMBLY BILL 40**SECTION 1658**

1 **SECTION 1658.** 101.143 (3) (b), (bm) and (bn) of the statutes are renumbered
2 292.63 (3) (b), (bm) and (bn).

3 **SECTION 1659.** 101.143 (3) (c) of the statutes is renumbered 292.63 (3) (c), and
4 292.63 (3) (c) 4., as renumbered, is amended to read:

5 292.63 (3) (c) 4. Receive written approval from the department of natural
6 resources ~~or, if the discharge is covered under s. 101.144 (2) (b), from the department~~
7 ~~of safety and professional services~~ that the remedial action activities performed
8 under subd. 3. meet the requirements of s. 292.11.

9 **SECTION 1660.** 101.143 (3) (cm) of the statutes is renumbered 292.63 (3) (cm)
10 and amended to read:

11 292.63 (3) (cm) *Monitoring as remedial action.* An owner or operator or person
12 owning a home oil tank system may, with the approval of the department of natural
13 resources ~~or, if the discharge is covered under s. 101.144 (2) (b), the department of~~
14 ~~safety and professional services~~, satisfy the requirements of par. (c) 2. and 3. by
15 proposing and implementing monitoring to ensure the effectiveness of natural
16 attenuation of petroleum product contamination.

17 **SECTION 1661.** 101.143 (3) (cp) of the statutes is renumbered 292.63 (3) (cp) and
18 amended to read:

19 292.63 (3) (cp) *Bidding process.* 1. Except as provided in subds. 2. ~~to 5.~~ and
20 5., if the department of natural resources ~~or, if the site is covered under s. 101.144~~
21 ~~(2) (b), the department of safety and professional services~~ estimates that the cost to
22 complete a site investigation, remedial action plan and remedial action for an
23 occurrence exceeds \$60,000, the department of safety and professional services shall
24 implement a competitive public bidding process to obtain information to assist in
25 making the determination under par. (cs).

ASSEMBLY BILL 40**SECTION 1661**

1 2. The department of safety and professional services or the department of
2 ~~natural resources~~ may waive the requirement under subd. 1. if an enforcement
3 standard is exceeded in groundwater within 1,000 feet of a well operated by a public
4 utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide
5 water for human consumption.

6 5. The department of safety and professional services or the department of
7 ~~natural resources~~ may waive the requirement under subd. 1. after providing notice
8 to the ~~other department~~ secretary of administration.

9 6. The department of safety and professional services may disqualify a bid
10 received under subd. 1. if, based on information available to the department and
11 experience with remedial action at other sites, the bid is unlikely to establish an
12 amount to sufficiently fund remedial action that will comply with par. (c) 3. and with
13 enforcement standards.

14 7. The department of safety and professional services may disqualify a person
15 from submitting bids under subd. 1. if, based on past performance of the bidder, the
16 department determines that the person has demonstrated an inability to complete
17 remedial action within established cost limits.

18 **SECTION 1662.** 101.143 (3) (cs) (title) of the statutes is renumbered 292.63 (3)
19 (cs) (title).

20 **SECTION 1663.** 101.143 (3) (cs) 1. of the statutes is renumbered 292.63 (3) (cs)
21 1. and amended to read:

22 292.63 (3) (cs) 1. The department of safety and professional services shall
23 review the remedial action plan for a site that is classified as low or medium risk
24 under s. 101.144 and shall determine the least costly method of complying with par.
25 (c) 3. and with enforcement standards. The department shall notify the owner or

ASSEMBLY BILL 40**SECTION 1663**

1 operator of its determination of the least costly method and shall notify the owner
2 or operator that reimbursement for remedial action under this section is limited to
3 the amount necessary to implement that method.

4 **SECTION 1664.** 101.143 (3) (cs) 2. of the statutes is repealed.

5 **SECTION 1665.** 101.143 (3) (cs) 3. of the statutes is renumbered 292.63 (3) (cs)
6 3. and amended to read:

7 292.63 (3) (cs) 3. In making determinations under ~~subds. subd. 1. and 2.~~, the
8 department of natural resources and the department of safety and professional
9 services shall determine whether natural attenuation will achieve compliance with
10 par. (c) 3. and with enforcement standards.

11 **SECTION 1666.** 101.143 (3) (cs) 4. of the statutes is renumbered 292.63 (3) (cs)
12 4. and amended to read:

13 292.63 (3) (cs) 4. The department of safety and professional services may
14 review and modify an amount established under subd. 1. if the department
15 determines that new circumstances, including newly discovered contamination at a
16 site, warrant those actions. ~~The department of safety and professional services and
17 the department of natural resources may review and modify an amount established
18 under subd. 2. if the departments determine that new circumstances, including
19 newly discovered contamination at a site, warrant those actions.~~

20 **SECTION 1667.** 101.143 (3) (cw) (title) of the statutes is renumbered 292.63 (3)
21 (cw) (title).

22 **SECTION 1668.** 101.143 (3) (cw) 1. of the statutes is renumbered 292.63 (3) (cw)
23 1. and amended to read:

24 292.63 (3) (cw) 1. The department of safety and professional services shall
25 conduct the annual review required under sub. (2) (i) 1. for a site that is classified as

ASSEMBLY BILL 40**SECTION 1668**

1 ~~low or medium risk under s. 101.144~~ and shall determine the least costly method of
2 completing remedial action at the site in order to comply with par. (c) 3. and with
3 enforcement standards. The department shall notify the owner or operator of its
4 determination of the least costly method and shall notify the owner or operator that
5 reimbursement under this section for any remedial action conducted after the date
6 of the notice is limited to the amount necessary to implement that method.

7 **SECTION 1669.** 101.143 (3) (cw) 2. of the statutes is repealed.

8 **SECTION 1670.** 101.143 (3) (cw) 3. of the statutes is renumbered 292.63 (3) (cw)
9 3. and amended to read:

10 292.63 (3) (cw) 3. In making determinations under ~~subds. subd. 1. and 2.~~, the
11 department of natural resources and the department of safety and professional
12 services shall determine whether natural attenuation will achieve compliance with
13 par. (c) 3. and with enforcement standards.

14 **SECTION 1671.** 101.143 (3) (cw) 4. of the statutes is renumbered 292.63 (3) (cw)
15 4. and amended to read:

16 292.63 (3) (cw) 4. The department of safety and professional services may
17 review and modify an amount established under subd. 1. if the department
18 determines that new circumstances, including newly discovered contamination at a
19 site, warrant those actions. ~~The department of safety and professional services and
20 the department of natural resources may review and modify an amount established
21 under subd. 2. if the departments determine that new circumstances, including
22 newly discovered contamination at a site, warrant those actions.~~

23 **SECTION 1672.** 101.143 (3) (d) of the statutes is renumbered 292.63 (3) (d) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 1672**

1 292.63 (3) (d) *Final review of remedial action activities.* The department of
2 ~~natural resources or, if the discharge is covered under s. 101.144 (2) (b), the~~
3 ~~department of safety and professional services~~ shall complete a final review of the
4 remedial action activities within 60 days after the claimant notifies the appropriate
5 department that the remedial action activities are completed.

6 **SECTION 1673.** 101.143 (3) (e) of the statutes is repealed.

7 **SECTION 1674.** 101.143 (3) (f) of the statutes is renumbered 292.63 (3) (f), and
8 292.63 (3) (f) 5., as renumbered, is amended to read:

9 292.63 (3) (f) 5. The written approval of the department of ~~natural resources~~
10 ~~or the department of safety and professional services~~ under par. (c) 4.

11 **SECTION 1675.** 101.143 (3) (g) of the statutes is renumbered 292.63 (3) (g) and
12 amended to read:

13 292.63 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1. and
14 2., an owner or operator or the person may submit a claim for an award under sub.
15 (4) after notifying the department under par. (a) 3., without completing an
16 investigation under par. (c) 1. and without preparing a remedial action plan under
17 par. (c) 2., if an emergency existed which made the investigation under par. (c) 1. and
18 the remedial action plan under par. (c) 2. inappropriate and, before conducting
19 remedial action, the owner or operator or person notified the department of ~~safety~~
20 ~~and professional services and the department of natural resources~~ of the emergency
21 and the department of ~~safety and professional services and the department of~~
22 ~~natural resources~~ authorized emergency action.

23 **SECTION 1676.** 101.143 (3) (h) of the statutes is renumbered 292.63 (3) (h).

24 **SECTION 1677.** 101.143 (4) (title) of the statutes is renumbered 292.63 (4) (title).

ASSEMBLY BILL 40**SECTION 1678**

1 **SECTION 1678.** 101.143 (4) (a) of the statutes is renumbered 292.63 (4) (a), and
2 292.63 (4) (a) 6. and 7., as renumbered, are amended to read:

3 292.63 (4) (a) 6. In any fiscal year, the department may not award more than
4 5% of the amount appropriated under s. ~~20.165 (2) (v)~~ 20.370 (2) (eu) as awards for
5 petroleum product storage systems described in par. (ei).

6 7. In any fiscal year, the department may not award more than 5% of the
7 amount appropriated under s. ~~20.165 (2) (v)~~ 20.370 (2) (eu) as awards for petroleum
8 product storage systems that are owned by school districts and that are used for
9 storing heating oil for consumptive use on the premises where stored.

10 **SECTION 1679.** 101.143 (4) (b) of the statutes is renumbered 292.63 (4) (b).

11 **SECTION 1680.** 101.143 (4) (c) of the statutes is renumbered 292.63 (4) (c), and
12 292.63 (4) (c) 12., as renumbered, is amended to read:

13 292.63 (4) (c) 12. Costs that are incurred after the date of a notice under sub.
14 (3) (cw) 1. ~~or 2.~~ and that exceed the amount necessary to comply with sub. (3) (c) 3.
15 and with enforcement standards using the method specified in the notice.

16 **SECTION 1681.** 101.143 (4) (cc) of the statutes is renumbered 292.63 (4) (cc).

17 **SECTION 1682.** 101.143 (4) (ce) of the statutes is renumbered 292.63 (4) (ce).

18 **SECTION 1683.** 101.143 (4) (cm) of the statutes is renumbered 292.63 (4) (cm).

19 **SECTION 1684.** 101.143 (4) (d) of the statutes is renumbered 292.63 (4) (d).

20 **SECTION 1685.** 101.143 (4) (dg) of the statutes is renumbered 292.63 (4) (dg).

21 **SECTION 1686.** 101.143 (4) (di) of the statutes is renumbered 292.63 (4) (di).

22 **SECTION 1687.** 101.143 (4) (dm) of the statutes is renumbered 292.63 (4) (dm).

23 **SECTION 1688.** 101.143 (4) (dr) of the statutes is renumbered 292.63 (4) (dr).

24 **SECTION 1689.** 101.143 (4) (e) of the statutes is renumbered 292.63 (4) (e).

25 **SECTION 1690.** 101.143 (4) (ee) of the statutes is renumbered 292.63 (4) (ee).

ASSEMBLY BILL 40**SECTION 1691**

1 **SECTION 1691.** 101.143 (4) (ei) of the statutes is renumbered 292.63 (4) (ei), and
2 292.63 (4) (ei) 1m. a. and b. and 2m., as renumbered, are amended to read:

3 292.63 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel of
4 35 or more acres of contiguous land, on which the farm tank is located, which is
5 devoted primarily to agricultural use, as defined in s. 91.01 (2), including land
6 designated by the department of natural resources as part of the ice age trail under
7 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
8 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
9 which, during the 3 years preceding that submission produced gross farm profits, as
10 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
11 which the farm tank is located, of which at least 35 acres, during part or all of the
12 year preceding that submission, were enrolled in the conservation reserve program
13 under 16 USC 3831 to 3836.

14 b. The claim is submitted by a person who, at the time that the notification was
15 made under sub. (3) (a) 3., was the owner of the farm tank and owned a parcel of 35
16 or more acres of contiguous land, on which the farm tank is or was located, which was
17 devoted primarily to agricultural use, as defined in s. 91.01 (2), including land
18 designated by the department of natural resources as part of the ice age trail under
19 s. 23.17, which during the year preceding that notification produced gross farm
20 profits, as defined in s. 71.58 (4), of not less than \$6,000 or which, during the 3 years
21 preceding that notification, produced gross farm profits, as defined in s. 71.58 (4), of
22 not less than \$18,000, or a parcel of 35 or more acres, on which the farm tank is
23 located, of which at least 35 acres, during part or all of the year preceding that
24 notification, were enrolled in the conservation reserve program under 16 USC 3831
25 to 3836.

ASSEMBLY BILL 40**SECTION 1691**

1 2m. The owner or operator of the farm tank has received a letter or notice from
2 the department of safety and professional services or department of natural
3 resources indicating that the owner or operator must conduct a site investigation or
4 remedial action because of a discharge from the farm tank or an order to conduct such
5 an investigation or remedial action.

6 **SECTION 1692.** 101.143 (4) (em) of the statutes is renumbered 292.63 (4) (em).

7 **SECTION 1693.** 101.143 (4) (es) of the statutes is renumbered 292.63 (4) (es), and
8 292.63 (4) (es) 1., as renumbered, is amended to read:

9 292.63 (4) (es) 1. The department shall issue an award for a claim filed after
10 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,
11 by an owner or operator or a person owning a home oil tank system in investigating
12 the existence of a discharge or investigating the presence of petroleum products in
13 soil or groundwater if the investigation is undertaken at the written direction of the
14 department of safety and professional services or the department of natural
15 resources and no discharge or contamination is found.

16 **SECTION 1694.** 101.143 (4) (f) of the statutes is renumbered 292.63 (4) (f).

17 **SECTION 1695.** 101.143 (4) (g) of the statutes is renumbered 292.63 (4) (g).

18 **SECTION 1696.** 101.143 (4) (h) of the statutes is renumbered 292.63 (4) (h).

19 **SECTION 1697.** 101.143 (4e) of the statutes is renumbered 292.63 (4e).

20 **SECTION 1698.** 101.143 (4m) of the statutes is renumbered 292.63 (4m).

21 **SECTION 1699.** 101.143 (5) of the statutes is renumbered 292.63 (5).

22 **SECTION 1700.** 101.143 (6) of the statutes is renumbered 292.63 (6).

23 **SECTION 1701.** 101.143 (6s) of the statutes is renumbered 292.63 (6s).

24 **SECTION 1702.** 101.143 (7) of the statutes is renumbered 292.63 (7).

25 **SECTION 1703.** 101.143 (7m) of the statutes is renumbered 292.63 (7m).

ASSEMBLY BILL 40**SECTION 1704**

1 **SECTION 1704.** 101.143 (9) of the statutes is renumbered 292.63 (9).

2 **SECTION 1705.** 101.143 (9m) of the statutes is renumbered 292.63 (9m).

3 **SECTION 1706.** 101.143 (10) of the statutes is renumbered 292.63 (10).

4 **SECTION 1707.** 101.1435 of the statutes is renumbered 292.64, and 292.64 (1)
5 (b) and (2) (b), as renumbered, are amended to read:

6 **292.64 (1)** (b) “Underground petroleum product storage tank system” has the
7 meaning given in s. ~~101.143~~ 292.63 (1) (i).

8 **(2)** (b) Using the method that the department uses to determine inability to pay
9 under s. ~~101.143~~ 292.63 (4) (ee), the department determines that the owner of the
10 underground petroleum product storage tank system is unable to pay to empty,
11 clean, remove, and dispose of the underground petroleum product storage tank
12 system; to assess the site on which the underground petroleum product storage tank
13 system is located; and to backfill the excavation.

14 **SECTION 1708.** 101.144 of the statutes is repealed.

15 **SECTION 1709.** 101.19 (1r) of the statutes is amended to read:

16 101.19 **(1r)** Notwithstanding subs. (1g) and (1m), the department shall waive
17 any fee imposed on an individual who is eligible for the veterans fee waiver program
18 under s. 45.44 for a license, permit, or certificate of certification or registration issued
19 by the department under ss. ~~101.09 (3) (e)~~, s. 101.122 (2) (c), ~~101.143 (2) (g)~~, 101.147,
20 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or
21 (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951,
22 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.07 (12), 145.15, 145.16,
23 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

24 **SECTION 1710.** 101.45 of the statutes is renumbered 16.956.

25 **SECTION 1711.** 101.653 (2m) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1711**

1 101.653 **(2m)** RULES FOR ADMINISTRATION. The department shall promulgate
2 rules for the administration of construction site erosion control under this
3 subchapter by counties, cities, villages and towns, including provisions regarding the
4 issuance of building permits and the collection and distribution of fees.

5 **SECTION 1712.** 101.653 (8) of the statutes is created to read:

6 101.653 **(8)** INAPPLICABILITY. This section does not apply to a construction site
7 that has a land disturbance area that is one acre or more in area.

8 **SECTION 1713.** 102.07 (17m) of the statutes is amended to read:

9 102.07 **(17m)** A participant in a trial employment match program job under s.
10 49.147 (3) is an employee of any employer under this chapter for whom the
11 participant is performing service at the time of the injury.

12 **SECTION 1714.** 102.75 (1m) of the statutes is amended to read:

13 102.75 **(1m)** The moneys collected under sub. (1) and under ss. 102.28 (2) and
14 102.31 (7), together with all accrued interest, shall constitute a separate nonlapsible
15 fund designated as the worker's compensation operations fund. Moneys in the fund
16 may be expended only as provided in s. 20.445 (1) (ra), (rb), and (rp) and (2) (ra) and
17 may not be used for any other purpose of the state.

18 **SECTION 1715.** 108.02 (21e) (intro.) of the statutes is amended to read:

19 108.02 **(21e)** PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) "Professional
20 employer organization" means any person who is currently registered as a
21 professional employer organization with the department of safety and professional
22 services financial institutions in accordance with subch. III of ch. 461 202, who
23 contracts to provide the nontemporary, ongoing employee workforce of more than one
24 client under a written leasing contract, the majority of whose clients are not under

ASSEMBLY BILL 40**SECTION 1715**

1 the same ownership, management, or control as the person other than through the
2 terms of the contract, and who under contract and in fact:

3 **SECTION 1716.** 108.04 (2) (a) 2. of the statutes is amended to read:

4 108.04 (2) (a) 2. As of that week, the individual has registered for work as
5 directed by the department; and

6 **SECTION 1717.** 108.04 (2) (a) 3. (intro.) of the statutes is amended to read:

7 108.04 (2) (a) 3. (intro.) The individual conducts a reasonable search for
8 suitable work during that week, unless the search requirement is waived under par.
9 (b). The search for suitable work must include ~~2~~ at least 4 actions per week that
10 constitute a reasonable search as prescribed by rule of the department. This
11 subdivision does not apply to an individual if the department determines that the
12 individual is currently laid off from employment with an employer but there is a
13 reasonable expectation of reemployment of the individual by that employer. In
14 determining whether the individual has a reasonable expectation of reemployment
15 by an employer, the department shall request the employer to verify the individual's
16 employment status and shall also consider other factors, including:

17 **SECTION 1718.** 108.14 (7) (bm) of the statutes is created to read:

18 108.14 (7) (bm) Upon request of the department of revenue, the department
19 may provide information, including social security numbers, concerning claimants
20 to the department of revenue for the purpose of administering state taxes,
21 identifying fraudulent tax returns, providing information for tax-related
22 prosecutions, or locating persons or the assets of persons who have failed to file tax
23 returns, who have underreported their taxable income, or who are delinquent
24 debtors. The department of revenue shall adhere to the limitation on inspection and
25 disclosure of the information under par. (b).

ASSEMBLY BILL 40**SECTION 1719**

1 **SECTION 1719.** 108.161 (7) of the statutes is amended to read:

2 108.161 (7) If any moneys appropriated hereunder are used to buy and hold
3 suitable land, with a view to the future construction of an employment security
4 building thereon, and if such land is later sold or transferred to other use, the
5 proceeds of such sale (or the value of such land when transferred) shall be credited
6 to the account created by sub. (1) except as otherwise provided in ss. 13.48 (14) and
7 16.848.

8 **SECTION 1720.** 108.161 (9) of the statutes is amended to read:

9 108.161 (9) Any land and building or office quarters acquired under this section
10 shall continue to be used for employment security purposes. Realty or quarters may
11 not be sold or transferred to other use if prior action is taken under s. 13.48 (14) (am)
12 or 16.848 (1) and may not be sold or transferred without the governor's approval. The
13 proceeds from the sale, or the value of realty or quarters upon transfer, shall be
14 credited to the account established in sub. (1) or credited to the fund established in
15 s. 108.20, or both in accordance with federal requirements. Equivalent substitute
16 rent-free quarters may be provided, as federally approved. Amounts credited under
17 this subsection shall be used solely to finance employment security quarters
18 according to federal requirements.

19 **SECTION 1721.** 108.24 (4) of the statutes is amended to read:

20 108.24 (4) Any person who, without authorization of the department, permits
21 inspection or disclosure of any record relating to the administration of this chapter
22 that is provided to the person by the department under s. 108.14 (7) (a) ~~or~~, (b), or (bm)
23 and any person who, without authorization of the commission, permits inspection or
24 disclosure of any record relating to the administration of this chapter that is provided
25 to the person by the commission under s. 108.14 (7) (a), shall be fined not less than

ASSEMBLY BILL 40**SECTION 1721**

1 \$25 nor more than \$500 or may be imprisoned in the county jail for not more than
2 one year or both. Each such unauthorized inspection or disclosure constitutes a
3 separate offense.

4 **SECTION 1722.** 111.335 (1) (cx) of the statutes is amended to read:

5 111.335 (1) (cx) Notwithstanding s. 111.322, it is not employment
6 discrimination because of conviction record to refuse to employ or license, or to bar
7 or terminate from employment or licensure, any individual who has been convicted
8 of any offense under s. ~~38.50~~ 440.55 (13) (c).

9 **SECTION 1723.** 111.81 (7) (f) of the statutes is amended to read:

10 111.81 (7) (f) Instructional staff employed by the board of regents of the
11 University of Wisconsin System who provide services for a charter school established
12 by contract under s. 118.40 (2r) (cm), 2011 stats.

13 **SECTION 1724.** 111.815 (1) of the statutes, as affected by 2011 Wisconsin Acts
14 10 and 32, is amended to read:

15 111.815 (1) In the furtherance of this subchapter, the state shall be considered
16 as a single employer and employment relations policies and practices throughout the
17 state service shall be as consistent as practicable. The office shall negotiate and
18 administer collective bargaining agreements. To coordinate the employer position
19 in the negotiation of agreements, the office shall maintain close liaison with the
20 legislature relative to the negotiation of agreements and the fiscal ramifications of
21 those agreements. Except with respect to the collective bargaining unit specified in
22 s. 111.825 (1r), and (1t),, the office is responsible for the employer functions of the
23 executive branch under this subchapter, and shall coordinate its collective
24 bargaining activities with operating state agencies on matters of agency concern.
25 The legislative branch shall act upon those portions of tentative agreements

ASSEMBLY BILL 40**SECTION 1724**

1 negotiated by the office that require legislative action. With respect to the collective
2 bargaining units specified in s. 111.825 (1r), the Board of Regents of the University
3 of Wisconsin System is responsible for the employer functions under this subchapter.
4 With respect to the collective bargaining units specified in s. 111.825 (1t), the
5 chancellor of the University of Wisconsin-Madison is responsible for the employer
6 functions under this subchapter. With respect to the collective bargaining unit
7 specified in s. 111.825 (1r) (ef), the governing board of the charter school established
8 by contract under s. 118.40 (2r) (cm), 2011 stats., is responsible for the employer
9 functions under this subchapter.

10 **SECTION 1725.** 111.825 (1r) (ef) of the statutes, as affected by 2011 Wisconsin
11 Act 32, is amended to read:

12 111.825 (1r) (ef) Instructional staff employed by the board of regents of the
13 University of Wisconsin System who provide services for a charter school established
14 by contract under s. 118.40 (2r) (cm), 2011 stats.

15 **SECTION 1726.** 111.825 (2) (f) of the statutes is amended to read:

16 111.825 (2) (f) Instructional staff employed by the board of regents of the
17 University of Wisconsin System who provide services for a charter school established
18 by contract under s. 118.40 (2r) (cm), 2011 stats.

19 **SECTION 1727.** 111.92 (1) (c) of the statutes is amended to read:

20 111.92 (1) (c) Any tentative agreement reached between the governing board
21 of the charter school established by contract under s. 118.40 (2r) (cm), 2011 stats.,
22 acting for the state, and any labor organization representing a collective bargaining
23 unit specified in s. 111.825 (1r) (ef) shall, after official ratification by the labor
24 organization and approval by the chancellor of the University of
25 Wisconsin-Parkside, be executed by the parties.

ASSEMBLY BILL 40**SECTION 1728**

1 **SECTION 1728.** 114.33 (6) (a) of the statutes is amended to read:

2 114.33 **(6)** (a) For the purposes of carrying out this section and ss. 114.35 and
3 114.37, the secretary may acquire by gift, devise, purchase or condemnation any
4 lands for establishing, protecting, laying out, enlarging, extending, constructing,
5 reconstructing, improving and maintaining airports, or interests in lands in and
6 about airports. After completion of the improvements, subject to any prior action
7 under s. 13.48 (14) (am) or 16.848 (1), the secretary may convey as provided in this
8 subsection lands that were acquired under this subsection, but were not necessary
9 for the airport improvements. The conveyances may be made with reservations
10 concerning the future use and occupation of those lands so as to protect the airports
11 and improvements and their environs and to preserve the view, appearance, light,
12 air and usefulness of the airports.

13 **SECTION 1729.** 114.33 (10) of the statutes is amended to read:

14 114.33 **(10)** Subject to the approval of the governor under this subsection and
15 subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), the secretary may
16 sell at public or private sale property of whatever nature owned by the state and
17 under the jurisdiction of the secretary when the secretary determines that the
18 property is no longer necessary for the state's use for airport purposes and, if real
19 property, the real property is not the subject of a petition under s. 16.310. The
20 secretary shall present to the governor a full and complete report of the property to
21 be sold, the reason for the sale, and the minimum price for which the property should
22 be sold, together with an application for the governor's approval of the sale. The
23 governor shall investigate the proposed sale as he or she deems necessary and
24 approve or disapprove the application. Upon approval and receipt of the full
25 purchase price, the secretary shall by appropriate deed or other instrument transfer

ASSEMBLY BILL 40**SECTION 1729**

1 the property to the purchaser. The funds derived from the sale shall be deposited in
2 the appropriate airport fund, and the expense incurred by the secretary in
3 connection with the sale shall be paid from that fund. ~~This subsection does not apply~~
4 ~~to real property that is sold under s. 16.848.~~

5 **SECTION 1730.** 115.001 (1) of the statutes is amended to read:

6 115.001 (1) CHARTER SCHOOL. "Charter school" means a school under contract
7 with a school board under s. 118.40 or with ~~one of the entities~~ an entity under s.
8 118.40 (2r) (b) 1., or a school established and operated by ~~one of the entities~~ an entity
9 under s. 118.40 (2r) (b) 1. a. to d.

10 **SECTION 1731.** 115.28 (7) (g) of the statutes is created to read:

11 115.28 (7) (g) Notwithstanding s. 118.19 (3), (4m), (6) to (9), and (12) to (14),
12 grant a charter school teaching license to any person who has a bachelor's degree and
13 demonstrates, based upon criteria established by the department, that the person
14 is proficient in the subject or subjects that he or she intends to teach. The license
15 authorizes the person to teach that subject or those subjects in a charter school. The
16 license is valid for 3 years and is renewable for 3-year periods.

17 **SECTION 1732.** 115.28 (12) (a) of the statutes is amended to read:

18 115.28 (12) (a) Working with the office of the governor, establish a student
19 information system to collect and maintain information about pupils enrolled in
20 public schools, and charter schools and, subject to par. (b), about pupils enrolled in
21 private schools participating in a parental choice program under s. 118.60 or 119.23,
22 including their academic performance and demographic information, aggregated by
23 school district, school, and teacher.

24 **SECTION 1733.** 115.28 (12) (ag) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1733**

1 115.28 (12) (ag) (intro.) ~~Beginning in the 2012-13 school year, each~~ Each school
2 district, charter school, and private school using the system under par. (a) shall
3 include in the system the following information for each teacher teaching in the
4 school district or school who completed a teacher preparatory program described in
5 sub. (7) (a) and located in this state or a teacher education program described in sub.
6 (7) (e) 2. and located in this state on or after January 1, 2012:

7 **SECTION 1734.** 115.28 (12) (b) of the statutes is amended to read:

8 115.28 (12) (b) Ensure that within 5 years of the establishment of the system
9 under par. (a), every school district and charter school is using the system, and that
10 every private school participating in a parental choice program under s. 118.60 or
11 119.23 is either using the system under par. (a) or is using a system that is
12 interoperable with the system under par. (a). The state superintendent may
13 promulgate rules authorizing the department to charge a fee to any person that uses
14 the system. All fees shall be credited to the appropriation account under s. 20.255
15 (1) (jm) (he).

16 **SECTION 1735.** 115.28 (27) of the statutes is created to read:

17 115.28 (27) WISELEARN. Develop and maintain an online resource, called
18 WISElearn, to provide educational resources for parents, teachers, and pupils; offer
19 online learning opportunities; provide regional technical support centers; provide
20 professional development for teachers; and enable video conferencing.

21 **SECTION 1736.** 115.28 (54) of the statutes is created to read:

22 115.28 (54) COLLABORATIVE CONTENT DELIVERY AND ONLINE INSTRUCTION. Promote
23 the delivery of digital content and collaborative instruction among schools within a
24 school district and between 2 or more school districts, including through online
25 courses. To accomplish the objectives of this subsection, the department may not

ASSEMBLY BILL 40**SECTION 1736**

1 promulgate a rule that requires a licensed teacher or instructional staff person,
2 defined as required under s. 121.02 (1) (a) 2., to be physically present in a classroom
3 in which the delivery of content or collaborative instruction is being provided in that
4 classroom digitally or through an online course.

5 **SECTION 1737.** 115.28 (59) of the statutes is created to read:

6 115.28 (59) ACADEMIC AND CAREER PLANNING. (a) Ensure that, beginning in the
7 2017-18 school year, every school board is providing academic and career planning
8 services to pupils enrolled in grades 6 to 12 in the school district.

9 (b) Procure, install, and maintain information technology, including computer
10 software, to be used statewide by school districts to provide academic and career
11 planning services to pupils in grades 6 to 12.

12 (c) Provide guidance, training, and technical assistance to school districts and
13 school district staff, including teachers and counselors, on how to implement model
14 academic and career plans, including training and technical assistance that is
15 necessary to implement the information technology under par. (b).

16 (d) Promulgate rules to implement this subsection.

17 **SECTION 1738.** 115.28 (60) of the statutes is created to read:

18 115.28 (60) TEACH FOR AMERICA. Distribute the amounts appropriated under
19 s. 20.255 (3) (cm) to Teach for America, Inc., to recruit and prepare individuals to
20 teach in low-income or urban school districts.

21 **SECTION 1739.** 115.297 (1) (a) of the statutes is amended to read:

22 115.297 (1) (a) "Agencies" means the department, the board of regents of the
23 University of Wisconsin System, the department of children and families, the
24 department of workforce development, the technical college system board, and the
25 Wisconsin Association of Independent Colleges and Universities.

ASSEMBLY BILL 40**SECTION 1740**

1 **SECTION 1740.** 115.297 (3) (a) of the statutes is amended to read:

2 115.297 (3) (a) Requires that the agencies establish and maintain a
3 longitudinal data system of student data that links such data from preschool
4 programs to postsecondary education programs, ~~and describes the process by which~~
5 ~~the data system will be established and maintained, and ensures its interoperability~~
6 with the work force data systems maintained by the department of workforce
7 development. The data system may consist of separate record systems integrated
8 through agreement and data transfer mechanisms.

9 **SECTION 1741.** 115.297 (3) (d) of the statutes is amended to read:

10 115.297 (3) (d) Requires the agencies to exchange student and work force data
11 to the extent necessary to perform the evaluation or study approved under par. (c).

12 **SECTION 1742.** 115.297 (4) (a) of the statutes is amended to read:

13 115.297 (4) (a) Except as provided in par. (b), any of the agencies may submit
14 student or work force data to the longitudinal data system under sub. (3) (a), to
15 another agency, or to a public or private research organization, to support an
16 evaluation or study under this section.

17 **SECTION 1743.** 115.297 (6) of the statutes is created to read:

18 115.297 (6) REPORT. Annually by October 1, the agencies shall submit a joint
19 report to the secretary of administration regarding their progress in establishing a
20 longitudinal data system under sub. (3) (a).

21 **SECTION 1744.** 115.363 (2) (b) of the statutes is amended to read:

22 115.363 (2) (b) The school board shall pay to each nonprofit corporation with
23 which it contracts under par. (a) an amount that is no more than the amount paid
24 per pupil under s. 118.40 (2r) (e) ~~1m. or 2m.~~ or 2n. in the current school year
25 multiplied by the number of pupils participating in the program under the contract.

ASSEMBLY BILL 40**SECTION 1745**

1 **SECTION 1745.** 115.38 (1) (d) of the statutes is amended to read:

2 115.38 (1) (d) The number and percentage of resident pupils attending a course
3 ~~in a nonresident school district~~ at an educational institution under s. 118.52, the
4 number of nonresident pupils attending a course in the school district under s.
5 118.52, and the courses taken by those pupils.

6 **SECTION 1746.** 115.385 of the statutes is created to read:

7 **115.385 School and school district accountability report. (1)** Annually
8 by June 30, the department shall publish a school and school district accountability
9 report that includes all of the following components:

10 (a) Multiple measures to determine a school's performance or a school district's
11 improvement, including all of the following:

12 1. Pupil achievement and growth in reading and mathematics.

13 2. Measures of college and career readiness for high school pupils and measures
14 indicative of being on track for college and career readiness in the elementary grades.

15 3. Gaps in pupil achievement and rates of graduation, categorized by race,
16 English language proficiency, disability, and income level.

17 (b) An index system to identify a school's level of performance and annually
18 place each school into one of 5 performance categories.

19 **(2)** Beginning one year after a charter school established under s. 118.40 (2r)
20 or a private school participating in a parental choice program under s. 118.60 or
21 119.23 begins using the student information system under s. 115.28 (12) (b), or begins
22 using a system that is interoperable with that system, the department shall include
23 the school in its annual school accountability report under sub. (1).

24 **SECTION 1747.** 115.40 of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1747**

1 **115.40 School performance incentive program. (1)** GRANTS TO HIGH
2 PERFORMING SCHOOLS. Beginning in the 2014-15 school year and annually thereafter,
3 from the appropriation under s. 20.255 (2) (da), the department shall award an
4 amount determined as follows to the school board of any school that is placed in a
5 performance category of “significantly exceeds expectations” or “exceeds
6 expectations” on the accountability report published for the school under s. 115.385
7 at the end of the immediately preceding school year:

8 (a) Divide the amount appropriated under s. 20.255 (2) (da) by the sum of the
9 number of pupils enrolled in each school eligible to receive an award under this
10 subsection.

11 (b) Multiply the quotient determined in par. (a) by the number of pupils
12 enrolled in the school.

13 **(2) GRANTS TO SCHOOLS THAT DEMONSTRATE IMPROVEMENT.** Beginning in the
14 2014-15 school year and annually thereafter, from the appropriation under s. 20.255
15 (2) (db), the department shall award an amount determined as follows to the school
16 board of any school that increases the numeric score, used as the basis for the
17 performance category within which the school was placed on the accountability
18 report published for the school under s. 115.385 at the end of the immediately
19 preceding school year, by at least 3 points over the numeric score received on the
20 accountability report published for the school at the end of the previous school year:

21 (a) For each school eligible to receive an award under this paragraph, multiply
22 the number of pupils enrolled in the school by the number of points by which the score
23 on the most recent accountability report published for the school exceeded the score
24 received in the previous school year.

ASSEMBLY BILL 40**SECTION 1747**

1 (b) Divide the amount appropriated under s. 20.255 (2) (db) by the sum of the
2 products under par. (a).

3 (c) Multiply the quotient determined in par. (b) by the number of pupils enrolled
4 in the school.

5 **(3) GRANTS TO SCHOOLS THAT FAIL TO MEET EXPECTATIONS.** Beginning in the
6 2014-15 school year and annually thereafter, from the appropriation under s. 20.255
7 (2) (dd), the department shall award grants under this subsection to school boards
8 within which a school that was placed in a performance category of “fails to meet
9 expectations” on the accountability report published for the school under s. 115.385
10 at the end of the immediately preceding school year if the school board includes with
11 the notice of intent required under this subsection a written school improvement
12 plan for each school eligible to receive an award under this subsection and if the
13 department determines that the school improvement plan includes and
14 comprehensively addresses all of the following components:

15 (a) A plan to achieve improvements in math and reading.

16 (b) A plan to collaborate with a high-performing school or a high-performing
17 school district to obtain best practices.

18 (c) A plan to use the educator effectiveness system developed under s. 115.415
19 to achieve teacher and principal improvement.

20 (d) A plan to make administrative or staffing changes to achieve improvement.

21 (e) A plan to meet goals, set jointly by the school board and the department, that
22 are based on measurable objectives, including those included on accountability
23 reports published for the school under s. 115.385.

24 **(4) INTENT TO PARTICIPATE; DISTRIBUTION OF FUNDS.** (a) The school board of a
25 school eligible to receive an award under this section shall submit an intent to

ASSEMBLY BILL 40**SECTION 1747**

1 participate to the department within 60 days after the department publishes the
2 accountability report for the school as required under s. 115.385.

3 (b) 1. The administrator of a school eligible to receive an award under this
4 section shall comply with the policy prepared under s. 120.12 (2r) for the distribution
5 of funding to the school.

6 2. Upon compliance with the requirement under subd. 1., the school board of
7 the school district within which the eligible school is located shall distribute the full
8 amount of any award determined for the eligible school under sub. (1) or (2), or the
9 full amount awarded to the eligible school under sub. (3), to that school.

10 **SECTION 1748.** 115.415 (2) (intro.) of the statutes is amended to read:

11 115.415 (2) (intro.) The department shall develop an educator effectiveness
12 evaluation system according to the following framework, and may charge a fee to a
13 school district and the governing body of a charter school established under s. 118.40
14 (2r) to use the system developed under this subsection:

15 **SECTION 1749.** 115.415 (4) of the statutes is created to read:

16 115.415 (4) From the appropriation under s. 20.255 (2) (ek), the department
17 may award grants to school districts and the governing body of a charter school
18 established under s. 118.40 (2r) to implement an educator effectiveness evaluation
19 system developed under sub. (2) or an equivalency process established by rule under
20 sub. (3).

21 **SECTION 1750.** 115.42 (1) (a) 5. of the statutes is created to read:

22 115.42 (1) (a) 5. If the person is licensed by the department as a master educator
23 under s. PI 34.19, Wis. Adm. Code, he or she has a rating of “effective” or “highly
24 effective” in the applicable educator effectiveness system, as determined by the
25 department.

ASSEMBLY BILL 40**SECTION 1751**

1 **SECTION 1751.** 115.42 (2) (a) 5. of the statutes is created to read:

2 115.42 (2) (a) 5. If the person is licensed by the department as a master educator
3 under s. PI 34.19, Wis. Adm. Code, he or she maintains a rating of “effective” or
4 “highly effective” in the applicable educator effectiveness system, as determined by
5 the department.

6 **SECTION 1752.** 115.77 (1) of the statutes is amended to read:

7 115.77 (1) In sub. (1m) (a) to (d), except as provided in s. 118.51 (12) (a) and (b)
8 2., if a child with a disability is attending a public school in a nonresident school
9 district under s. 115.7915, 118.51, or 121.84 (1) (a) or (4), “local educational agency”
10 means the school district that the child is attending.

11 **SECTION 1753.** 115.791 (4) of the statutes is amended to read:

12 115.791 (4) Subject to s. 115.77 (1m) (d) and (e), this section does not require
13 a local educational agency to pay the cost of education, including special education
14 and related services, of a child with a disability at a private school or facility,
15 including a child with a disability attending a private school under s. 115.7915, if the
16 local educational agency made a free appropriate public education available to the
17 child and the child’s parents elected to place the child in a private school or facility.

18 **SECTION 1754.** 115.7915 of the statutes is created to read:

19 **115.7915 Special Needs Scholarship Program. (1) DEFINITION.** In this
20 section:

21 (a) “Eligible school” means a public school located in this state but outside the
22 pupil’s school district of residence; a charter school located in this state, including a
23 charter school located in the pupil’s school district of residence and a charter school
24 under s. 118.40 (8); or a private school located in this state.

25 (b) “Services plan” has the meaning given in 34 CFR 300.37.

ASSEMBLY BILL 40**SECTION 1754**

1 **(1m)** SCHOLARSHIP REQUIREMENTS. Subject to sub. (1r), beginning in the
2 2013-14 school year, a child with a disability shall receive a scholarship under this
3 section to attend an eligible school if all of the following apply:

4 (a) The school district in which the eligible public school is located, the eligible
5 charter school, or the eligible private school notified the department of its intent to
6 participate in the program under this section. The notice shall specify the number
7 of pupils who may participate in the program under this section for whom the school
8 has space.

9 (b) The school, if a private school, is approved by the state superintendent
10 under s. 118.165 (2) or is accredited by the Wisconsin North Central Association,
11 Wisconsin Religious and Independent Schools Accreditation, the Independent
12 Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod
13 School Accreditation, National Lutheran School Accreditation, the diocese or
14 archdiocese within which the private school is located, or any other organization
15 recognized by the National Council for Private School Accreditation as of the August
16 1 preceding the school term for which the scholarship is awarded.

17 (c) An individualized education program or services plan has been completed
18 for the child.

19 (d) The child attended a public school, attended a charter school, attended a
20 private school under s. 118.60 or 119.23, or did not attend school in this state, for the
21 entire school year immediately preceding the school year for which the child first
22 receives a scholarship under this section.

23 (e) The child, or the child's parent on behalf of the child, has submitted an
24 application to the eligible school, on a form prepared by the department, for a
25 scholarship under this section to attend the eligible school. The application shall

ASSEMBLY BILL 40**SECTION 1754**

1 include the document developed by the department under sub. (2) (a). An application
2 may be made, and a child may begin attending an eligible school under this section,
3 at any time during the school year.

4 (f) The child has been accepted by the school district in which the eligible public
5 school is located, the eligible charter school, or the eligible private school.

6 **(1r)** LIMIT ON NUMBER OF SCHOLARSHIP RECIPIENTS. The total number of
7 scholarship recipients under this section in any school year may not exceed 5 percent
8 of the total number of children with disabilities residing in this state in the previous
9 school year, as determined by the department.

10 **(1s)** ACCEPTANCE OF PUPILS. If an eligible school receives more applications
11 under sub. (1m) (e) than the number of pupils specified in the notice under sub. (1m)
12 (a), it shall select pupils on a random basis except that it may give preference to
13 siblings of pupils who are already attending the eligible school.

14 **(2)** DEPARTMENT DUTIES. (a) 1. The department shall develop, for inclusion with
15 an application under sub. (1m) (e), a document, and revise it as necessary, comparing
16 the rights of a child with a disability and of his or her parent under this subchapter,
17 other than this section, and 20 USC 1400 to 1482, with the rights of a child with a
18 disability and of his or her parent under this section and 20 USC 1400 to 1482.

19 2. Receipt by an applicant of the document developed under subd. 1.,
20 acknowledged in a format prescribed by the department, constitutes notice that the
21 applicant has been informed of his or her rights under this section and 20 USC 1400
22 to 1482. Subsequent acceptance of a scholarship under this section constitutes the
23 applicant's informed consent to the rights specified in the document.

ASSEMBLY BILL 40**SECTION 1754**

1 (b) The governing body of an eligible school that accepts a child under sub. (1m)
2 (f) shall notify the department. Upon being notified, the department shall do all of
3 the following:

4 1. Notify the school board of the pupil's school district of residence that the pupil
5 has been awarded a scholarship under this section. The school board shall, within
6 3 days of receiving the notice, provide the department and the governing body of the
7 eligible school that accepted the pupil with a copy of the pupil's individualized
8 education program.

9 2. Determine the amount of the pupil's scholarship. The amount shall be the
10 lesser of the following:

11 a. Divide the sum of the statewide gross property tax levy for schools in the
12 previous year and the total amount of general school aid appropriated under s.
13 20.255 (2) (ae), (ar), and (bb) in the previous fiscal year by the total statewide
14 membership, as defined in s. 121.004 (5), in the previous school year, and add to the
15 quotient the result obtained by dividing the amount appropriated under s. 20.255 (2)
16 (b) in the previous fiscal year by the total full-time equivalent number of children
17 with disabilities enrolled in public schools in the previous school year.

18 b. The cost to the school district in which the eligible public school is located,
19 the eligible charter school, or the eligible private school of providing to the pupil
20 regular instruction, instructional and pupil support services, special education and
21 related services, supplementary aids and services, and operating and debt services
22 costs per pupil, as described under s. 118.60 (4) (d), other than costs under s. 115.88
23 (3) and (4).

24 3. Prorate the amount determined under subd. 2. for a pupil attending an
25 eligible school for less than a full school term.

ASSEMBLY BILL 40**SECTION 1754**

1 4. Notify the parent of the scholarship amount, as determined under subd. 2.
2 or 3., accompanied by an explanation of how the amount was determined.

3 5. On behalf of the pupil's parent, pay the scholarship to the school district,
4 charter school, or private school that the pupil attends from the appropriation under
5 s. 20.255 (2) (az), except that the department may not pay a scholarship to a private
6 school unless the pupil's parent has acknowledged receiving the private school's
7 profile under sub. (4) (g) in the manner provided by the department. Except as
8 provided in sub. (3) (c), the scholarship continues while the pupil attends an eligible
9 school until the pupil graduates from high school or until the end of the school term
10 in which the pupil attains the age of 21, whichever comes first.

11 **(3) SCHOOL BOARD DUTIES.** (a) Annually, each school board shall notify the
12 parents of each child with a disability enrolled in the school district of the program
13 under this section.

14 (b) Upon the request of a parent of a pupil receiving a scholarship, the pupil's
15 resident school district shall administer the appropriate examinations under s.
16 118.30 to the pupil at no cost if the school attended by the pupil does not administer
17 them.

18 (c) If a child attends a private school under this section, the school board of the
19 child's school district of residence shall ensure that the child's individualized
20 education program team reevaluates the child as provided in s. 115.782 (4). If the
21 individualized education program team determines that the child is no longer a child
22 with a disability, the child is ineligible to receive a scholarship under this section
23 beginning in the school term following the determination.

24 **(3m) MAINTENANCE OF EFFORT.** Whenever a pupil receives a scholarship under
25 this section, the department and the school board of the pupil's school district of

ASSEMBLY BILL 40**SECTION 1754**

1 residence shall count the scholarship amount toward federal maintenance-of-effort
2 requirements.

3 (4) PRIVATE SCHOOL DUTIES. Each private school participating in the program
4 under this section shall do all of the following:

5 (a) Comply with all health and safety laws or codes that apply to private
6 schools.

7 (b) Hold a valid certificate of occupancy, if required by the municipality in which
8 the school is located or, if the municipality in which the school is located does not
9 issue certificates of occupancy, obtain a certificate of occupancy issued by the local
10 or regional governmental unit with authority to issue certificates of occupancy.

11 (c) Comply with 42 USC 2000d.

12 (d) Conduct criminal background investigations of its employees and exclude
13 from employment any person not permitted to hold a teaching license as the result
14 of an offense and any person who might reasonably be believed to pose a threat to the
15 safety of others.

16 (e) Annually submit to the department a school financial information report,
17 prepared by a certified public accountant, that complies with uniform financial
18 accounting standards established by the department by rule under s. 118.60 (11) (a).
19 The report shall be accompanied by an auditor's statement that the report is free of
20 material misstatements and fairly represents pupil costs. The report shall be limited
21 in scope to those records that are necessary for the department to make payments
22 to the private school.

23 (f) If the private school expects to receive at least \$50,000 in scholarships under
24 this section during a school year, do one of the following before the beginning of the
25 school year:

ASSEMBLY BILL 40**SECTION 1754**

1 1. File with the department a surety bond payable to the state in an amount
2 equal to 25 percent of the total amount of scholarships expected to be received by the
3 private school during the school year under this section.

4 2. File with the department financial information demonstrating that the
5 private school has the ability to pay an amount equal to the total amount of
6 scholarships expected to be received by the private school during the school year
7 under this section.

8 (g) Provide to each applicant under sub. (1m) (e) a profile of the private school's
9 special education program, in a form prescribed by the department, that includes the
10 methods of instruction that will be used by the school to provide special education
11 and related services to the child and the qualifications of the teachers and other
12 persons who will be providing special education and related services to the child.

13 (h) 1. Implement the child's most recent individualized education program or
14 services plan, as modified by agreement between the private school and the child's
15 parent, and related services agreed to by the private school and the child's parent
16 that are not included in the child's individualized education program or services
17 plan.

18 2. Provide a record of the implementation of the child's individualized
19 education program or services plan under subd. 1., including an evaluation of the
20 child's progress, to the school board of the school district in which the child resides
21 in the form and manner prescribed by the department.

22 (i) Regularly report to the parent of a pupil attending the private school and
23 receiving a scholarship under this section on the pupil's progress.

ASSEMBLY BILL 40**SECTION 1754**

1 **(5) TRANSPORTATION.** (a) *Private school.* Section 121.54 applies to the
2 transportation of a pupil to and from the private school he or she is attending under
3 this section.

4 (b) *Public school.* Section 118.51 (14) applies to the transportation of a pupil
5 to and from the public school he or she is attending under this section.

6 **(6) PENALTIES.** (a) The department may bar a school district, charter school,
7 or private school from participating in the program under this section if the
8 department determines that the school district, charter school, or private school has
9 done any of the following:

10 1. Intentionally and substantially misrepresented information required under
11 sub. (4).

12 2. Routinely failed to comply with the standards under sub. (4) (e) or (f).

13 3. Used a pupil's scholarship for any purpose other than educational purposes
14 or rebated, refunded, or shared a pupil's scholarship with a parent or pupil.

15 4. Failed to refund to the state, in a timely manner, any scholarship
16 overpayments.

17 (b) If the department bars a school district, charter school, or private school
18 from participating in the program under this section, it shall notify all pupils eligible
19 to participate in the program and their parents as quickly as possible. A pupil who
20 is receiving a scholarship and attending a school district, charter school, or private
21 school barred from the program may attend another participating school district,
22 charter school, or private school under the scholarship.

23 **(7) STUDY.** (a) The legislative audit bureau shall contract for a study of the
24 program under this section with one or more researchers who have experience
25 evaluating school choice programs. The study shall evaluate all of the following:

ASSEMBLY BILL 40**SECTION 1754**

1 1. The level of satisfaction with the program expressed by participating pupils
2 and their parents.

3 2. The percentage of participating pupils who were victimized because of their
4 special needs at their resident school district and the percentage of such pupils at
5 their participating school.

6 3. The percentage of participating pupils who exhibited behavioral problems
7 at their resident school district and the percentage of such pupils at their
8 participating school.

9 4. The average class size at participating pupils' resident school districts and
10 at their participating schools.

11 5. The fiscal impact of the program on the state and on resident school districts.

12 (b) The contract under par. (a) shall require the researchers who conduct the
13 study to do all of the following:

14 1. Apply appropriate analytical and behavioral science methodologies to
15 ensure public confidence in the study.

16 2. Protect the identity of participating schools and pupils.

17 (c) The contract under par. (a) shall require that the results of the study be
18 reported to the appropriate standing committees of the legislature under s. 13.172
19 (3) by January 9, 2016.

20 **(8) RULES.** The department shall promulgate rules to implement and
21 administer this section, including rules relating to all of the following:

22 (a) The eligibility and participation of eligible schools, including timelines that
23 maximize pupil and school participation.

24 (b) The calculation and distribution of scholarships.

25 (c) The application and approval procedures for pupils and eligible schools.

ASSEMBLY BILL 40**SECTION 1754**

1 (d) In a manner consistent with federal law, requiring the school board of a
2 school district participating in the program under this section to spend its federal
3 equitable share funds on children with disabilities who are enrolled by their parents
4 in private schools other than under this section.

5 **SECTION 1755.** 118.016 (1) of the statutes is amended to read:

6 118.016 (1) ~~Beginning in~~ In the 2012-13 and 2013-14 school year years, each
7 school board and the governing body of each charter school established under s.
8 118.40 (2r) shall, using the appropriate, valid, and reliable assessment of literacy
9 fundamentals selected by the department, annually assess each pupil enrolled in
10 kindergarten in the school district or in the charter school for reading readiness.
11 Beginning in the 2014-15 school year, each school board and the governing body of
12 each charter school established under s. 118.40 (2r) shall, using the appropriate,
13 valid, and reliable assessment of literacy fundamentals selected by the department,
14 annually assess each pupil enrolled in grades kindergarten to 2 in the school district
15 or in the charter school for reading readiness. The department shall ensure that the
16 assessment evaluates whether a pupil possesses phonemic awareness and letter
17 sound knowledge.

18 **SECTION 1756.** 118.145 (4) of the statutes is amended to read:

19 118.145 (4) The school board of a school district operating high school grades
20 shall allow a pupil enrolled in a private school, or a pupil enrolled in a tribal school,
21 ~~or a pupil enrolled in a home-based educational program,~~ who has met the standards
22 for admission to high school under sub. (1), to take up to 2 courses during each school
23 semester if the pupil resides in the school district in which the public school is located
24 and if the school board determines that there is sufficient space in the classroom.

25 **SECTION 1757.** 118.19 (13) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 1758**

1 **SECTION 1758.** 118.19 (16) of the statutes is created to read:

2 118.19 **(16)** The department shall ensure that teaching experience gained
3 while a person held an emergency permit issued by the department under s. PI 34.21
4 (2), Wis. Adm. Code, counts toward fulfillment of the teaching experience
5 requirement for a license based on experience under s. PI 34.195 (2), Wis. Adm. Code,
6 or for a license in a school administrator category under s. PI 34.32, Wis. Adm. Code.

7 **SECTION 1759.** 118.30 (1) of the statutes is amended to read:

8 118.30 **(1)** The state superintendent shall adopt or approve examinations
9 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th and,
10 9th, 10th, and 11th grades.

11 **SECTION 1760.** 118.30 (1m) (ar) of the statutes is created to read:

12 118.30 **(1m)** (ar) Except as provided in sub. (7), beginning in the 2014-15 school
13 year, administer the 9th grade examination adopted or approved by the state
14 superintendent under sub. (1) to all pupils enrolled in the school district, including
15 pupils enrolled in charter schools located in the school district, in the 9th grade.

16 **SECTION 1761.** 118.30 (1m) (c) of the statutes is created to read:

17 118.30 **(1m)** (c) Except as provided in sub. (7), beginning in the 2014-15 school
18 year, administer the 11th grade examination adopted or approved by the state
19 superintendent under sub. (1) to all pupils enrolled in the school district, including
20 pupils enrolled in charter schools located in the school district, in the 11th grade.

21 **SECTION 1762.** 118.30 (1r) (ar) of the statutes is created to read:

22 118.30 **(1r)** (ar) Beginning in the 2014-15 school year, administer the 9th grade
23 examination adopted or approved by the state superintendent under sub. (1) to all
24 pupils enrolled in the charter school in the 9th grade.

25 **SECTION 1763.** 118.30 (1r) (c) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1763**

1 118.30 (1r) (c) Beginning in the 2014-15 school year, administer the 11th grade
2 examination adopted or approved by the state superintendent under sub. (1) to all
3 pupils enrolled in the charter school in the 11th grade.

4 **SECTION 1764.** 118.30 (1s) (a) 2m. of the statutes is created to read:

5 118.30 (1s) (a) 2m. Beginning in the 2014-15 school year, administer the 9th
6 grade examination adopted or approved by the state superintendent under sub. (1)
7 to all pupils attending the 9th grade in the private school under s. 119.23.

8 **SECTION 1765.** 118.30 (1s) (a) 3m. of the statutes is created to read:

9 118.30 (1s) (a) 3m. Beginning in the 2014-15 school year, administer the 11th
10 grade examination adopted or approved by the state superintendent under sub. (1)
11 to all pupils attending the 11th grade in the private school under s. 119.23.

12 **SECTION 1766.** 118.30 (1t) (bm) of the statutes is created to read:

13 118.30 (1t) (bm) Beginning in the 2014-15 school year, administer the 9th
14 grade examination adopted or approved by the state superintendent under sub. (1)
15 to all pupils attending the 9th grade in the private school under s. 118.60.

16 **SECTION 1767.** 118.30 (1t) (cm) of the statutes is created to read:

17 118.30 (1t) (cm) Beginning in the 2014-15 school year, administer the 11th
18 grade examination adopted or approved by the state superintendent under sub. (1)
19 to all pupils attending the 11th grade in the private school under s. 118.60.

20 **SECTION 1768.** 118.30 (2) (b) 5. of the statutes is amended to read:

21 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
22 body of a private school participating in the program under s. 119.23 shall excuse the
23 pupil from taking an examination administered under sub. (1s) (a) 1. to ~~3.~~ 3m.

24 **SECTION 1769.** 118.30 (2) (b) 6. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1769**

1 118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing
2 body of a private school participating in the program under s. 118.60 shall excuse the
3 pupil from taking an examination administered under sub. (1t) (a) to ~~(e)~~ (cm).

4 **SECTION 1770.** 118.40 (2) (b) (intro.) of the statutes is renumbered 118.40 (2)
5 (b) and amended to read:

6 118.40 (2) (b) A school board may grant a petition that would result in the
7 conversion of all of the public schools in the school district to charter schools if all of
8 the following apply:

9 **SECTION 1771.** 118.40 (2) (b) 1. and 2. of the statutes are repealed.

10 **SECTION 1772.** 118.40 (2m) (a) of the statutes is amended to read:

11 118.40 (2m) (a) A school board may on its own initiative contract with a person
12 to operate a school as a charter school. The contract shall include all of the provisions
13 specified under sub. (1m) (b) and may include other provisions agreed to by the
14 parties, except as otherwise provided in this section.

15 **SECTION 1773.** 118.40 (2m) (b) of the statutes is amended to read:

16 118.40 (2m) (b) A school board may ~~not~~ enter into a contract under par. (a) that
17 would result in the conversion of all of the public schools in the school district to
18 charter schools ~~unless the school board complies with sub. (2) (b) 2.~~

19 **SECTION 1774.** 118.40 (2r) (b) 1. (intro.) of the statutes is amended to read:

20 118.40 (2r) (b) 1. (intro.) All Except as provided in subd. 3., any of the following
21 entities may ~~establish by charter and operate a charter school or, on behalf of their~~
22 ~~respective entities, may initiate a contract with an individual or group~~ a person to
23 operate a school as a charter school:

24 **SECTION 1775.** 118.40 (2r) (b) 1. e. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1775**

1 118.40 (2r) (b) 1. e. Any nonprofit, nonsectarian organization or consortium of
2 such organizations approved by the charter school oversight board under par. (bm).

3 **SECTION 1776.** 118.40 (2r) (b) 2. of the statutes is renumbered 118.40 (2r) (b)
4 2. (intro.) and amended to read:

5 118.40 (2r) (b) 2. (intro.) A charter shall include all of the provisions specified
6 under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified
7 under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the
8 charter school on the liability of the contracting entity under this paragraph. The
9 contract shall also include all of the following provisions and may include other
10 provisions agreed to by the parties. ~~The chancellor of the University of~~
11 ~~Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may not establish~~
12 ~~or enter into a contract for the establishment of a charter school under this~~
13 ~~paragraph without the approval of the board of regents of the University of~~
14 ~~Wisconsin System.;~~

15 **SECTION 1777.** 118.40 (2r) (b) 2. a. to k. of the statutes are created to read:

16 118.40 (2r) (b) 2. a. A requirement that the charter school governing board
17 adhere to specified annual academic and operational performance standards
18 developed in accordance with the performance framework of the entity with which
19 it is contracting.

20 b. Provisions detailing the corrective measures the charter school governing
21 board will take if the charter school fails to meet performance standards.

22 c. A provision allowing the governing board of a charter school that receives a
23 rating of “exceeds expectations” or “significantly exceeds expectations” in the most
24 recent school report published by the department under s. 115.385 to open one or
25 more additional charter schools. If the charter school governing board opens one or

ASSEMBLY BILL 40**SECTION 1777**

1 more additional charter schools, the existing contract applies to the new school or
2 schools unless the parties agree to amend the existing contract or enter into a new
3 contract.

4 d. The methodology that will be used by the charter school governing board to
5 monitor and verify pupil enrollment, credit accrual, and course completion.

6 e. A requirement that the entity under subd. 1. have direct access to pupil data.

7 f. A description of the administrative relationship between the parties to the
8 contract.

9 g. A requirement that the charter school governing board hold parent-teacher
10 conferences at least annually.

11 h. A requirement that if more than one charter school is operated under the
12 contract, the charter school governing board reports to the entity under subd. 1. on
13 each charter school separately.

14 i. A requirement that the charter school governing board provide the data
15 needed by the entity under subd. 1. for purposes of making the report required under
16 sub. (3m) (a) 6.

17 j. A requirement that the charter school governing board participate in any
18 training provided by the entity under subd. 1.

19 k. A description of all fees that the entity under subd. 1. will charge the charter
20 school governing board.

21 **SECTION 1778.** 118.40 (2r) (b) 3. of the statutes is repealed and recreated to
22 read:

23 118.40 (2r) (b) 3. If an entity specified in subd. 1. a. to d. was operating a charter
24 school itself immediately prior to the effective date of this subdivision ... [LRB
25 inserts date], it may continue to do so.

ASSEMBLY BILL 40**SECTION 1779**

1 **SECTION 1779.** 118.40 (2r) (bm) of the statutes is repealed and recreated to
2 read:

3 118.40 **(2r)** (bm) 1. A nonprofit, nonsectarian organization or a consortium of
4 such organizations that wishes to contract with a charter school governing board to
5 operate a charter school shall submit an application to the charter school oversight
6 board. The application shall include all of the following and any other information
7 requested by the board:

8 a. A strategic plan for contracting with charter school governing boards that
9 submit high-quality proposals for charter schools that meet identified educational
10 needs and promote a diversity of educational choices.

11 b. A performance framework for use in supervising and evaluating charter
12 schools that addresses pupil academic proficiency, growth in pupil academic
13 achievement, gaps in achievement between groups of pupils, pupil attendance, the
14 readiness of pupils for postsecondary education, the financial proficiency and
15 sustainability of charter schools, and charter school management.

16 c. An assurance that the organization or consortium will ensure accountability
17 and transparency on the part of those charter school governing boards with which
18 it contracts.

19 d. A plan, including corrective action strategies, designed to improve a charter
20 school under contract with the organization or consortium, or to close such a charter
21 school, based on contractual performance standards.

22 e. A description of the types of charter schools the organization or consortium
23 is seeking to establish, and their potential attendance areas.

ASSEMBLY BILL 40**SECTION 1779**

1 f. Information on the organization's or consortium's finances and other
2 resources necessary for the charter school oversight board to determine the
3 applicant's ability to perform its functions under this section.

4 g. A plan for entering into additional contracts in order to replicate successful
5 charter schools.

6 2. The charter school oversight board shall approve or deny an application
7 within 90 days of receiving the application.

8 **SECTION 1780.** 118.40 (2r) (c) of the statutes is repealed and recreated to read:

9 118.40 (2r) (c) 1. An entity under par. (b) 1. may contract for the operation of
10 a charter school located anywhere in this state.

11 4. a. A school board may prohibit a pupil who resides in the school district from
12 attending a charter school established under this subsection unless the school
13 district's membership, as defined in s. 121.004 (5), is at least 4,000 and at least 2
14 public schools in the school district were rated "fails to meet expectations" or "meets
15 few expectations" in the most recent school report published by the department
16 under s. 115.385.

17 b. A pupil who wishes to attend a charter school established under this
18 subsection and who resides in a school district in which the school board may prohibit
19 pupils from attending a charter school established under this subsection shall
20 submit an application to the school board. Within 30 days of receiving the
21 application, the school board shall issue a decision allowing or prohibiting the pupil
22 from attending the charter school.

23 **SECTION 1781.** 118.40 (2r) (cm) of the statutes is repealed.

24 **SECTION 1782.** 118.40 (2r) (e) 1m. of the statutes is repealed.

25 **SECTION 1783.** 118.40 (2r) (e) 2m. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1783**

1 118.40 (2r) (e) 2m. In the 2013-14 school year ~~and in each school year~~
2 ~~thereafter~~, from the appropriation under s. 20.255 (2) (fm), the department shall pay
3 to the operator of the charter school an amount equal to ~~the sum of the amount paid~~
4 ~~per pupil under this paragraph in the previous school year and the per pupil revenue~~
5 ~~limit adjustment under s. 121.91 (2m) in the current school year~~, \$7,852 multiplied
6 by the number of pupils attending the charter school.

7 **SECTION 1784.** 118.40 (2r) (e) 2n. of the statutes is created to read:

8 118.40 (2r) (e) 2n. In the 2014-15 school year and in each school year
9 thereafter, from the appropriation under s. 20.255 (2) (fm), the department shall pay
10 to the operator of the charter school an amount equal to \$7,931 multiplied by the
11 number of pupils attending the charter school.

12 **SECTION 1785.** 118.40 (2r) (e) 3m. of the statutes is amended to read:

13 118.40 (2r) (e) 3m. ~~The amount paid per pupil under this paragraph may not~~
14 ~~be less than the amount paid per pupil under this paragraph in the previous school~~
15 ~~year.~~ The department shall pay 25% of the total amount in September, 25% in
16 December, 25% in February, and 25% in June. The department shall send the check
17 to the operator of the charter school.

18 **SECTION 1786.** 118.40 (2r) (e) 4. of the statutes is repealed.

19 **SECTION 1787.** 118.40 (2r) (f) of the statutes is created to read:

20 118.40 (2r) (f) A charter school established under this subsection is a local
21 educational agency under 20 USC 6301 to 6578 and as such is eligible for funding as
22 a local educational agency, and shall comply with all requirements of local
23 educational agencies, under 20 USC 6301 to 6578.

24 **SECTION 1788.** 118.40 (2r) (g) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1788**

1 118.40 (2r) (g) If a charter school established by contract with an entity under
2 par. (b) 1. a. to d. is in operation on the effective date of this paragraph ... [LRB inserts
3 date], and the charter school receives a rating of “exceeds expectations” or
4 “significantly exceeds expectations” in the most recent school report published by the
5 department under s. 115.385, the person operating the charter school may open one
6 or more additional charter schools notwithstanding the terms of the existing
7 contract. All provisions of the existing contract, other than any provision that
8 conflicts with this paragraph, apply to the new school or schools unless parties agree
9 to amend the existing contract or enter into a new contract.

10 **SECTION 1789.** 118.40 (3) (a) of the statutes is amended to read:

11 118.40 (3) (a) If the school board grants the petition under sub. (2), the school
12 board shall contract with the person named in the petition under sub. (1m) (b) 1. to
13 operate the school as a charter school under this section. The contract shall include
14 all of the provisions specified in the petition and may include other provisions agreed
15 to by the parties, except as otherwise provided in this section.

16 **SECTION 1790.** 118.40 (3) (b) of the statutes is amended to read:

17 118.40 (3) (b) A contract under par. (a) or under subs. (2m) or (2r) may be for
18 any term not exceeding 5 school years and may be renewed for one or more terms not
19 exceeding 5 school years. The contract shall specify the amount to be paid to the
20 charter school during each school year of the contract, except as provided in par. (i)
21 1.

22 **SECTION 1791.** 118.40 (3) (d) of the statutes is renumbered 118.40 (3m) (a) 3.

23 and amended to read:

ASSEMBLY BILL 40**SECTION 1791**

1 118.40 (3m) (a) 3. ~~A school board or an entity under sub. (2r) (b) shall give~~ Give
2 preference in awarding contracts for the operation of charter schools to those charter
3 schools that serve children at risk, as defined in s. 118.153 (1) (a).

4 **SECTION 1792.** 118.40 (3) (e) of the statutes is renumbered 118.40 (3m) (a) 2.
5 and amended to read:

6 118.40 (3m) (a) 2. When ~~establishing or~~ contracting for the establishment of
7 a charter school under this section, ~~a school board or entity specified under sub. (2r)~~
8 ~~(b) shall consider~~ adhere to the principles and standards for quality charter schools
9 established by the National Association of Charter School Authorizers.

10 **SECTION 1793.** 118.40 (3) (f) of the statutes is created to read:

11 118.40 (3) (f) A contract with a school board or an entity under sub. (2r) (b) may
12 provide for the establishment of more than one charter school, and a charter school
13 governing board may enter into more than one contract with a school board or entity
14 under sub. (2r) (b).

15 **SECTION 1794.** 118.40 (3) (g) of the statutes is created to read:

16 118.40 (3) (g) 1. Except as provided in subs. 2. and 3. and sub. (4) (ar) 1., a
17 contract with a school board or an entity under sub. (2r) (b) shall require that if the
18 capacity of the charter school is insufficient to accept all pupils who apply, the charter
19 school shall accept pupils at random.

20 2. A charter school shall give preference in enrollment to pupils who were
21 enrolled in the charter school in the previous school year and to siblings of pupils who
22 are enrolled in the charter school.

23 3. A charter school may give preference in enrollment to the children of the
24 charter school's founders, governing board members, and full-time employees, but

ASSEMBLY BILL 40**SECTION 1794**

1 the total number of such children given preference may constitute no more than 10
2 percent of the charter school's total enrollment.

3 **SECTION 1795.** 118.40 (3) (i) of the statutes is created to read:

4 118.40 (3) (i) A contract under par. (a) or sub. (2m) in which the charter school
5 is an instrumentality of the school district, as provided in sub. (7), shall do all of the
6 following:

7 1. Specify the amount the school board will pay to the operator of the charter
8 school for each resident pupil attending the charter school. The amount shall be
9 commensurate with the average per pupil cost for the school district.

10 2. Grant the operator of the charter school sole discretion over the charter
11 school's budget, curriculum, and professional development, and notwithstanding
12 sub. (7) (a) and (am), over the hiring of personnel and personnel policies for the
13 charter school, except where a decision in any of these areas affects the health or
14 safety of pupils or staff, as determined by the school board.

15 3. Not impose on the operator of the charter school any requirement in chs. 115
16 to 121 that does not explicitly apply to charter schools.

17 **SECTION 1796.** 118.40 (3m) (title) and (a) (intro.) of the statutes are created to
18 read:

19 118.40 (3m) (title) AUTHORIZING ENTITY DUTIES. (a) (intro.) A school board or
20 entity under sub. (2r) (b) shall do all of the following:

21 **SECTION 1797.** 118.40 (3m) (a) 1. and 4. to 6. of the statutes are created to read:

22 118.40 (3m) (a) 1. Solicit and evaluate charter school applications.

23 4. Approve only high-quality charter school applications that meet identified
24 educational needs and promote a diversity of educational choices.

ASSEMBLY BILL 40**SECTION 1797**

1 5. In accordance with the terms of each charter school contract, monitor the
2 performance and compliance with this section of each charter school with which it
3 contracts.

4 6. Annually, submit to the state superintendent and to the legislature under
5 s. 13.172 (2) a report that includes all of the following:

6 a. An identification of each charter school operating under contract with it,
7 each charter school that operated under a contract with it but had its contract
8 nonrenewed or revoked or that closed, and each charter school under contract with
9 it that has not yet begun to operate.

10 b. The academic and financial performance of each charter school operated
11 under contract with it.

12 c. The operating costs of the school board or entity under sub. (2r) (b) incurred
13 under subds. 1. to 5., detailed in an audited financial statement prepared in
14 accordance with generally accepted accounting principles.

15 d. The services the school board or entity under sub. (2r) (b) has provided to the
16 charter schools under contract with it and an itemized accounting of the cost of the
17 services.

18 **SECTION 1798.** 118.40 (3m) (b) of the statutes is created to read:

19 118.40 (3m) (b) An organization or consortium approved by the charter school
20 oversight board under sub. (2r) (bm) annually shall submit a report to the charter
21 school oversight board that includes all the information specified in par. (a) 6.

22 **SECTION 1799.** 118.40 (4) (title) of the statutes is amended to read:

23 118.40 (4) (title) CHARTER SCHOOL GOVERNING BOARD; DUTIES, POWERS, AND
24 RESTRICTIONS.

ASSEMBLY BILL 40**SECTION 1800**

1 **SECTION 1800.** 118.40 (4) (a) of the statutes is renumbered 118.40 (4) (ar), and
2 118.40 (4) (ar) (intro.), as renumbered, is amended to read:

3 118.40 (4) (ar) *Duties.* (intro.) A charter school governing board shall do all of
4 the following:

5 **SECTION 1801.** 118.40 (4) (ag) of the statutes is created to read:

6 118.40 (4) (ag) *Governing board.* Each charter school shall be governed by a
7 governing board that is a party to the contract with the authorizing entity. No more
8 than a minority of the governing board's members may be employees of the charter
9 school or employees or officers of the school district in which the charter school is
10 located.

11 **SECTION 1802.** 118.40 (4) (b) (intro.) of the statutes is amended to read:

12 118.40 (4) (b) *Restrictions.* (intro.) A charter school governing board may not
13 do any of the following:

14 **SECTION 1803.** 118.40 (4) (b) 2. of the statutes is amended to read:

15 118.40 (4) (b) 2. Except as provided in ~~par. (e)~~ sub. (3) (h), discriminate in
16 admission or deny participation in any program or activity on the basis of a person's
17 sex, race, religion, national origin, ancestry, pregnancy, marital or parental status,
18 sexual orientation or physical, mental, emotional or learning disability.

19 **SECTION 1804.** 118.40 (4) (c) of the statutes is renumbered 118.40 (3) (h) and
20 amended to read:

21 118.40 (3) (h) ~~*Single-sex schools and courses.*~~ A school board may enter into
22 a contract for, and an entity under sub. (2r) may establish or enter into a contract for,
23 ~~the establishment of~~ establish a charter school that enrolls only one sex or that
24 provides one or more courses that enroll only one sex if the school board or entity
25 under sub. (2r) makes available to the opposite sex, under the same policies and

ASSEMBLY BILL 40**SECTION 1804**

1 criteria of admission, schools or courses that are comparable to each such school or
2 course.

3 **SECTION 1805.** 118.40 (4) (d) of the statutes is created to read:

4 118.40 (4) (d) *Powers.* Subject to the terms of its contract, a charter school
5 governing board has all the powers necessary to carry out the terms of its contract,
6 including the following:

7 1. To receive and disburse funds for school purposes.

8 2. To secure appropriate insurance.

9 3. To enter into contracts, including contracts with a University of Wisconsin
10 institution or college campus, technical college district board, or private college or
11 university, for technical or financial assistance, academic support, curriculum
12 review, or other services.

13 4. To incur debt in reasonable anticipation of the receipt of funds.

14 5. To pledge, assign, or encumber its assets to be used as collateral for loans or
15 extensions of credit.

16 6. To solicit and accept gifts or grants for school purposes.

17 7. To acquire real property for its use.

18 8. To sue and be sued in its own name.

19 **SECTION 1806.** 118.40 (6) of the statutes is amended to read:

20 118.40 (6) PROGRAM VOLUNTARY. ~~No~~ Unless all of the public schools in a school
21 district have been converted to charter schools under sub. (2) (b) or (2m) (b), no pupil
22 may be required to attend a charter school without his or her approval, if the pupil
23 is an adult, or the approval of his or her parents parent or legal guardian, if the pupil
24 is a minor.

25 **SECTION 1807.** 118.40 (7) (ar) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1807**

1 118.40 (7) (ar) Nothing in this ~~subsection~~ section affects the rights of personnel
2 of a charter school that is an instrumentality of a school district to engage in
3 collective bargaining pursuant to subch. IV of ch. 111.

4 **SECTION 1808.** 118.40 (8) (b) 3. of the statutes is created to read:

5 118.40 (8) (b) 3. The department may not require a person licensed as provided
6 under subd. 1. to complete professional development not required of any other
7 individual required to be licensed under s. 118.19.

8 **SECTION 1809.** 118.51 (1) (a) of the statutes is renumbered 118.51 (1) (ag).

9 **SECTION 1810.** 118.51 (1) (ad) of the statutes is created to read:

10 118.51 (1) (ad) "Charter school" excludes a school under contract with an entity
11 under s. 118.40 (2r) (b).

12 **SECTION 1811.** 118.52 (title) of the statutes is repealed and recreated to read:

13 **118.52 (title) Course options.**

14 **SECTION 1812.** 118.52 (1) (a) of the statutes is renumbered 118.52 (1) (ar).

15 **SECTION 1813.** 118.52 (1) (am) of the statutes is created to read:

16 118.52 (1) (am) "Educational institution" includes a public school in a
17 nonresident school district, the University of Wisconsin System, a technical college,
18 a nonprofit institution of higher education, a tribal college, a charter school, and any
19 nonprofit organization that has been approved by the department.

20 **SECTION 1814.** 118.52 (2) of the statutes is amended to read:

21 118.52 (2) APPLICABILITY. ~~Beginning in the 1998-99 school year, a~~ A pupil
22 enrolled in a public school ~~in the high school grades~~ may attend public school in a
23 ~~nonresident school district~~ an educational institution under this section for the
24 purpose of taking a course offered by the ~~nonresident school district~~ educational

ASSEMBLY BILL 40**SECTION 1814**

1 institution. A pupil may attend no more than 2 courses at any time in ~~nonresident~~
2 ~~school districts~~ at educational institutions under this section.

3 **SECTION 1815.** 118.52 (3) (a) of the statutes is amended to read:

4 118.52 (3) (a) The parent of a pupil who wishes to attend ~~public school in a~~
5 ~~nonresident school district~~ an educational institution for the purpose of taking a
6 course under this section shall submit an application, on a form provided by the
7 department, to the ~~school board of the nonresident school district in which~~
8 educational institution at which the pupil wishes to attend a course not later than
9 6 weeks prior to the date on which the course is scheduled to commence. The
10 application shall specify the course that the pupil wishes to attend and may specify
11 the school or schools at which the pupil wishes to attend the course. The ~~nonresident~~
12 ~~school board~~ educational institution shall send a copy of the application to the pupil's
13 resident school board.

14 **SECTION 1816.** 118.52 (3) (b) of the statutes is amended to read:

15 118.52 (3) (b) If ~~a nonresident school board~~ an educational institution receives
16 more applications for a particular course than there are spaces available in the
17 course, the ~~nonresident school board~~ educational institution shall determine which
18 pupils to accept on a random basis.

19 **SECTION 1817.** 118.52 (3) (c) of the statutes is amended to read:

20 118.52 (3) (c) No later than one week prior to the date on which the course is
21 scheduled to commence, the ~~nonresident school board~~ educational institution shall
22 notify the applicant and the resident school board, in writing, whether the
23 application has been accepted and, if the application is accepted, the school at which
24 the pupil may attend the course. The acceptance applies only for the following
25 semester, school year or other session in which the course is offered. If the

ASSEMBLY BILL 40**SECTION 1817**

1 ~~nonresident school board~~ educational institution rejects an application, it shall
2 include in the notice the reason for the rejection.

3 **SECTION 1818.** 118.52 (3) (d) 1. of the statutes is amended to read:

4 118.52 (3) (d) 1. If it denies an application to attend ~~public school in a~~
5 ~~nonresident school district~~ an educational institution under sub. (6), notify the
6 applicant and the ~~nonresident school board~~ educational institution, in writing, that
7 the application has been denied and include in the notice the reason for the rejection.

8 **SECTION 1819.** 118.52 (3) (e) of the statutes is amended to read:

9 118.52 (3) (e) Following receipt of a notice of acceptance but prior to the date
10 on which the course is scheduled to commence, the pupil's parent shall notify the
11 resident school board and ~~nonresident school board~~ the educational institution of the
12 pupil's intent to attend the course ~~in~~ at the ~~nonresident school district~~ educational
13 institution.

14 **SECTION 1820.** 118.52 (6) (a) of the statutes is amended to read:

15 118.52 (6) (a) *Individualized education program requirements.* The school
16 board of a pupil's resident school district shall reject a pupil's application to attend
17 a course ~~in a public school in a nonresident school district~~ at an educational
18 institution if the resident school board determines that the course conflicts with the
19 individualized education program for the pupil under s. 115.787 (2).

20 **SECTION 1821.** 118.52 (6) (b) of the statutes is repealed.

21 **SECTION 1822.** 118.52 (6) (c) of the statutes is created to read:

22 118.52 (6) (c) *Pupil plan; high school graduation requirements.* The school
23 board of a pupil's resident school district may reject an application by a pupil to
24 attend a course at an educational institution if the resident school board determines
25 that any of the following apply:

ASSEMBLY BILL 40**SECTION 1822**

1 1. The course does not satisfy a high school graduation requirement under s.
2 118.33.

3 2. The course does not conform to or support the pupil's academic and career
4 plan under s. 115.28 (59) (a), if any.

5 **SECTION 1823.** 118.52 (8) of the statutes is amended to read:

6 118.52 (8) APPEAL OF REJECTION. If an application is rejected under sub. (5) (3)
7 (c) or a pupil is prohibited from attending a course in a public school in a nonresident
8 school district at an educational institution under sub. (6), the pupil's parent may
9 appeal the decision to the department within 30 days after the decision. The
10 department shall affirm the ~~school board's~~ decision unless the department finds that
11 the decision was arbitrary or unreasonable. The department's decision is final and
12 is not subject to judicial review under subch. III of ch. 227.

13 **SECTION 1824.** 118.52 (9) of the statutes is amended to read:

14 118.52 (9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS. A pupil attending a
15 course in a public school in a nonresident school district at an educational institution
16 under this section has all of the rights and privileges of other pupils residing in that
17 school district attending the educational institution and is subject to the same rules
18 and regulations as those pupils residing in that school district.

19 **SECTION 1825.** 118.52 (10) of the statutes is amended to read:

20 118.52 (10) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, the resident
21 school board shall provide to the ~~nonresident school board~~ educational institution to
22 which a pupil has applied under this section, upon request by that ~~school board~~
23 educational institution, a copy of any expulsion findings and orders, a copy of records
24 of any pending disciplinary proceeding involving the pupil, a written explanation of
25 the reasons for the expulsion or pending disciplinary proceeding and the length of

ASSEMBLY BILL 40**SECTION 1825**

1 the term of the expulsion or the possible outcomes of the pending disciplinary
2 proceeding.

3 **SECTION 1826.** 118.52 (11) (a) and (b) of the statutes are amended to read:

4 118.52 (11) (a) *Responsibility.* The parent of a pupil attending a course in a
5 public school in a nonresident school district at an educational institution under this
6 section is responsible for transporting the pupil to and from the course that the pupil
7 is attending.

8 (b) *Low-income assistance.* The parent of a pupil who is attending a course in
9 a public school in a nonresident school district at an educational institution under
10 this section may apply to the department for reimbursement of the costs incurred by
11 the parent for the transportation of the pupil to and from the pupil's residence or
12 school in which the pupil is enrolled and the ~~school at which~~ educational institution
13 that the pupil is attending for the course if the pupil and parent are unable to pay
14 the cost of such transportation. The department shall determine the reimbursement
15 amount and shall pay the amount from the appropriation under s. 20.255 (2) (cy).
16 The department shall give preference under this paragraph to those pupils who are
17 eligible for a free or reduced-price lunch under 42 USC 1758 (b).

18 **SECTION 1827.** 118.52 (12) of the statutes is amended to read:

19 118.52 (12) TUITION. The resident school board shall pay to the nonresident
20 school board educational institution, for each resident pupil attending a course in a
21 public school in the nonresident school district at the educational institution under
22 this section, an amount equal to the cost of providing the course to the pupil,
23 calculated in a manner determined by the department. The educational institution
24 may not charge to or receive from the pupil or the pupil's resident school board any

ASSEMBLY BILL 40**SECTION 1827**

1 additional payment for a pupil attending a course at the educational institution
2 under this section.

3 **SECTION 1828.** 118.53 of the statutes is created to read:

4 **118.53 Attendance by pupils enrolled in a home-based private**
5 **educational program. (1)** In this section, “course” means study which has the
6 fundamental purposes of developing the knowledge, concepts, and skills in a subject.

7 **(2)** In addition to the standards for admission under ss. 118.14, 118.145 (1), and
8 120.12 (25), the school board of a district shall determine the minimum standards
9 for admission to a course offered by the school district at each grade.

10 **(3)** A school board shall allow a pupil enrolled in a home-based private
11 educational program, who has met the standards for admission to the course under
12 sub. (2), to attend up to 2 courses at a public school in the district during each school
13 semester if the school board determines that there is sufficient space in the
14 classroom.

15 **(4)** A pupil enrolled in a home-based private educational program and
16 attending a public school under this section may attend one course in each of 2 school
17 districts, but may not attend more than 2 courses in any semester.

18 **SECTION 1829.** 118.60 (title) of the statutes is amended to read:

19 **118.60 (title) Parental choice programs program for eligible school**
20 **districts.**

21 **SECTION 1830.** 118.60 (1) (am) (intro.) of the statutes is amended to read:

22 118.60 **(1)** (am) (intro.) “Eligible school district” means a school district that,
23 ~~subject to sub. (1m),~~ satisfies all any of the following:

24 **SECTION 1831.** 118.60 (1) (am) 1. of the statutes is renumbered 118.60 (1) (am)

25 lg. a.

ASSEMBLY BILL 40**SECTION 1832**

1 **SECTION 1832.** 118.60 (1) (am) 1g. (intro.) of the statutes is created to read:
2 118.60 (1) (am) 1g. (intro.) Subject to sub. (1m) (a), the school district satisfies
3 all of the following:

4 **SECTION 1833.** 118.60 (1) (am) 1r. of the statutes is created to read:
5 118.60 (1) (am) 1r. The school district satisfies all of the following:

6 a. The number of pupils enrolled in the school district equals or exceeds 4,000.
7 In this subd. 1r. a., the number of pupils means the number of pupils as counted
8 under s. 121.004 (7).

9 b. Subject to sub. (1m) (b) 2., 2 or more public schools in the school district were
10 placed in the same school year in a performance category of either “fails to meet
11 expectations” or “meets few expectations,” or the equivalent lowest performance
12 categories, on an accountability report issued by the department under s. 115.385 (1).

13 **SECTION 1834.** 118.60 (1) (am) 2. of the statutes is renumbered 118.60 (1) (am)
14 1g. b.

15 **SECTION 1835.** 118.60 (1) (am) 3. of the statutes is renumbered 118.60 (1) (am)
16 1g. c.

17 **SECTION 1836.** 118.60 (1) (am) 4. of the statutes is renumbered 118.60 (1) (am)
18 1g. d.

19 **SECTION 1837.** 118.60 (1m) of the statutes is renumbered 118.60 (1m) (a) and
20 amended to read:

21 118.60 (1m) (a) By For an eligible school district under sub. (1) (am) 1g., by
22 November 15 of the 2nd fiscal year of each fiscal biennium, the department shall
23 prepare a list that identifies eligible school districts. The department shall post the
24 list on the department’s Internet site and shall notify in writing the school district
25 clerk of each eligible school district. A school district that has qualified as an eligible

ASSEMBLY BILL 40**SECTION 1837**

1 school district under ~~this section~~ sub. (1) (am) 1g. on April 20, 2012, shall remain an
2 eligible school district, but no school district may qualify as an eligible school district
3 under sub. (1) (am) 1g. after April 20, 2012.

4 **SECTION 1838.** 118.60 (1m) (b) of the statutes is created to read:

5 118.60 **(1m)** (b) 1. Subject to subd. 2., for an eligible school district under sub.
6 (1) (am) 1r., within 10 days after the department publishes, for at least 2 schools in
7 a school district, accountability reports under s. 115.385 (1) that place the schools in
8 a performance category of “fails to meet expectations” or “meets few expectations,”
9 or the equivalent lowest performance categories, the department shall publish a
10 notice on the department’s Internet site that identifies that school district as an
11 eligible school district for the immediately following school year, and shall notify in
12 writing the school district clerk of the eligible school district.

13 2. A school district identified as an eligible school district under subd. 1. ceases
14 to be an eligible school district if, at the time at which any subsequent accountability
15 reports are published by the department under s. 115.385 (1), no school or only one
16 school in the school district is placed in a performance category of “fails to meet
17 expectations” or “meets few expectations,” or the equivalent lowest performance
18 categories, and the school district did not qualify as an eligible school district, as
19 required under sub. (2) (bg), in the last school year in which the school district
20 satisfied the requirements under subd. 1. The department shall, within 10 days after
21 the department publishes the subsequent accountability reports, remove from the
22 list of eligible school districts on the department’s Internet site any such school
23 district, and shall notify the school district clerk in writing of the change in eligibility
24 status. This subdivision does not preclude a school district from becoming an eligible
25 school district under sub. (1) (am) 1r. in a subsequent school year.

ASSEMBLY BILL 40**SECTION 1839**

1 **SECTION 1839.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

2 118.60 (2) (a) (intro.) Subject to ~~par. (b)~~ pars. (bg) and (br), any pupil in grades
3 kindergarten to 12 who resides within an eligible school district may attend any
4 private school if all of the following apply:

5 **SECTION 1840.** 118.60 (2) (a) 3. a. of the statutes is amended to read:

6 118.60 (2) (a) 3. a. Except as provided in subd. 3. b. and c., the private school
7 notified the state superintendent of its intent to participate in the program under
8 this section or in the program under s. 119.23, and paid the nonrefundable fee, set
9 by the department as required under s. 119.23 (2) (a) 3., by February 1 of the previous
10 school year. The notice shall specify the number of pupils participating in the
11 program under this section and in the program under s. 119.23 for which the school
12 has space.

13 **SECTION 1841.** 118.60 (2) (a) 3. c. of the statutes is created to read:

14 118.60 (2) (a) 3. c. For a participating private school, or a private school that
15 is a first-time participant in the program under this section, that intends to
16 participate in the program under this section and to accept pupils who reside within
17 a school district in the first school year in which that school district is identified as
18 an eligible school district under sub. (1m) (b) 1., the private school notified the state
19 superintendent of its intent to participate in the program under this section, and
20 paid the nonrefundable fee set by the department as required under s. 119.23 (2) (a)
21 3., by August 1 of the school year in which the private school intends to participate.
22 The notice shall specify the number of pupils participating in the program under this
23 section for which the school has space.

24 **SECTION 1842.** 118.60 (2) (a) 6. c. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1842**

1 118.60 (2) (a) 6. c. Any teacher employed by the private school on July 1 of the
2 first school year that begins after a school district is identified as an eligible school
3 district under sub. (1m) (b) 1. and qualifies as an eligible school district under par.
4 (bg), or is identified as an eligible school district under 2011 Wisconsin Act 32, section
5 9137 (3u), who has been teaching for at least the 5 consecutive years immediately
6 preceding that July 1, and who does not satisfy the requirements under subd. 6. a.
7 on that July 1, applies to the department on a form prepared by the department for
8 a temporary, nonrenewable waiver from the requirements under subd. 6. a. The
9 department shall promulgate rules to implement this subd. 6. c., including the form
10 of the application and the process by which the waiver application will be reviewed.
11 The application form shall require the applicant to submit a plan for satisfying the
12 requirements under subd. 6. a., including the name of the accredited institution of
13 higher education at which the teacher is pursuing or will pursue the bachelor's
14 degree and the anticipated date on which the teacher expects to complete the
15 bachelor's degree. No waiver granted under this subd. 6. c. is valid after July 31 of
16 the 5th school year that begins after a school district is both identified as an eligible
17 school district under sub. (1m) (b) 1. and qualifies as an eligible school district under
18 par. (bg) or is identified as an eligible school district under 2011 Wisconsin Act 32,
19 section 9137 (3u).

20 **SECTION 1843.** 118.60 (2) (a) 7. of the statutes is amended to read:

21 118.60 (2) (a) 7. For a private school that is a first-time participant in the
22 program under this section or in the program under s. 119.23, and that is not
23 accredited by Wisconsin North Central Association, Wisconsin Religious and
24 Independent School Accreditation, Independent Schools Association of the Central
25 States, Wisconsin Evangelical Lutheran Synod School Accreditation, National

ASSEMBLY BILL 40**SECTION 1843**

1 Lutheran School Accreditation, the diocese or archdiocese within which the private
2 school is located, or by any other organization recognized by the National Council for
3 Private Schools Accreditation, the private school obtains preaccreditation by the
4 Institute for the Transformation of Learning at Marquette University, Wisconsin
5 North Central Association, Wisconsin Religious and Independent Schools
6 Accreditation, Independent Schools Association of the Central States, Wisconsin
7 Evangelical Lutheran Synod School Accreditation, National Lutheran School
8 Accreditation, or the diocese or archdiocese within which the private school is located
9 by ~~September~~ August 1 before the first school term of participation in the program
10 under this section or in the program under s. 119.23 that begins after ~~August 31,~~
11 ~~2011,~~ by July 1, 2013; ~~August 1-15~~ before the first school term of participation in the
12 program under this section that begins in the first school year that begins after a
13 school district is identified as an eligible school district under sub. (1m) (b); or by May
14 1 if the private school begins participation in the program under this section or in the
15 program under s. 119.23 during summer school. In any school year, a private school
16 may apply for and seek to obtain preaccreditation from only one of the entities
17 enumerated in this subdivision. A private school that fails to obtain ~~accreditation~~
18 preaccreditation in a school year may apply for and seek to obtain preaccreditation
19 from one of the entities enumerated in this subdivision in the following school year.
20 The private school shall achieve accreditation by Wisconsin North Central
21 Association, Wisconsin Religious and Independent Schools Accreditation,
22 Independent Schools Association of the Central States, Wisconsin Evangelical
23 Lutheran Synod School Accreditation, National Lutheran School Accreditation, the
24 diocese or archdiocese within which the private school is located, or any other
25 organization recognized by the National Council for Private School Accreditation, by

ASSEMBLY BILL 40**SECTION 1843**

1 December 31 of the 3rd school year following the first school year in which the private
2 school begins participation in the program under this section. If the private school
3 is accredited under this subdivision, the private school is not required to obtain
4 preaccreditation as a prerequisite to providing instruction under this section in
5 additional grades or in an additional or new school.

6 **SECTION 1844.** 118.60 (2) (b) of the statutes is repealed.

7 **SECTION 1845.** 118.60 (2) (bg) of the statutes is created to read:

8 118.60 (2) (bg) 1. No pupil who resides in a school district identified as an
9 eligible school district under sub. (1m) (b) 1. may attend a private school under this
10 section until that school district qualifies as an eligible school district under this
11 paragraph. A school district qualifies as an eligible school district under this
12 paragraph if no later than August 15 immediately following the date on which the
13 department identified the school district as an eligible school district under sub. (1m)
14 (b) 1., at least 20 pupils who reside in the school district apply to attend a private
15 school under this section and simultaneously notify the department that they have
16 applied to attend a private school under this section. Pupils applying to attend a
17 private school that is a first-time participant in the program under this section and
18 that has not obtained preaccreditation as required under par. (a) 7. may not be
19 counted towards the 20 pupils required for an eligible school district to qualify as an
20 eligible school district under this section.

21 2. The department shall, no later than 5 days after receiving notice from private
22 schools regarding acceptance of pupils as required under sub. (3) (a), determine
23 whether any school district identified as an eligible school district under sub. (1m)
24 (b) 1. qualifies as an eligible school district under this paragraph, and shall publish
25 on the department's Internet site a list of any such qualifying eligible school districts.

ASSEMBLY BILL 40**SECTION 1845**

1 3. A school district that qualifies as an eligible school district under this
2 paragraph shall remain qualified under this paragraph.

3 **SECTION 1846.** 118.60 (2) (br) of the statutes is created to read:

4 118.60 (2) (br) 1. In the 2013-14 school year, no more than a total of 500 pupils
5 residing in school districts identified as eligible school districts under sub. (1m) (b)
6 1. and qualifying as eligible school districts under par. (bg) may attend private
7 schools under this section. In this paragraph, the number of pupils means the
8 number of pupils as counted under s. 121.004 (7). Participating private schools shall
9 give priority to pupils who were eligible for a free or reduced-price lunch in the
10 federal school lunch program under 42 USC 1758 (b) in the immediately preceding
11 school year.

12 2. In the 2014-15 school year, no more than a total of 1,000 pupils residing in
13 school districts identified as eligible school districts under sub. (1m) (b) 1. and
14 qualifying as eligible school districts under par. (bg) may attend private schools
15 under this section. Participating private schools shall give priority to pupils who
16 attended a private school under subd. 1.

17 3. Whenever the state superintendent determines that the limit is reached
18 under subd. 1. or 2., he or she shall issue an order prohibiting the participating
19 private schools from accepting additional pupils from school districts identified as
20 eligible school districts under sub. (1m) (b) 1. and qualifying as eligible school
21 districts under par. (bg) until he or she determines that the number of pupils
22 attending private schools under this section from those school districts has fallen
23 below the limit. If the number of pupils attending private schools under this section
24 falls below the limit under this paragraph, the state superintendent shall issue an
25 order notifying participating private schools that they may begin accepting

ASSEMBLY BILL 40**SECTION 1846**

1 additional pupils from those school districts, and, notwithstanding sub. (3) (a),
2 participating private schools that wish to accept additional pupils under this section
3 shall accept pupils as follows:

4 a. The private school shall give first priority to pupils in a school district
5 identified as an eligible school district under sub. (1m) (b) 1. and qualifying as an
6 eligible school district under sub. (2) (bg) who are attending a private school under
7 this section.

8 b. The private school shall give 2nd priority to the siblings of pupils who are
9 attending a private school under this section from that school district.

10 c. The private school shall give 3rd priority to pupils selected at random under
11 a procedure established by the department by rule.

12 **SECTION 1847.** 118.60 (3) (a) of the statutes is renumbered 118.60 (3) (a) (intro.)
13 and amended to read:

14 118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit
15 an application, on a form provided by the state superintendent, to the participating
16 private school that the pupil wishes to attend. If more than one pupil from the same
17 family applies to attend the same private school, the pupils may use a single
18 application. Within 60 days after receiving the application, the private school shall
19 notify each applicant, in writing, whether his or her application has been accepted,
20 except that in the first school year in which a school district is identified as an eligible
21 school district under sub. (1m) (b) 1., a private school that has notified the
22 department of its intent to participate in the program under this section as required
23 under sub. (2) (a) 3. c. shall notify each applicant, in writing, whether his or her
24 application has been accepted within 7 days after receiving the application, and shall
25 simultaneously notify the department whether the pupil has been accepted. If the

ASSEMBLY BILL 40**SECTION 1847**

1 private school rejects an application, the notice shall include the reason. A private
2 school may reject an applicant only if it has reached its maximum general capacity
3 or seating capacity. The state superintendent shall ensure that the private school
4 determines which pupils to accept on a random basis, except that the private school
5 may give preference in accepting applications to ~~siblings of pupils accepted on a~~
6 ~~random basis.~~ any of the following:

7 **SECTION 1848.** 118.60 (3) (a) 1. to 3. of the statutes are created to read:

8 118.60 (3) (a) 1. Pupils who attended the private school during the school year
9 prior to the school year for which the application is being made.

10 2. Siblings of pupils who attended the private school during the school year
11 prior to the school year for which the application is being made and to siblings of
12 pupils who have been accepted to the private school for the school year for which the
13 application is being made.

14 3. Pupils who attended another private school under this section or s. 119.23
15 during the school year prior to the school year for which the application is being
16 made.

17 **SECTION 1849.** 118.60 (4) (b) of the statutes is repealed.

18 **SECTION 1850.** 118.60 (4) (bg) of the statutes is renumbered 118.60 (4) (bg) 1.
19 and amended to read:

20 118.60 (4) (bg) 1. In the ~~2011-12 and 2012-13~~ 2013-14 school years year, upon
21 receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the
22 private school during a school term, the state superintendent shall pay to the private
23 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from
24 the appropriation under s. 20.255 (2) (fr), an amount equal to the private school's

ASSEMBLY BILL 40**SECTION 1850**

1 operating and debt service cost per pupil that is related to educational programming,
2 as determined by the department, or \$6,442, whichever is less.

3 **SECTION 1851.** 118.60 (4) (bg) 2. of the statutes is created to read:

4 118.60 (4) (bg) 2. In the 2014-15 school year and in each school year thereafter,
5 upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in
6 the private school during a school term, the state superintendent shall pay to the
7 private school in which the pupil is enrolled on behalf of the pupil's parent or
8 guardian, from the appropriation under s. 20.255 (2) (fr), the lesser of an amount
9 equal to the private school's operating and debt service cost per pupil that is related
10 to educational programming, as determined by the department, or an amount either
11 of \$7,050, if the pupil is enrolled in a grade from kindergarten to 8, or of \$7,856, if
12 the pupil is enrolled in a grade from 9 to 12.

13 **SECTION 1852.** 118.60 (4) (d) (intro.) of the statutes is amended to read:

14 118.60 (4) (d) (intro.) In determining a private school's operating and debt
15 service cost per pupil under par. (b) 1. (bg) and sub. (4m) (a), the department shall
16 do all of the following:

17 **SECTION 1853.** 118.60 (4r) (a) of the statutes is amended to read:

18 118.60 (4r) (a) Multiply the amount determined under sub. (4) (b) ~~or~~ (bg) by
19 0.616.

20 **SECTION 1854.** 118.60 (4s) of the statutes is created to read:

21 118.60 (4s) Notwithstanding subs. (4), (4m), and (4r), a pupil attending a
22 private school participating in the program under this section who is receiving a
23 scholarship under s. 115.7915 shall not be counted as a pupil attending the private
24 school under this section under sub. (4), (4m), or (4r).

25 **SECTION 1855.** 118.60 (5) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1855**

1 118.60 (5) The state superintendent shall ensure that pupils and parents and
2 guardians of pupils who reside in an eligible school district are informed annually
3 of the private schools participating in the program under this section and in the
4 program under s. 119.23.

5 **SECTION 1856.** 118.60 (7) (am) 1. of the statutes is amended to read:

6 118.60 (7) (am) 1. An independent financial audit of the private school
7 conducted by an independent certified public accountant, accompanied by the
8 auditor's statement that the report is free of material misstatements and fairly
9 presents pupil costs under sub. (4) ~~(b)~~ (bg). The audit under this subdivision shall
10 be limited in scope to those records that are necessary for the department to make
11 payments under subs. (4) and (4m). The auditor shall conduct his or her audit,
12 including determining sample sizes and evaluating financial viability, in accordance
13 with the auditing standards established by the American Institute of Certified
14 Public Accountants. The department may not require an auditor to comply with
15 standards that exceed the scope of the standards established by the American
16 Institute of Certified Public Accountants.

17 **SECTION 1857.** 118.60 (10) (a) 3. of the statutes is amended to read:

18 118.60 (10) (a) 3. Failed to refund to the state any overpayment made under
19 s. 118.60 (4) (b), 2011 stats., or s. 118.60 (4) (bg), 2011 stats., or under sub. (4) ~~(b)~~ or
20 (bg) or (4m) by the date specified by department rule.

21 **SECTION 1858.** 119.04 (1) of the statutes is amended to read:

22 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
23 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
24 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,
25 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145

ASSEMBLY BILL 40**SECTION 1858**

1 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,
2 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,
3 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.53, 118.55,
4 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17)
5 to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are
6 applicable to a 1st class city school district and board.

7 **SECTION 1859.** 119.23 (2) (a) 3. of the statutes is amended to read:

8 119.23 (2) (a) 3. Except as provided in subd. 3m. b., the private school notified
9 the state superintendent of its intent to participate in the program under this section
10 or in the program under s. 118.60, and paid ~~a~~ the nonrefundable annual fee set by
11 the department, by February 1 of the previous school year. The notice shall specify
12 the number of pupils participating in the program under this section and in the
13 program under s. 118.60 for which the school has space. The department shall by
14 rule set the fee charged under this subdivision at an amount such that the total fee
15 revenue covers the costs of employing one full-time auditor to evaluate the financial
16 information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and
17 under s. 118.60 (7) (am) and (d) 2. and 3.

18 **SECTION 1860.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

19 119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that is a
20 first-time participant in the program under this section or in the program under s.
21 118.60 on or after July 1, 2009, and that is not accredited as provided under subd.
22 7. a., the private school obtains preaccreditation by the Institute for the
23 Transformation of Learning at Marquette University, Wisconsin North Central
24 Association, Wisconsin Religious and Independent Schools Accreditation,
25 Independent Schools Association of the Central States, Wisconsin Evangelical

ASSEMBLY BILL 40**SECTION 1860**

1 Lutheran Synod School Accreditation, National Lutheran School Accreditation, or
2 the diocese or archdiocese within which the private school is located by August 1
3 before the first school term of participation in the program under this section that
4 begins after ~~July 1, 2009, July 1, 2013; by August 15 before the first school term of~~
5 participation in the program under s. 118.60 that begins in the first school year that
6 begins after a school district is identified as an eligible school district under s. 118.60
7 (1m) (b); or by May 1 if the private school begins participating in the program under
8 this section or in the program under s. 118.60 during summer school. In any school
9 year, a private school may apply for and seek to obtain preaccreditation from only one
10 of the entities enumerated in this subd. 7. b. A private school that fails to obtain
11 accreditation in a school year may apply for and seek to obtain preaccreditation from
12 one of the entities enumerated in this subd. 7. b. in the following school year. The
13 private school shall achieve accreditation by Wisconsin North Central Association,
14 Wisconsin Religious and Independent Schools Accreditation, Independent Schools
15 Association of the Central States, Wisconsin Evangelical Lutheran Synod School
16 Accreditation, National Lutheran School Accreditation, the diocese or archdiocese
17 within which the private school is located, or any other organization recognized by
18 the National Council for Private School Accreditation, by December 31 of the 3rd
19 school year following the first school year that begins after July 1, 2009, in which it
20 participates in the program under this section or in the program under s. 118.60. If
21 the private school is accredited under this subd. 7. b., the private school is not
22 required to obtain preaccreditation as a prerequisite to providing instruction under
23 this section in additional grades or in an additional or new school.

24 **SECTION 1861.** 119.23 (2) (a) 7. c. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1861**

1 119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or
2 seeking to participate in the program under this section or in the program under s.
3 118.60 may not apply for accreditation by the Institute for the Transformation of
4 Learning at Marquette University, except that a private school that has applied for
5 accreditation to the Institute for the Transformation of Learning at Marquette
6 University before July 1, 2009, may complete the accreditation process with the
7 Institute for the Transformation of Learning at Marquette University, and may seek
8 renewal of accreditation from the Institute for the Transformation of Learning at
9 Marquette University.

10 **SECTION 1862.** 119.23 (3) (a) of the statutes is renumbered 119.23 (3) (a) (intro.)
11 and amended to read:

12 119.23 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit
13 an application, on a form provided by the state superintendent, to the participating
14 private school that the pupil wishes to attend. If more than one pupil from the same
15 family applies to attend the same private school, the pupils may use a single
16 application. Within 60 days after receiving the application, the private school shall
17 notify each applicant, in writing, whether his or her application has been accepted.
18 If the private school rejects an application, the notice shall include the reason. A
19 private school may reject an applicant only if it has reached its maximum general
20 capacity or seating capacity. The state superintendent shall ensure that the private
21 school determines which pupils to accept on a random basis, except that the private
22 school may give preference in accepting applications to ~~siblings of pupils accepted on~~
23 ~~a random basis.~~ to any of the following:

24 **SECTION 1863.** 119.23 (3) (a) 1. to 3. of the statutes are created to read:

ASSEMBLY BILL 40**SECTION 1863**

1 119.23 (3) (a) 1. Pupils who attended the private school during the school year
2 prior to the school year for which the application is being made.

3 2. Siblings of pupils who attended the private school during the school year
4 prior to the school year for which the application is being made and to siblings of
5 pupils who have been accepted to the private school for the school year for which the
6 application is being made.

7 3. Pupils who attended another private school under this section or s. 118.60
8 during the school year prior to the school year for which the application is being
9 made.

10 **SECTION 1864.** 119.23 (4) (b) of the statutes is repealed.

11 **SECTION 1865.** 119.23 (4) (bg) of the statutes is renumbered 119.23 (4) (bg) 1.
12 and amended to read:

13 119.23 (4) (bg) 1. In the ~~2011-12 and 2012-13~~ 2013-14 school years year, upon
14 receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the
15 private school during a school term, the state superintendent shall pay to the private
16 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from
17 the appropriation under s. 20.255 (2) (fu), an amount equal to the private school's
18 operating and debt service cost per pupil that is related to educational programming,
19 as determined by the department, or \$6,442, whichever is less.

20 **SECTION 1866.** 119.23 (4) (bg) 2. of the statutes is created to read:

21 119.23 (4) (bg) 2. In the 2014-15 school year and in each school year thereafter,
22 upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in
23 the private school during a school term, the state superintendent shall pay to the
24 private school in which the pupil is enrolled on behalf of the pupil's parent or
25 guardian, from the appropriation under s. 20.255 (2) (fu), the lesser of an amount

ASSEMBLY BILL 40**SECTION 1866**

1 equal to the private school's operating and debt service cost per pupil that is related
2 to educational programming, as determined by the department, or an amount either
3 of \$7,050, if the pupil is enrolled in a grade from kindergarten to 8, or of \$7,856, if
4 the pupil is enrolled in a grade from 9 to 12.

5 **SECTION 1867.** 119.23 (4) (d) (intro.) of the statutes is amended to read:

6 119.23 (4) (d) (intro.) In determining a private school's operating and debt
7 service cost per pupil under par. ~~(b) 1.~~ (bg) and sub. (4m) (a), the department shall
8 do all of the following:

9 **SECTION 1868.** 119.23 (4r) (a) 1. of the statutes is repealed.

10 **SECTION 1869.** 119.23 (4r) (a) 2. of the statutes is renumbered 119.23 (4r) (a)
11 and amended to read:

12 119.23 (4r) (a) ~~In the 2010-11 school year and in any school year thereafter,~~
13 ~~multiply~~ Multiply the amount determined under sub. (4) ~~(b) or (bg)~~ by 0.616.

14 **SECTION 1870.** 119.23 (4s) of the statutes is created to read:

15 119.23 (4s) Notwithstanding subs. (4), (4m), and (4r), a pupil attending a
16 private school participating in the program under this section who is receiving a
17 scholarship under s. 115.7915 shall not be counted as a pupil attending the private
18 school under this section under sub. (4), (4m), or (4r).

19 **SECTION 1871.** 119.23 (5) of the statutes is amended to read:

20 119.23 (5) The state superintendent shall ensure that pupils and parents and
21 guardians of pupils who reside in the city are informed annually of the private
22 schools participating in the program under this section and in the program under s.
23 118.60.

24 **SECTION 1872.** 119.23 (6m) (b) 3. d. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1872**

1 119.23 **(6m)** (b) 3. d. To the extent permitted under 20 USC 1232g and 43 CFR
2 part 99, pupil scores on all standardized tests administered under sub. (7) (e) 1.

3 **SECTION 1873.** 119.23 (7) (am) 1. of the statutes is amended to read:

4 119.23 **(7)** (am) 1. An independent financial audit of the private school
5 conducted by an independent certified public accountant, accompanied by the
6 auditor's statement that the report is free of material misstatements and fairly
7 presents pupil costs under sub. (4) ~~(b)~~ 1 (bg). The audit under this subdivision shall
8 be limited in scope to those records that are necessary for the department to make
9 payments under subs. (4) and (4m). The auditor shall conduct his or her audit,
10 including determining sample sizes and evaluating financial viability, in accordance
11 with the auditing standards established by the American Institute of Certified
12 Public Accountants. The department may not require an auditor to comply with
13 standards that exceed the scope of the standards established by the American
14 Institute of Certified Public Accountants.

15 **SECTION 1874.** 119.23 (7) (e) 1. of the statutes is renumbered 119.23 (7) (e) and
16 amended to read:

17 119.23 **(7)** (e) ~~In the 2009-10 school year, each private school participating in~~
18 ~~the program under this section shall administer a nationally normed standardized~~
19 ~~test in reading, mathematics, and science to pupils attending the school under the~~
20 ~~program in the 4th, 8th, and 10th grades. Beginning in the 2010-11 school year and~~
21 ~~annually thereafter, each Each private school participating in the program under~~
22 ~~this section shall administer the examinations required under s. 118.30 (1s) to pupils~~
23 ~~attending the school under the program. The private school may administer~~
24 ~~additional standardized tests to such pupils. Beginning in 2006 and annually~~
25 ~~thereafter until 2011, the private school shall provide the scores of all standardized~~

ASSEMBLY BILL 40**SECTION 1874**

1 ~~tests and examinations that it administers under this subdivision to the School~~
2 ~~Choice Demonstration Project.~~

3 **SECTION 1875.** 119.23 (7) (e) 2. of the statutes is repealed.

4 **SECTION 1876.** 119.23 (10) (a) 3. of the statutes is amended to read:

5 119.23 (10) (a) 3. Failed to refund to the state any overpayment made under
6 s. 119.23 (4) (b), 2011 stats., or s. 119.23 (4) (bg), 2011 stats., or under sub. (4) (b) or
7 (bg) or (4m) by the date specified by department rule.

8 **SECTION 1877.** 120.12 (2r) of the statutes is created to read:

9 120.12 (2r) SCHOOL PERFORMANCE INCENTIVE PROGRAM. By September 1, 2014,
10 establish a policy for the distribution of funding awarded to a school located in the
11 district and eligible to receive an award under s. 115.40. The school board may not,
12 in the policy established under this subsection, prescribe the manner in which funds
13 awarded to a school under s. 115.40 are to be used by the school, but may identify and
14 prioritize goals and objectives towards which the funds may be applied.

15 **SECTION 1878.** 121.004 (7) (em) of the statutes is created to read:

16 121.004 (7) (em) A pupil attending public school under s. 118.53 shall be
17 counted as 0.25 pupil for each course the pupil attends at the public school during
18 the school year.

19 **SECTION 1879.** 121.02 (1) (a) 2. of the statutes is amended to read:

20 121.02 (1) (a) 2. Subject to s. 118.40 (8) (b) 2. and 3., ensure that all instructional
21 staff of charter schools located in the school district hold a license or permit to teach
22 issued by the department. For purposes of this subdivision, a virtual charter school
23 is located in the school district specified in s. 118.40 (8) (a) and a charter school
24 established under s. 118.40 (3) (c) 1. c. is located in the school district specified in s.

ASSEMBLY BILL 40**SECTION 1879**

1 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules defining
2 “instructional staff” for purposes of this subdivision.

3 **SECTION 1880.** 121.05 (1) (a) 4. of the statutes is created to read:

4 121.05 (1) (a) 4. Pupils residing in the school district but attending a public
5 school in another school district, or a private school, under s. 115.7915.

6 **SECTION 1881.** 121.05 (1) (a) 12m. of the statutes is created to read:

7 121.05 (1) (a) 12m. Pupils attending a public school under s. 118.53.

8 **SECTION 1882.** 121.05 (3m) of the statutes is created to read:

9 121.05 (3m) If pupils enrolled in a school will not be in attendance at the school
10 on any of the dates specified in sub. (1) (a) or (2) because of a regularly scheduled
11 holiday or for a reason approved by the school board, the state superintendent shall
12 permit the membership counting date to occur on the 3rd weekday that follows the
13 next school day on which school is in session.

14 **SECTION 1883.** 121.07 (6) (e) 1. of the statutes is amended to read:

15 121.07 (6) (e) 1. For a school district created by a consolidation under s. 117.08
16 or 117.09, in the school year in which the consolidation takes effect and in each of the
17 subsequent 4 school years, the amounts under pars. (b) and (d) shall be multiplied
18 by 1.15 and rounded to the next lowest dollar. In the 5th school year following the
19 school year in which the consolidation took effect, the amounts under pars. (b) and
20 (d) shall be multiplied by 1.10 and rounded to the next lower dollar. In the 6th school
21 year following the school year in which the consolidation took effect, the amounts
22 under pars. (b) and (d) shall be multiplied by 1.05 and rounded to the next lower
23 dollar.

24 **SECTION 1884.** 121.07 (7) (e) 1. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1884**

1 121.07 (7) (e) 1. For a school district created by a consolidation under s. 117.08
2 or 117.09, in the school year in which the consolidation takes effect and in each of the
3 subsequent 4 school years, the amounts under pars. (a) to (bm) shall be multiplied
4 by 1.15 and rounded to the next lower dollar. In the 5th school year following the
5 school year in which the consolidation took effect, the amounts under pars. (a) to (bm)
6 shall be multiplied by 1.10 and rounded to the next lower dollar. In the 6th school
7 year following the school year in which the consolidation took effect, the amounts
8 under pars. (a) to (bm) shall be multiplied by 1.05 and rounded to the next lower
9 dollar.

10 **SECTION 1885.** 121.08 (4) (am) of the statutes is created to read:

11 121.08 (4) (am) The amount of state aid that a school district is eligible to be
12 paid from the appropriation under s. 20.255 (2) (ac) in any school year shall be
13 reduced by the total amount of scholarships paid by the department under s.
14 115.7915 in that school year for pupils who reside in the school district. The
15 department shall ensure that the amount of the aid reduction under this paragraph
16 does not affect the amount determined to be received by a school district as state aid
17 under this section for any other purpose.

18 **SECTION 1886.** 121.08 (4) (br) of the statutes is amended to read:

19 121.08 (4) (br) The amount of state aid that an eligible school district is eligible
20 to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced by the
21 amount calculated by multiplying the amounts paid under s. 118.60 (4) and (4m) in
22 the first school year that begins after a school district is identified as an eligible
23 school district under s. 118.60 (1m) (b) 1. and qualifies as an eligible school district
24 under s. 118.60 (2) (bg) or 2011 Wisconsin Act 32, section 9137 (3u), and in each school
25 year thereafter by 38.4 percent.

ASSEMBLY BILL 40**SECTION 1887**

1 **SECTION 1887.** 121.08 (4) (d) of the statutes is amended to read:

2 121.08 (4) (d) The state superintendent shall ensure that the total amount of
3 aid reduction under ~~pars. (a), (b), and (br)~~ this subsection lapses to the general fund.

4 **SECTION 1888.** 121.105 (3) of the statutes is amended to read:

5 121.105 (3) In the school year in which a school district consolidation takes
6 effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the
7 consolidated school district's state aid shall be an amount that is not less than the
8 aggregate state aid to which the consolidating school districts were eligible in the
9 school year prior to the school year in which the consolidation takes effect. In the 5th
10 school year following the school year in which the consolidation took effect, the
11 consolidated school district's state aid shall be an amount that is not less than 66
12 percent of the aggregate state aid to which the consolidating school districts were
13 eligible in the school year prior to the school year in which the consolidation took
14 effect. In the 6th school year following the school year in which the consolidation took
15 effect, the consolidated school district's state aid shall be an amount that is not less
16 than 33 percent of the aggregate state aid to which the consolidating school districts
17 were eligible in the school year prior to the school year in which the consolidation
18 took effect. The additional state aid shall be paid from the appropriation under s.
19 20.255 (2) (ac).

20 **SECTION 1889.** 121.54 (2) (c) of the statutes is amended to read:

21 121.54 (2) (c) An annual or special meeting of a common or union high school
22 district, or the school board of a unified school district, may elect to provide
23 transportation for pupils who are not required to be transported under this section,
24 including pupils attending public school under s. 118.145 (4) or 118.53.
25 Transportation may be provided for all or some of the pupils who reside in the school

ASSEMBLY BILL 40**SECTION 1889**

1 district to and from the public school they are entitled to attend or the private school,
2 within or outside the school district, within whose attendance area they reside. If
3 transportation is provided for less than all such pupils there shall be reasonable
4 uniformity in the minimum distance that pupils attending public and private schools
5 will be transported. Except for elementary school districts electing to furnish
6 transportation under par. (b) 2., this paragraph does not permit a school district
7 operating only elementary grades to provide transportation for pupils attending
8 private schools.

9 **SECTION 1890.** 121.54 (3) of the statutes is amended to read:

10 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. ~~Every~~ Except as
11 provided in s. 115.7915 (5), every school board shall provide transportation for
12 children with disabilities, as defined in s. 115.76 (5), to any public or private
13 elementary or high school, to the school operated by the Wisconsin Center for the
14 Blind and Visually Impaired or the school operated by the Wisconsin Educational
15 Services Program for the Deaf and Hard of Hearing or to any special education
16 program for children with disabilities sponsored by a state tax-supported institution
17 of higher education, including a technical college, regardless of distance, if the
18 request for such transportation is approved by the state superintendent. Approval
19 shall be based on whether or not the child can walk to school with safety and comfort.
20 Section 121.53 shall apply to transportation provided under this subsection.

21 **SECTION 1891.** 121.58 (2) (a) 4. of the statutes is amended to read:

22 121.58 (2) (a) 4. For each pupil so transported whose residence is more than
23 12 miles from the school attended, ~~\$180 per school year in the 2006-07 school year~~
24 ~~and \$220 per school year~~ in the 2012-13 school year and \$275 per school year
25 thereafter.

ASSEMBLY BILL 40**SECTION 1892**

1 **SECTION 1892.** 121.83 (1) (a) 2. of the statutes is amended to read:

2 121.83 (1) (a) 2. If the agency of service counts the pupil under s. 121.05 (1) (a)
3 or (2), or on an alternate counting date under s. 121.05 (3) or (3m), state general aid
4 shall be subtracted.

5 **SECTION 1893.** 121.90 (1) (intro.) of the statutes is amended to read:

6 121.90 (1) (intro.) “Number of pupils enrolled” means the number of pupils
7 enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1)
8 (a) 1. to 11. and 13. and pupils enrolled and counted on an alternate counting date
9 under s. 121.05 (3) or (3m), and the number of pupils attending the Challenge
10 Academy program under s. 321.03 (1) (c) in the previous spring session, except that
11 “number of pupils enrolled” excludes the number of pupils attending public school
12 under ~~s. ss.~~ 118.145 (4) and 118.53 and except as follows:

13 **SECTION 1894.** 125.06 (11) of the statutes is amended to read:

14 125.06 (11) AUCTION SALES. The sale by an auction house at public auction of
15 a collection of sealed bottles of intoxicating liquor or unopened beer cans for the
16 purpose of settling an estate or disposing of the collection or the auction sale of sealed
17 bottles or containers of wine or of unopened bottles of intoxicating liquor or
18 fermented malt beverages by a charitable organization, as defined in s. ~~440.41~~ 202.11
19 (1), at an auction held to raise money for the charitable organization.

20 **SECTION 1895.** 134.73 (1) (a) of the statutes is amended to read:

21 134.73 (1) (a) “Contribution” has the meaning given in s. ~~440.41~~ 202.11 (5).

22 **SECTION 1896.** 134.73 (1) (c) of the statutes is amended to read:

23 134.73 (1) (c) “Solicit” has the meaning given in s. ~~440.41~~ 202.11 (8).

24 **SECTION 1897.** 139.30 (7) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1897**

1 139.30 (7) “Manufacturer” means any person who manufactures cigarettes for
2 the purpose of sale, including the authorized agent of a person who manufactures
3 cigarettes for the purpose of sale. “Manufacturer” includes a person who owns an
4 automated roll-your-own machine that is used to make cigarettes, but does not
5 include an individual who owns a roll-your-own machine and uses the machine in
6 his or her home solely to make cigarettes for his or her personal use or for the use of
7 other individuals who live in his or her home.

8 **SECTION 1898.** 146.45 of the statutes is repealed.

9 **SECTION 1899.** 146.63 of the statutes is created to read:

10 **146.63 Grants to establish graduate medical training programs. (1)**

11 DEFINITION. In this section, “hospital” has the meaning given under s. 50.33 (2).

12 **(2) DEPARTMENTAL DUTIES.** (a) Subject to subs. (4) and (5), the department shall
13 distribute grants from the appropriation under s. 20.435 (1) (f) to assist hospitals
14 and groups of hospitals in procuring infrastructure and increasing case volume to the
15 extent necessary to develop accredited graduate medical training programs. The
16 department shall distribute the grants under this paragraph to hospitals and groups
17 of hospitals that apply to receive a grant under sub. (3) and that satisfy the criteria
18 established by the department under par. (b).

19 (b) The department shall establish criteria for approving and distributing
20 grants under par. (a) and criteria for approving plans under sub. (3).

21 **(3) GRANT APPLICATION.** A hospital or group of hospitals may apply, in the form
22 and manner determined by the department, to receive a grant under sub. (2) (a). The
23 hospital or group of hospitals shall include in the application a plan to use the funds
24 to procure infrastructure or increase case volume to the extent necessary to develop

ASSEMBLY BILL 40**SECTION 1899**

1 an accredited graduate medical training program at the hospital or group of
2 hospitals and a plan to satisfy the matching requirement under sub. (4).

3 (4) MATCHING FUNDS. The department may not distribute a grant under sub.
4 (2) (a) unless the hospital or group of hospitals offers to provide matching funds in
5 an amount determined by the department.

6 (5) TERM OF GRANTS. The department may not distribute a grant under sub. (2)
7 (a) to a hospital or group of hospitals for a term that is more than 3 years.

8 **SECTION 1900.** 146.64 of the statutes is created to read:

9 **146.64 Grants to support graduate medical training programs. (1)**
10 DEFINITION. In this section, "hospital" has the meaning given under s. 50.33 (2).

11 (2) DEPARTMENTAL DUTIES. (a) Subject to par. (c) and sub. (4), the department
12 shall distribute grants to assist hospitals with maintaining accredited graduate
13 medical training programs. The department shall distribute the grants under this
14 paragraph to hospitals that apply to receive a grant under sub. (3) and that satisfy
15 the criteria established by the department under par. (b) and the eligibility
16 requirement under sub. (4).

17 (b) The department shall establish criteria for approving and distributing
18 grants under par. (a).

19 (c) 1. The department shall distribute funds for grants under par. (a) from the
20 appropriation under s. 20.435 (4) (b). The department may not distribute more than
21 \$50,000 from the appropriation under s. 20.435 (4) (b) to a particular hospital in a
22 given state fiscal year.

23 2. If the department receives matching federal medical assistance funds, the
24 department shall distribute those funds for grants under par. (a) in addition to any
25 funds distributed under subd. 1.

ASSEMBLY BILL 40**SECTION 1900**

1 (d) The department shall seek federal medical assistance funds to match the
2 grants distributed under par. (a). If the department receives those funds, the
3 department shall distribute them as provided in par. (c) 2.

4 **(3) GRANT APPLICATION.** A hospital may apply, in the form and manner
5 determined by the department, to receive a grant under sub. (2) (a).

6 **(4) ELIGIBILITY.** A hospital that has an accredited graduate medical training
7 program in any of the following specialties may apply to receive a grant under sub.
8 (3):

9 (a) Family medicine.

10 (b) Pediatrics.

11 (c) Psychiatry.

12 (d) General surgery.

13 (e) Internal medicine.

14 **SECTION 1901.** 153.05 (2r) (intro.) of the statutes is amended to read:

15 153.05 **(2r)** (intro.) Notwithstanding s. 16.75 (1), (2), and (3m), from the
16 appropriation account under s. 20.515 (1) (ut) the department of employee trust
17 funds may expend up to \$150,000, and from the appropriation accounts under s.
18 20.435 (1) (fn), (hg), and (hi) the department of health services, in its capacity as a
19 public health authority, may expend moneys, to contract with a data organization to
20 perform services under this subchapter that are specified for the data organization
21 under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of health services
22 to perform or contract for the performance of these services. As a condition of the
23 contract under this subsection, all of the following apply:

24 **SECTION 1902.** 153.05 (2r) (d) to (h) of the statutes are created to read:

ASSEMBLY BILL 40**SECTION 1902**

1 153.05 **(2r)** (d) The data organization shall provide an Internet site that offers
2 health care provider cost and quality data and reports to consumers in a manner that
3 is comprehensive and transparent and that uses language that is understandable to
4 laypersons.

5 (e) The data organization shall conduct statewide consumer information
6 campaigns to improve health literacy.

7 (f) The data organization shall provide a review and reconsideration software
8 solution to allow health care providers to validate their cost and quality data prior
9 to publication on the Internet site described in par. (d).

10 (g) The data organization shall conduct other functions in support of the
11 responsibilities under sub. (1) (c) as specified in the contract by the department of
12 health services and the department of employee trust funds.

13 (h) The data organization shall fulfill the requirements under this subsection
14 according to timelines established by the department of health services and the
15 department of employee trust funds.

16 **SECTION 1903.** 157.055 (2) (intro.) of the statutes is amended to read:

17 157.055 **(2)** (intro.) Notwithstanding ss. 69.18 (4), 445.04 (2), 445.14, 979.01 (3),
18 (3m), and (4), 979.02, and 979.10, and subch. VII VIII of ch. 440, during a period of
19 a state of emergency related to public health declared by the governor under s.
20 323.10, a public health authority may do all of the following:

21 **SECTION 1904.** 165.055 (3) of the statutes is created to read:

22 165.055 **(3)** The attorney general may appoint, in the unclassified service, a
23 solicitor general and no more than 3 deputy solicitors general, each of whom shall be
24 an attorney at law licensed to practice in this state. The attorney general may assign
25 assistant attorneys general to assist the solicitor general.

ASSEMBLY BILL 40**SECTION 1905**

1 **SECTION 1905.** 165.75 (2) of the statutes is amended to read:

2 165.75 (2) ~~The laboratories shall be located in the cities of Madison, Milwaukee~~
3 ~~and Wausau.~~ The personnel of the laboratories shall consist of such employees as are
4 authorized under s. 20.922. ~~The laboratory in the city of Milwaukee is named the~~
5 ~~William J. McCauley crime laboratory.~~

6 **SECTION 1906.** 165.76 (1) (am) of the statutes is created to read:

7 165.76 (1) (am) Is or was adjudicated delinquent for an act that if committed
8 by an adult in this state would be a felony or for a violation of s. 940.225 (3m), 941.20
9 (1), 944.20, 944.30, 944.31, 944.33 (1), 946.52, or 948.10 (1) (b).

10 **SECTION 1907.** 165.76 (1) (as) of the statutes is created to read:

11 165.76 (1) (as) Is or was found guilty of any misdemeanor on or after the
12 effective date of this paragraph [LRB inserts date].

13 **SECTION 1908.** 165.76 (1) (av) of the statutes is renumbered 165.76 (1) (av)
14 (intro.) and amended to read:

15 165.76 (1) (av) (intro.) Is or was found guilty on or after January 1, 2000, of any
16 of the following:

17 1. Any felony or any,

18 2. Before the effective date of this subdivision [LRB inserts date], any
19 violation of s. 165.765 (1), 2011 stats., 940.225 (3m), 944.20, or 948.10 (1) (b).

20 **SECTION 1909.** 165.76 (1) (aw) of the statutes is created to read:

21 165.76 (1) (aw) Is or was found guilty on or after January 1, 2000, and before
22 the effective date of this paragraph [LRB inserts date], of any violation of s.
23 940.225 (3m), 944.20, or 948.10.

24 **SECTION 1910.** 165.76 (1) (b) of the statutes is renumbered 165.76 (1) (bm).

25 **SECTION 1911.** 165.76 (1) (bg) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1911**

1 165.76 (1) (bg) Is or was sentenced or placed on probation on or after August
2 12, 1993, for a violation of s. 940.225, 948.02 (1) or (2), or 948.025.

3 **SECTION 1912.** 165.76 (1) (br) of the statutes is amended to read:

4 165.76 (1) (br) Has been found not guilty or not responsible by reason of mental
5 disease or defect on or after January 1, 2000, and committed under s. 51.20 or 971.17,
6 for any felony or a violation of s. 165.765 (1), 2011 stats., or of s. 940.225 (3m), 944.20,
7 946.52, or 948.10 (1) (b).

8 **SECTION 1913.** 165.76 (1) (cr) of the statutes is amended to read:

9 165.76 (1) (cr) Is or was in institutional care on or after January 1, 2000, for
10 a felony or any violation of s. 165.765 (1), 2011 stats., or of s. 940.225 (3m), 944.20,
11 946.52, or 948.10 (1) (b).

12 **SECTION 1914.** 165.76 (1) (g) of the statutes is amended to read:

13 165.76 (1) (g) Has been required by a court under s. 51.20 (13) (cr), 165.84 (7),
14 938.21 (1m), 938.30 (2m), 938.34 (15m) (15), 970.02 (8), 971.17 (1m) (a), 973.047, or
15 980.063 to provide a biological specimen to the state crime laboratories for
16 deoxyribonucleic acid analysis.

17 **SECTION 1915.** 165.76 (1m) of the statutes is amended to read:

18 165.76 (1m) If a person is required to provide a biological specimen under sub.
19 (1) (a) to (g) and the department of justice does not have the data obtained from
20 analysis of a biological specimen from the person that the department is required to
21 maintain in the data bank under s. 165.77 (3), the department may require the
22 person to provide a biological specimen, regardless of whether the person previously
23 provided a biological specimen under this section or s. 51.20 (13) (cr), 165.84 (7),
24 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or
25 980.063. The department of justice, the department of corrections, a district

ASSEMBLY BILL 40**SECTION 1915**

1 attorney, or a county sheriff, shall notify any person whom the department of justice
2 requires to provide a biological specimen under this subsection.

3 **SECTION 1916.** 165.76 (2m) of the statutes is repealed.

4 **SECTION 1917.** 165.76 (2r) of the statutes is amended to read:

5 165.76 (2r) Failure by a person who is required to provide a biological specimen
6 under sub. (1) to provide the biological specimen ~~at the time and place provided under~~
7 ~~sub. (2m) in accordance with the rules promulgated under sub. (4)~~ does not relieve
8 the person of the obligation to provide a biological specimen to the state crime
9 laboratories for deoxyribonucleic acid analysis.

10 **SECTION 1918.** 165.76 (3) of the statutes is repealed.

11 **SECTION 1919.** 165.76 (4) of the statutes is renumbered 165.76 (4) (intro.) and
12 amended to read:

13 165.76 (4) (intro.) The department of justice ~~may~~ shall promulgate rules to
14 ~~implement~~ do all of the following:

15 (e) Carry out the department's duties under this section.

16 **SECTION 1920.** 165.76 (4) (a), (b), (c) and (d) of the statutes are created to read:

17 165.76 (4) (a) Establish procedures and time limits for obtaining and
18 submitting biological specimens under this section and ss. 51.20 (13) (cr), 165.84 (7),
19 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, and
20 980.063.

21 (b) Specify whether an individual who is required under this section or s. 51.20
22 (13) (cr), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a),
23 973.047, or 980.063 to provide a biological specimen for deoxyribonucleic acid
24 analysis must provide a new biological specimen if the crime laboratories already
25 have a biological specimen from the individual or if data obtained from

ASSEMBLY BILL 40**SECTION 1920**

1 deoxyribonucleic acid analysis of the individual's biological specimen are already
2 included in the data bank under s. 165.77 (3).

3 (c) Allow a biological specimen, or data obtained from analysis of a biological
4 specimen, obtained under this section or s. 51.20 (13) (cr), 165.84 (7), 938.21 (1m),
5 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 to be
6 submitted for inclusion in an index established under 42 USC 14132 (a) or in another
7 national index system.

8 (d) Provide reimbursement from s. 20.455 (2) (Lm) to a person in charge of a
9 law enforcement agency or tribal law enforcement agency at a rate of \$10 per
10 specimen except that, if the department already has a biological specimen, or data
11 obtained from analysis of a biological specimen, from the individual, the department
12 may not reimburse the person in charge of the agency.

13 **SECTION 1921.** 165.765 (title) of the statutes is amended to read:

14 **165.765 (title) Biological specimen; penalty force and immunity.**

15 **SECTION 1922.** 165.765 (1) of the statutes is renumbered 946.52 and amended
16 to read:

17 **946.52 Failure to submit biological specimen.** Whoever intentionally fails
18 to comply with a requirement to submit a biological specimen under s. 165.76, 165.84
19 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 973.047, or 980.063 may be
20 fined not more than \$10,000 or imprisoned for not more than 9 months or both is
21 guilty of a Class A misdemeanor.

22 **SECTION 1923.** 165.765 (1g) and (1m) of the statutes are created to read:

23 165.765 (1g) In this section:

24 (a) "Correctional officer" has the meaning given in s. 301.28 (1).

25 (b) "Jail officer" has the meaning given in s. 165.85 (2) (bn).

ASSEMBLY BILL 40**SECTION 1923**

1 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

2 (d) "Tribal officer" has the meaning given in s. 165.85 (2) (g).

3 **(1m)** A law enforcement officer; a jail officer; a tribal officer; a correctional
4 officer; a probation, extended supervision, or parole officer; or an employee of the
5 department of health services may use reasonable force to obtain a biological
6 specimen from a person who intentionally refuses to provide a biological specimen
7 that is required under s. 165.76 (1), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15),
8 or 970.02 (8).

9 **SECTION 1924.** 165.765 (2) (a) of the statutes is renumbered 165.765 (2) (a) 1.
10 and amended to read:

11 165.765 (2) (a) 1. Any physician, registered nurse, medical technologist,
12 physician assistant, or person acting under the direction of a physician who obtains
13 a biological specimen under s. 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30
14 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 is immune from any
15 civil or criminal liability for the act, except for civil liability for negligence in the
16 performance of the act.

17 **SECTION 1925.** 165.765 (2) (b) of the statutes is renumbered 165.765 (2) (a) 2.
18 and amended to read:

19 165.765 (2) (a) 2. Any employer of the physician, nurse, technologist, assistant,
20 or person under ~~par. (a)~~ subd. 1. or any hospital where blood is withdrawn by that
21 physician, nurse, technologist, assistant, or person ~~has the same immunity from~~
22 liability under par. (a) is immune from any civil or criminal liability for the act, except
23 for civil liability for negligence in the performance of the act.

24 **SECTION 1926.** 165.765 (2) (bm) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 1926**

1 165.765 (2) (bm) A law enforcement officer; a jail officer; a tribal officer; a
2 correctional officer; a probation, extended supervision, or parole officer; or an
3 employee of the department of health services, who is authorized to collect biological
4 specimens, is immune from civil or criminal liability for collecting a biological
5 specimen if the collection is in compliance with sub. (1m) and s. 165.76 and performed
6 in good faith and in a reasonable manner.

7 **SECTION 1927.** 165.77 (1) (am) of the statutes is created to read:

8 165.77 (1) (am) “Juvenile offense requiring the submission of a specimen”
9 means an offense for which the juvenile is required under s. 938.34 (15) (a) to provide
10 a biological specimen to the state crime laboratories for deoxyribonucleic acid
11 analysis.

12 **SECTION 1928.** 165.77 (2) (a) 2. of the statutes is amended to read:

13 165.77 (2) (a) 2. The laboratories may compare the data obtained from the
14 specimen with data obtained from other specimens. The laboratories may make data
15 obtained from any analysis and comparison available to law enforcement agencies
16 in connection with criminal or delinquency investigations and, upon request, to any
17 prosecutor, defense attorney, or subject of the data. The data may be used in criminal
18 and delinquency actions and proceedings. The laboratories shall not include data
19 obtained from deoxyribonucleic acid analysis of those specimens received under this
20 paragraph in the data bank under sub. (3). ~~The laboratories shall destroy specimens
21 obtained under this paragraph after analysis has been completed and the applicable
22 court proceedings have concluded.~~

23 **SECTION 1929.** 165.77 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1929**

1 165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 51.20
2 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17
3 (1m) (a), 973.047, or 980.063.

4 **SECTION 1930.** 165.77 (2m) (c) of the statutes is amended to read:

5 165.77 (2m) (c) Paragraph (b) does not apply to specimens received under s.
6 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8),
7 971.17 (1m) (a), 973.047, or 980.063.

8 **SECTION 1931.** 165.77 (3) of the statutes is amended to read:

9 165.77 (3) If the laboratories receive a human biological specimen under s.
10 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8),
11 971.17 (1m) (a), 973.047, or 980.063, the laboratories shall analyze the
12 deoxyribonucleic acid in the specimen. The laboratories shall maintain a data bank
13 based on data obtained from deoxyribonucleic acid analysis of those specimens. The
14 laboratories may compare the data obtained from one specimen with the data
15 obtained from other specimens. The laboratories may make data obtained from any
16 analysis and comparison available to law enforcement agencies in connection with
17 criminal or delinquency investigations and, upon request, to any prosecutor, defense
18 attorney or subject of the data. The data may be used in criminal and delinquency
19 actions and proceedings. ~~The laboratories shall destroy specimens obtained under
20 this subsection after analysis has been completed and the applicable court
21 proceedings have concluded.~~

22 **SECTION 1932.** 165.77 (4) (intro.) of the statutes is renumbered 165.77 (4) (am)
23 (intro.) and amended to read:

24 165.77 (4) (am) (intro.) A person whose deoxyribonucleic acid analysis data has
25 have been included in the data bank under sub. (3) may request expungement on the

ASSEMBLY BILL 40**SECTION 1932**

1 grounds that ~~his or her conviction or adjudication has been reversed, set aside or~~
2 ~~vacated.~~ The all of the following conditions are satisfied:

3 (bm) If the department determines that the conditions under par. (am) are
4 satisfied, the laboratories shall purge all records and identifiable information in the
5 data bank pertaining to the person and destroy all samples from the person if it
6 receives all of the following: upon receiving the person's written request for
7 expungement and any documentation the department requires under rules
8 promulgated under sub. (8).

9 **SECTION 1933.** 165.77 (4) (a) and (b) of the statutes are repealed.

10 **SECTION 1934.** 165.77 (4) (am) 1., 2. and 3. of the statutes are created to read:

11 165.77 (4) (am) 1. If the person was required to submit a biological specimen
12 under s. 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063, all
13 convictions or adjudications for which the person was required to submit a biological
14 specimen under s. 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or
15 980.063 have been reversed, set aside, or vacated.

16 2. If the person was required to provide a biological specimen under s. 165.84
17 (7) in connection with an arrest or under s. 970.02 (8), one of the following applies:

18 a. All charges filed in connection with the arrest and all charges for which the
19 person was required to provide a biological specimen under s. 970.02 (8) have been
20 dismissed.

21 b. The trial court reached final disposition for all charges in connection with
22 the arrest and for any charges for which the person was required to provide a
23 biological specimen under s. 970.02 (8), and the person was not adjudged guilty of a
24 crime in connection with the arrest or any charge for which the person was required
25 to provide a biological specimen under s. 970.02 (8).

ASSEMBLY BILL 40**SECTION 1934**

1 c. At least one year has passed since the arrest and the person has not been
2 charged with a crime in connection with the arrest.

3 d. The person was adjudged guilty of a crime in connection with either the
4 arrest or any charge for which the person was required to provide a biological
5 specimen under s. 970.02 (8), and all such convictions have been reversed, set aside,
6 or vacated.

7 3. If the person was required to provide a biological specimen under s. 165.84
8 (7) in connection with being taken into custody under s. 938.19 or under s. 938.21
9 (1m) or 938.30 (2m), one of the following applies:

10 a. All criminal complaints or delinquency petitions alleging that the person
11 committed a violation of a juvenile offense requiring the submission of a specimen
12 in connection with the taking into custody have been dismissed.

13 b. The trial court reached final disposition for all allegations that the person
14 committed a violation of a juvenile offense requiring the submission of a specimen
15 in connection with the taking into custody and the person was not convicted or
16 adjudged delinquent for a juvenile offense requiring the submission of a specimen
17 in connection with the taking into custody.

18 c. At least one year has passed since the person was taken into custody and no
19 criminal complaint or delinquency petition alleging that the person committed a
20 violation of a juvenile offense requiring the submission of a specimen has been filed
21 against the person in connection with the taking into custody.

22 d. The person was convicted or adjudged delinquent for a juvenile offense
23 requiring the submission of a specimen in connection with the taking into custody
24 and the conviction or delinquency adjudication has been reversed, set aside, or
25 vacated.

ASSEMBLY BILL 40**SECTION 1935**

1 **SECTION 1935.** 165.77 (7m) of the statutes is created to read:

2 165.77 **(7m)** An entry in the data bank that is found to be erroneous does not
3 prohibit the legitimate use of the entry to further a criminal investigation or
4 prosecution. The failure of a law enforcement agency or the laboratories to comply
5 with s. 165.76, 165.765, 165.77, or 165.84, or any rules or procedures adopted to
6 administer those sections, is not grounds for challenging the validity of the data
7 collection, for challenging the use of the sample as provided in those sections, or for
8 the suppression of evidence based upon or derived from any entry in the data bank.

9 **SECTION 1936.** 165.825 of the statutes is amended to read:

10 **165.825 Information link; ~~department of health services.~~** The
11 department of justice shall cooperate with the departments of safety and
12 professional services ~~and~~, health services, and financial institutions in developing
13 and maintaining a computer linkup to provide access to the information obtained
14 from a criminal history search.

15 **SECTION 1937.** 165.84 (7) of the statutes is created to read:

16 165.84 **(7)** (a) Subject to rules promulgated under s. 165.76 (4), all persons in
17 charge of law enforcement and tribal law enforcement agencies shall obtain, when
18 the individual's fingerprints or other identifying data are obtained, a biological
19 specimen for deoxyribonucleic acid analysis from each individual arrested for a
20 felony or for an offense under s. 940.225 (3m), 941.20 (1), 944.20, 944.30, 944.31,
21 944.33 (1), 946.52, or 948.10 (1) (b) and each minor taken into custody for a juvenile
22 offense requiring the submission of a specimen, as defined under s. 165.77 (1) (am).
23 The person in charge of the law enforcement or tribal law enforcement agency shall
24 submit the specimen to the crime laboratories for deoxyribonucleic acid analysis and

ASSEMBLY BILL 40**SECTION 1937**

1 inclusion of the individual's deoxyribonucleic acid profile in the data bank under s.
2 165.77 (3).

3 (b) Biological samples required under par. (a) shall be obtained and submitted
4 as specified in rules promulgated by the department of justice under s. 165.76 (4).

5 (c) Biological specimens obtained under this section may be used only as
6 provided under s. 165.77.

7 **SECTION 1938.** 165.845 (title) of the statutes is created to read:

8 **165.845 (title) Collect crime data.**

9 **SECTION 1939.** 165.845 (1) (intro.) of the statutes is created to read:

10 165.845 (1) (intro.) The department of justice shall:

11 **SECTION 1940.** 165.89 (4) of the statutes is repealed.

12 **SECTION 1941.** 165.91 (4) of the statutes is repealed.

13 **SECTION 1942.** 165.93 (2) (a) of the statutes is amended to read:

14 165.93 (2) (a) ~~Beginning on January 1, 1995, the~~ The department shall provide
15 grants to eligible organizations from the ~~appropriation~~ appropriations under s.
16 20.455 (5) ~~(ge)~~ (e) and (gj) to provide services for sexual assault victims.

17 **SECTION 1943.** 165.94 of the statutes is created to read:

18 **165.94 Grants for global positioning system tracking.** (1) From the
19 appropriation under s. 20.455 (5) (br), the department of justice may provide grants
20 to any eligible local unit of government, law enforcement agency, or tribal law
21 enforcement agency whose plan for expending the grant moneys to fund a global
22 positioning system tracking program for persons who are subject to an order under
23 s. 813.129 is approved.

24 (2) The department of justice shall develop criteria which, notwithstanding s.
25 227.10 (1), need not be promulgated as rules under ch. 227, as guidelines to be

ASSEMBLY BILL 40**SECTION 1943**

1 followed by a local unit of government, law enforcement agency, or tribal law
2 enforcement agency that wishes to establish a program for global positioning system
3 tracking pursuant to s. 813.129 (6) for persons subject to an order under s. 813.129
4 (1) (a) and for use in awarding grants under this section.

5 **SECTION 1944.** 165.95 (title) of the statutes is created to read:

6 **165.95 (title) Alternatives to incarceration; grant program.**

7 **SECTION 1945.** 165.984 of the statutes is repealed.

8 **SECTION 1946.** 165.986 (title) of the statutes is created to read:

9 **165.986 (title) Beat patrol officers; grant program.**

10 **SECTION 1947.** 165.987 (title) of the statutes is created to read:

11 **165.987 (title) Youth diversion programs; grant program.**

12 **SECTION 1948.** 167.35 (1) (f) 4. of the statutes is created to read:

13 167.35 (1) (f) 4. Any person who owns an automated roll-your-own machine
14 that is used to make cigarettes, not including an individual who owns a
15 roll-your-own machine and uses the machine in his or her home solely to make
16 cigarettes for his or her personal use or for the use of other individuals who live in
17 his or her home.

18 **SECTION 1949.** Chapter 168 (title) of the statutes is repealed and recreated to
19 read:

20 **CHAPTER 168**

21 **PETROLEUM PRODUCTS**

22 **AND DANGEROUS SUBSTANCES**

23 **SECTION 1950.** Subchapter I (title) of chapter 168 [precedes 168.01] of the
24 statutes is created to read:

25 **CHAPTER 168**

ASSEMBLY BILL 40

SECTION 1950

SUBCHAPTER I

PETROLEUM PRODUCT INSPECTIONS

SECTION 1951. 168.01 (intro.) of the statutes is amended to read:

168.01 Definitions. (intro.) In this ~~chapter~~ subchapter:

SECTION 1952. 168.01 (1) of the statutes is amended to read:

168.01 (1) "Department" means the department of ~~safety and professional services~~ agriculture, trade and consumer protection.

SECTION 1953. 168.01 (2) of the statutes is renumbered 168.01 (4).

SECTION 1954. 168.02 (title) of the statutes is repealed.

SECTION 1955. 168.02 of the statutes is renumbered 168.01 (2).

SECTION 1956. 168.03 (title) of the statutes is repealed.

SECTION 1957. 168.03 of the statutes is renumbered 168.01 (3).

SECTION 1958. 168.05 (1) of the statutes is amended to read:

168.05 (1) No petroleum product imported into and received in this state or received from a manufacturer or refiner or from a marine or pipeline terminal within this state may be unloaded from its original container except as provided under sub. (5), sold, offered for sale or used until a true sample of not less than 8 ounces is taken as provided in this ~~chapter~~ subchapter. This subsection does not apply if the department has previously inspected the petroleum product at the refinery, marine or pipeline terminal. Each person importing or receiving a petroleum product which has not been previously inspected shall notify the inspector in the person's district of the receipt thereof, and the inspector shall take a sample of the petroleum product.

SECTION 1959. 168.06 (1) of the statutes is amended to read:

168.06 (1) For the purposes of administering this ~~chapter~~ subchapter, inspectors may take samples of gasoline, gasoline-alcohol fuel blends, kerosene,

ASSEMBLY BILL 40**SECTION 1959**

1 other refined oils, fuel oils and petroleum distillates for tests and make inspections
2 at any points within or without this state, and may open any original container
3 containing gasoline, gasoline-alcohol fuel blends, kerosene, other refined oils, fuel
4 oils and petroleum distillates and take a true sample of not less than 8 ounces of the
5 contents thereof, even though the original containers may still be in the possession
6 of a common or contract carrier, provided the opening and sampling does not unduly
7 inconvenience or hamper the transportation of the products. After the original
8 containers are opened and sampled the same shall be resealed with seals furnished
9 by the department for such purposes. The authority conferred by this section shall
10 be in addition to, and not in limitation of, any of the provisions of s. 168.05.

11 **SECTION 1960.** 168.08 (1) of the statutes is amended to read:

12 168.08 (1) Time and place of each inspection.

13 **SECTION 1961.** 168.09 of the statutes is amended to read:

14 **168.09 Authority to enter.** Any inspector may enter in or upon the premises
15 of any manufacturer, vendor, dealer or user of gasoline, gasoline-alcohol fuel blends,
16 kerosene, other refined oils, fuel oils and petroleum distillates, during regular
17 business hours to determine whether any petroleum product intended for sale or use
18 has not been sampled and inspected in accordance with this chapter subchapter.

19 **SECTION 1962.** 168.125 of the statutes is amended to read:

20 **168.125 Reports; payment.** Persons who are liable for the fee under this
21 chapter subchapter shall state the number of gallons of petroleum products on which
22 the fee is due and the amount of their liability for the fee in the reports under s. 78.12
23 (1) to (3). The requirements for payment of the motor vehicle fuel tax under s. 78.12
24 (5) apply to the fee under this chapter subchapter.

25 **SECTION 1963.** 168.15 of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 1970**

1 **SECTION 1970.** 168.21 (2) of the statutes is created to read:

2 168.21 (2) “Department” means the department of agriculture, trade and
3 consumer protection.

4 **SECTION 1971.** 175.49 (5m) of the statutes is amended to read:

5 175.49 (5m) FEES. The department may charge a fee to verify eligibility for a
6 certification card under this section, for the issuance of a certification card under sub.
7 (3), or for the renewal of a certification card under sub. (5), but the fee may not exceed
8 the costs the department incurs in verifying eligibility or for issuing or renewing a
9 certification card. Payments made to the department under this subsection shall be
10 credited to the appropriation account under s. 20.455 (2) ~~(gu)~~ (gr).

11 **SECTION 1972.** 180.1421 (2m) (b) of the statutes is amended to read:

12 180.1421 (2m) (b) If the notice under par. (a) is returned to the department as
13 undeliverable or if the corporation’s principal office cannot be determined from the
14 records of the department, the department shall give the notice by ~~publishing a class~~
15 ~~1 notice under ch. 985 in the official state newspaper~~ posting the notice on the
16 department’s Internet site.

17 **SECTION 1973.** 180.1531 (2m) (b) of the statutes is amended to read:

18 180.1531 (2m) (b) If the notice under par. (a) is returned to the department as
19 undeliverable or if the corporation’s principal office cannot be determined from the
20 records of the department, the department shall give the notice by ~~publishing a class~~
21 ~~1 notice under ch. 985 in the official state newspaper~~ posting the notice on the
22 department’s Internet site.

23 **SECTION 1974.** 181.0203 (3) of the statutes is amended to read:

24 181.0203 (3) NOTIFICATION OF REPORTING REQUIREMENTS. Upon filing articles of
25 incorporation of a corporation, the department shall inform the corporation of the

ASSEMBLY BILL 40**SECTION 1974**

1 reporting requirements under s. ~~440.42~~ 202.12 for charitable organizations that
2 solicit contributions.

3 **SECTION 1975.** 181.1421 (2) (b) of the statutes is amended to read:

4 181.1421 (2) (b) If the notice under par. (a) is returned to the department as
5 undeliverable or if the corporation's principal office cannot be determined from the
6 records of the department, the department shall give the notice by ~~publishing a class~~
7 ~~1 notice under ch. 985 in the official state newspaper~~ posting the notice on the
8 department's Internet site.

9 **SECTION 1976.** 181.1421 (3) (d) of the statutes is amended to read:

10 181.1421 (3) (d) If the notice is ~~published as a class 1 notice, under ch. 985, the~~
11 ~~effective date set under ch. 985 for the notice~~ posted on the department's Internet
12 site, the date of posting.

13 **SECTION 1977.** 181.1531 (2g) (b) of the statutes is amended to read:

14 181.1531 (2g) (b) If the notice under par. (a) is returned to the department as
15 undeliverable or if the corporation's principal office cannot be determined from the
16 records of the department, the department shall give the notice by ~~publishing a class~~
17 ~~1 notice under ch. 985 in the official state newspaper~~ posting the notice on the
18 department's Internet site.

19 **SECTION 1978.** 181.1622 (1) (intro.) of the statutes is amended to read:

20 181.1622 (1) CONTENT. (intro.) Each domestic corporation and each foreign
21 corporation authorized to transact business in this state shall file with the
22 department an annual report ~~under this section. The department shall forward by~~
23 ~~1st class mail a report form to every corporation that has filed an annual report~~
24 ~~during the past 2 years. The department shall mail the report form no later than 60~~
25 ~~days before the date on which the corporation is required by this chapter to file an~~

ASSEMBLY BILL 40**SECTION 1978**

1 annual report. ~~The annual report shall include~~ that includes all of the following
2 information:

3 **SECTION 1979.** 182.028 of the statutes is amended to read:

4 **182.028 School corporations.** Any corporation formed for the establishment
5 and maintenance of schools, academies, seminaries, colleges or universities or for the
6 cultivation and practice of music shall have power to enact bylaws for the protection
7 of its property, and provide fines as liquidated damages upon its members and
8 patrons for violating the bylaws, and may collect the same in tort actions, and to
9 prescribe and regulate the courses of instruction therein, and to confer such degrees
10 and grant such diplomas as are usually conferred by similar institutions or as shall
11 be appropriate to the courses of instruction prescribed, except that no corporation
12 shall operate or advertise a school that is subject to s. ~~38.50~~ 440.55 (10) without
13 complying with the requirements of s. ~~38.50~~ 440.55. Any stockholder may transfer
14 his or her stock to the corporation for its use; and if the written transfer so provides
15 the stock shall be perpetually held by the board of directors with all the rights of a
16 stockholder, including the right to vote.

17 **SECTION 1980.** 183.09025 (2) (b) of the statutes is amended to read:

18 183.09025 (2) (b) Within 60 days after the date on which the notice is received
19 or the date on which the ~~class 1~~ notice under par. (d) is ~~published~~ posted, the limited
20 liability company shall correct each ground for dissolution or demonstrate to the
21 reasonable satisfaction of the department that each ground determined by the
22 department does not exist.

23 **SECTION 1981.** 183.09025 (2) (d) of the statutes is amended to read:

24 183.09025 (2) (d) If a notice under par. (a) or (c) is returned to the department
25 as undeliverable, the department shall again mail the notice to the limited liability

ASSEMBLY BILL 40**SECTION 1981**

1 company as provided under that paragraph. If the notice is again returned to the
2 department as undeliverable, the department shall give the notice by ~~publishing a~~
3 ~~class 1 notice under ch. 985 in the official state newspaper~~ posting the notice on the
4 department's Internet site.

5 **SECTION 1982.** 183.1021 (2g) (b) of the statutes is amended to read:

6 183.1021 **(2g)** (b) If the notice under par. (a) is returned to the department as
7 undeliverable or if the foreign limited liability company's principal office cannot be
8 determined from the records of the department, the department shall give the notice
9 by ~~publishing a class 1 notice under ch. 985 in the official state newspaper~~ posting
10 the notice on the department's Internet site.

11 **SECTION 1983.** 194.03 (title) of the statutes is amended to read:

12 **194.03** (title) **~~Interstate and foreign commerce~~ and intrastate**
13 **commerce.**

14 **SECTION 1984.** 194.03 (1) of the statutes is amended to read:

15 194.03 **(1)** This chapter shall apply to motor carriers engaged in interstate and
16 ~~foreign~~ commerce upon the public highways of this state, in all particulars and
17 provisions lawful under the constitution of the United States and to motor carriers
18 engaged in intrastate commerce upon the public highways of this state.

19 **SECTION 1985.** 194.03 (2) of the statutes is amended to read:

20 194.03 **(2)** Fees and taxes provided in this chapter shall be assessed against
21 operations in interstate ~~and foreign~~ commerce and intrastate commerce and
22 collected from the carriers performing such operations, as partial compensation for
23 the use of the highways and policing of the same.

24 **SECTION 1986.** 194.03 (6) of the statutes is renumbered 194.01 (6m) and
25 amended to read:

ASSEMBLY BILL 40**SECTION 1990**

1 (1) “Applicant” means any of the following:

2 (a) A person applying to the department for an initial registration.

3 (b) A person applying to the department for renewal of a registration.

4 (2) “Controlling person” has the meaning given in 202.21 (3).

5 (3) “Department” means the department of financial institutions.

6 (4) “Registrant” means a person who is registered under ss. 202.12 to 202.14
7 or 202.22.

8 (5) “Registration” means a registration the department issues under ss. 202.12
9 to 202.14 or 202.22.

10 **202.02 General duties and powers.** (1) The department may issue
11 subpoenas for the attendance of witnesses and the production of documents or other
12 materials prior to the commencement of a disciplinary or other proceeding under this
13 chapter.

14 (2) The department shall establish the content and form of each type of
15 registration. Upon the request of a registrant and payment of a \$10 fee, the
16 department may issue to a registrant a wall certificate.

17 (3) The department may require a registrant to do any of the following:

18 (a) Display the registrant’s certificate of registration in a conspicuous place in
19 the registrant’s office or place of business.

20 (b) Post a notice in a conspicuous place in the registrant’s office or place of
21 business describing the procedures for filing a complaint against the registrant.

22 (4) (a) The department shall require each applicant to provide his or her social
23 security number with the applicant’s application for a registration or registration
24 renewal, or, if the applicant is not an individual, the department shall require the
25 applicant to provide its federal employer identification number.

ASSEMBLY BILL 40**SECTION 1990**

1 (b) If an applicant is an individual who does not have a social security number,
2 the applicant shall submit a statement to the department made or subscribed under
3 oath that the applicant does not have a social security number. The department of
4 children and families shall prescribe the form of the statement. A registration issued
5 in reliance upon a false statement submitted under this paragraph is invalid.

6 (c) The department may not disclose a social security number obtained under
7 par. (a) to any person except the department of children and families to administer
8 s. 49.22 and the department of revenue to request certifications under s. 73.0301 and
9 administer state taxes.

10 (5) The department shall cooperate with the departments of justice, health
11 services, and children and families to develop and maintain a computer linkup to
12 provide access to information regarding the current status of a registration,
13 including whether the registration has been restricted in any way.

14 (6) (a) The department may conduct an investigation to determine whether an
15 applicant satisfies any of the eligibility requirements specified for the registration,
16 including whether the applicant does not have an arrest or conviction record. In
17 conducting an investigation under this paragraph, the department may require an
18 applicant to provide any information that is necessary for the investigation, except
19 that, for an investigation of an arrest or conviction record, the department shall
20 comply with the requirements under par. (d).

21 (b) A registrant who is convicted of a felony or misdemeanor anywhere shall
22 send a notice of the conviction by 1st class mail to the department within 48 hours
23 after the entry of the judgment of conviction.

24 (c) The department may investigate whether an applicant or registrant has
25 been charged with or convicted of a crime.

ASSEMBLY BILL 40**SECTION 1990**

1 (d) 1. Except as provided in subd. 2., the department may not require that an
2 applicant or registrant be fingerprinted or submit fingerprints in connection with a
3 registration.

4 2. The department may require a person for whom the department conducts
5 an investigation under par. (c) to be photographed and fingerprinted on 2 fingerprint
6 cards, each bearing a complete set of the person's fingerprints. The department of
7 justice may submit the fingerprint cards to the federal bureau of investigation to
8 verify the identity of the persons fingerprinted and obtain records of their criminal
9 arrests and convictions.

10 (e) The department shall charge an applicant the fees, costs, or other expenses
11 the department incurs for conducting an investigation under this subsection.

12 (7) The department may require the electronic submission of an application for
13 registration or registration renewal or any other document or information that may
14 be submitted to the department under this chapter.

15 **202.025 Registration renewal; denial of registration or registration**
16 **renewal. (1) NOTICE OF RENEWAL.** (a) The department shall give a notice of renewal
17 to each registrant at least 30 days before the renewal date of the registration. The
18 department may give that notice by electronic transmission.

19 (b) Failure to receive a notice of renewal is not a defense in any disciplinary
20 proceeding against a registrant or in any proceeding against a former registrant for
21 practicing without a registration. Failure to receive a notice of renewal does not
22 relieve a registrant from the obligation to pay a penalty for late renewal under sub.
23 (2).

24 (2) LATE RENEWAL. If the department does not receive an application to renew
25 a registration before the applicable renewal date, the registrant may restore the

ASSEMBLY BILL 40**SECTION 1990**

1 registration by paying, within 60 days after the renewal date, the renewal fee and
2 late fee determined by the department under s. 202.08.

3 **(3) DENIAL OF REGISTRATION OR REGISTRATION RENEWAL.** (a) 1. Notwithstanding
4 ss. 202.12 to 202.14 and 202.23, if the department determines that an applicant for
5 registration or registration renewal has failed to comply with any applicable
6 requirement for renewal, or that the denial of an application for registration or
7 registration renewal is necessary to protect the public health, safety, or welfare, the
8 department may summarily deny the application for registration or registration
9 renewal.

10 2. If the department denies an application for registration or registration
11 renewal under subd. 1., the department shall provide the applicant with a notice of
12 denial that states the facts or conduct giving rise to the denial and states that the
13 applicant may, within 30 days after the date stated on the notice of denial, file a
14 written request with the department for the department to review the denial at a
15 hearing.

16 (b) This subsection does not apply to a denial of a registration or registration
17 renewal under s. 202.03 or 202.035 (2) (b).

18 **202.03 Registration denial, nonrenewal, or revocation based on tax**
19 **delinquency.** Notwithstanding ss. 202.12 to 202.14 and 202.22, the department
20 shall deny an application for an initial registration or for registration renewal, or
21 revoke a registration, if the department of revenue certifies under s. 73.0301 that the
22 applicant or registrant is liable for delinquent taxes, as defined in s. 73.0301 (1) (c).

23 **202.035 Delinquency in support payments; failure to comply with**
24 **subpoena or warrant.** (1) In this section, "support" has the meaning given in s.
25 49.857 (1) (g).

ASSEMBLY BILL 40**SECTION 1990**

1 (2) Notwithstanding ss. 202.12 to 202.14 and 202.22, the department shall do
2 all of the following, subject to the memorandum of understanding between the
3 department and the department of children and families under s. 49.857:

4 (a) Restrict, limit, or suspend a registration, or deny an application for an
5 initial registration, if the registrant, applicant, or a controlling person of the
6 registrant or applicant is delinquent in paying support or fails to comply, after
7 appropriate notice, with a subpoena or warrant related to support or paternity
8 proceedings that is issued by the department of children and families or a county
9 child support agency under s. 59.53 (5).

10 (b) Deny an application for registration renewal if the registrant or a
11 controlling person of the registrant is delinquent in paying support or fails to comply,
12 after appropriate notice, with a subpoena or warrant related to support or paternity
13 proceedings that is issued by the department of children and families or a county
14 child support agency under s. 59.53 (5).

15 **202.04 Voluntary surrender of registration.** A registrant may voluntarily
16 surrender his or her registration. The department may refuse to accept that
17 surrender if a complaint has been filed or a disciplinary proceeding has been
18 commenced against the registrant.

19 **202.05 Nondisclosure of certain personal information.** (1) In this
20 section:

21 (a) "List" means information compiled or maintained by the department that
22 contains the personal identifiers of at least 10 individuals.

23 (b) "Personal identifier" means a social security number, telephone number,
24 street name and number, electronic mail address, or post-office box number.

ASSEMBLY BILL 40**SECTION 1990**

1 **(2)** If a form that the department requires an individual to complete in
2 connection with a registration or registration renewal under this chapter requires
3 the individual to provide a personal identifier of the individual, the form shall
4 include a place for the individual to declare that the individual's personal identifier
5 may not be disclosed on any list that the department furnishes to another person.

6 **(3)** If the department requires an individual to provide in person or by
7 telephone or other electronic means a personal identifier of the individual in
8 connection with a registration or registration renewal under this chapter, the
9 department shall provide the individual an opportunity to declare that the
10 individual's personal identifier may not be disclosed on any list that the department
11 furnishes to another person.

12 **(4)** Upon request, the department shall provide to a registrant who is an
13 individual a form that includes a place for the individual to declare that the
14 individual's personal identifier may not be disclosed on any list that the department
15 furnishes to another person.

16 **(5)** (a) Except as provided in par. (b), the department may not disclose on any
17 list that it furnishes to another person a personal identifier of any individual who has
18 made a declaration under sub. (2), (3), or (4).

19 (b) Paragraph (a) does not apply to a list that the department furnishes to
20 another state agency, a law enforcement agency, or a federal governmental agency.
21 A state agency that receives a list from the department containing a personal
22 identifier of an individual who has made a declaration under sub. (2), (3), or (4) may
23 not disclose the personal identifier to any person other than a state agency, a law
24 enforcement agency, or a federal governmental agency.

ASSEMBLY BILL 40**SECTION 1990**

1 **202.055 Change of name or address.** (1) An applicant or registrant that
2 undergoes a change of name or address shall notify the department of the applicant's
3 or registrant's new name or address within 30 days after the change in writing or in
4 accordance with other notification procedures approved by the department.

5 (2) The department may serve any process, notice, or demand on a registrant
6 by mailing it to the last-known address of the registrant as indicated in the
7 department's records, or by other means established by the department by rule.

8 (3) Any person who fails to comply with sub. (1) shall be subject to a forfeiture
9 of \$50.

10 **202.06 Disciplinary proceedings; enforcement of laws requiring**
11 **registration.** (1) INVESTIGATIONS. The department may conduct investigations and
12 hold hearings to determine whether any person has violated this chapter or any rule
13 promulgated under this chapter.

14 (2) DISCIPLINARY ACTION. The department may reprimand a registrant or deny,
15 limit, suspend, revoke, restrict, refuse to renew, or otherwise withhold a registration
16 if the department finds that an applicant, registrant, or controlling person has done
17 any of the following:

18 (a) Made a material misrepresentation or false statement in an application for
19 registration or registration renewal or in any other information submitted to the
20 department or in a report under s. 108.067.

21 (b) Violated this chapter or a rule promulgated under this chapter.

22 (3) FORFEITURE. In addition to or in lieu of a reprimand or a denial, limitation,
23 suspension, revocation, restriction, nonrenewal, or other withholding of a
24 registration under sub. (2), the department may assess against an applicant,

ASSEMBLY BILL 40**SECTION 1990**

1 registrant, or controlling person a forfeiture of not more than \$1,000 for each
2 violation.

3 (5) INJUNCTION. If it appears upon complaint to the department or the
4 department otherwise knows that any person has violated this chapter, the
5 department or the district attorney of the proper county may investigate and may,
6 in addition to any other remedies, bring action in the name of and on behalf of the
7 state against that person to enjoin the person from committing further violations of
8 this chapter.

9 (6) PRACTICE WITHOUT A REGISTRATION. (a) If, after holding a public hearing, the
10 department determines that a person has engaged in a practice or used a title
11 without a required registration, the department may issue a special order enjoining
12 the person from continuing the practice or use of the title.

13 (b) In lieu of holding a public hearing, if the department has reason to believe
14 that a person has engaged in a practice or used a title without a required registration,
15 the department may petition the circuit court for a temporary restraining order or
16 an injunction as provided in ch. 813.

17 (c) 1. Any person who violates a special order issued under par. (a) may be
18 required to forfeit not more than \$10,000 for each offense. Each day of continued
19 violation constitutes a separate offense. The attorney general or any district
20 attorney may commence an action in the name of the state to recover a forfeiture
21 under this subdivision.

22 2. Any person who violates a temporary restraining order or an injunction
23 issued by a court upon a petition under par. (b) may be fined not less than \$25 nor
24 more than \$5,000 or imprisoned for not more than one year in the county jail or both.

ASSEMBLY BILL 40**SECTION 1990**

1 **(7) JUDICIAL REVIEW.** Any person who is aggrieved by any action taken under
2 this chapter by the department, its officers, or agents may apply for judicial review
3 as provided in ch. 227.

4 **202.07 Administrative warnings. (1)** If the department determines during
5 an investigation of a complaint against a registrant that there is evidence that the
6 registrant committed misconduct, the department may close the investigation by
7 issuing an administrative warning to the registrant if the department determines
8 that no further disciplinary action is warranted, the complaint involves a first
9 occurrence of a minor violation, and the issuance of an administrative warning
10 adequately protects the public.

11 **(2)** A registrant may obtain review of an administrative warning through a
12 personal appearance before the department.

13 **(3) (a)** An administrative warning does not constitute an adjudication of guilt
14 or the imposition of discipline and, except as provided in par. (b), may not be used as
15 evidence that the registrant is guilty of the alleged misconduct.

16 **(b)** If the department receives a subsequent complaint of misconduct by a
17 registrant against whom the department issued an administrative warning, the
18 department may reopen the matter that gave rise to the administrative warning and
19 commence disciplinary proceedings against the registrant, and the administrative
20 warning may be used as evidence that the registrant had actual notice that the
21 misconduct that was the basis for the administrative warning was contrary to law.

22 **(4)** An administrative warning is a public record subject to inspection or
23 copying under s. 19.35.

24 **202.08 Fees. (1)** The department shall determine the fees for an initial
25 registration and for a registration renewal, including late fees for each type of

ASSEMBLY BILL 40**SECTION 1990**

1 registration under ss. 202.12 to 202.14 and 202.22, based on the department's
2 administrative and enforcement costs under this chapter.

3 (2) Before the department makes any fee adjustment under sub. (1), the
4 department shall send a notification of the proposed fee adjustments to the
5 cochairpersons of the joint committee on finance. If the cochairpersons of the
6 committee do not notify the secretary of financial institutions within 14 working
7 days after the date of the department's notification that the committee has scheduled
8 a meeting for the purpose of reviewing the proposed fee adjustments, the fee
9 adjustments may be made as proposed. The department shall notify registrants of
10 the fee adjustments by posting the fee adjustments on the department's Internet site
11 and in registration renewal notices sent to affected registrants under s. 202.025 (1).
12 If, within 14 working days after the date of the department's notification, the
13 cochairpersons of the committee notify the secretary of financial institutions that the
14 committee has scheduled a meeting for the purpose of reviewing the proposed fee
15 adjustments, the fee adjustments may be made only upon approval of the committee.

16 **202.09 Debit or credit card payments; collection of registration for**
17 **nonpayment by financial institution.** (1) If the department permits the
18 payment of a fee by use of a debit or credit card, the department may charge a service
19 charge for each transaction in addition to the fee being paid. The service charge shall
20 be sufficient to cover the cost to the department of permitting the payment of a fee
21 by debit or credit card.

22 (2) If a registrant pays a fee required under this chapter by check or by debit
23 or credit card and the check is not paid by the financial institution upon which the
24 check is drawn or if the demand for payment under the debit or credit card
25 transaction is not paid by the financial institution upon which demand is made, the

ASSEMBLY BILL 40**SECTION 1990**

1 department may cancel the registration after 60 days after the department receives
2 a notice of nonpayment from the financial institution, subject to sub. (3).

3 (3) At least 20 days before canceling a registration under sub. (2), the
4 department shall provide a notice to the registrant that informs the registrant that
5 the check or demand for payment under the debit or credit card transaction was not
6 paid by the financial institution and that the registrant's registration may be
7 canceled, unless the registrant does all of the following before that date:

8 (a) Pays the fee for which the unpaid check or demand for payment under the
9 debit or credit card transaction was issued.

10 (b) Pays any applicable late fee.

11 (c) Pays the charge for an unpaid draft established by the depository selection
12 board under s. 20.905 (2).

13 (4) The department may extend the date for cancellation to allow the registrant
14 additional time to comply with sub. (3) (a) to (c).

15 (5) The department may reinstate a registration that it cancelled under this
16 section only if the former registrant complies with sub. (3) (a) to (c) and pays a \$30
17 reinstatement fee.

18 **202.095 Rules.** The department shall promulgate rules to implement this
19 chapter.

20 202.11 (5m) "Department" means the department of financial institutions.

21 202.21 (3m) "Department" means the department of financial institutions.

22 **SECTION 1991.** 224.42 (1) (a) of the statutes is amended to read:

23 224.42 (1) (a) "Financial institution" has the meaning given in ~~12 USC 3401~~
24 ~~(1) s. 49.45 (4m) (a) 3.~~

25 **SECTION 1992.** 227.01 (13) (im) of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 1993**

1 **SECTION 1993.** 227.01 (13) (Lr) of the statutes is created to read:

2 227.01 (13) (Lr) Determines what constitutes high-demand fields for purposes
3 of s. 38.28 (2) (be) 1. b.

4 **SECTION 1994.** 227.01 (13) (sm) of the statutes is created to read:

5 227.01 (13) (sm) Is a standard or statement of policy adopted by the charter
6 school oversight board.

7 **SECTION 1995.** 227.01 (13) (ur) of the statutes is repealed.

8 **SECTION 1996.** 227.03 (7m) of the statutes is amended to read:

9 227.03 (7m) Except as provided in s. ~~101.143~~ 292.63 (6s), this chapter does not
10 apply to proceedings in matters that are arbitrated under s. ~~101.143~~ 292.63 (6s).

11 **SECTION 1997.** 227.42 (7) of the statutes is repealed.

12 **SECTION 1998.** 227.44 (8) of the statutes is amended to read:

13 227.44 (8) A stenographic, electronic or other record of oral proceedings shall
14 be made in any class 2 or class 3 proceeding and in any class 1 proceeding when
15 requested by a party. Each agency may establish rules relating to the transcription
16 of the record into a written transcript and the providing of free copies of the written
17 transcript. Rules may require a purpose for transcription which is deemed by the
18 agency to be reasonable, such as appeal, and if this test is met to the satisfaction of
19 the agency, the record shall be transcribed at the agency's expense, except that in
20 preparing the record for judicial review of a decision that was made in an appeal
21 under s. 227.47 (2) or in an arbitration proceeding under s. ~~101.143~~ 292.63 (6s) or
22 230.44 (4) (bm) the record shall be transcribed at the expense of the party petitioning
23 for judicial review. Rules may require a showing of impecuniousness or financial
24 need as a basis for providing a free copy of the transcript, otherwise a reasonable
25 compensatory fee may be charged. If any agency does not promulgate such rules,

ASSEMBLY BILL 40**SECTION 1998**

1 then it must transcribe the record and provide free copies of written transcripts upon
2 request. In any event, an agency shall not refuse to provide a written transcript if
3 the person making the request pays a reasonable compensatory fee for the
4 transcription and for the copy. This subsection does not apply where a transcript fee
5 is specifically provided by law.

6 **SECTION 1999.** 230.03 (8m) of the statutes is created to read:

7 230.03 (8m) "Continuous service" means service performed while employed by
8 a state agency or by the Board of Regents of the University of Wisconsin System.

9 **SECTION 2000.** 230.08 (2) (e) 5. of the statutes is amended to read:

10 230.08 (2) (e) 5. Health services — ~~9~~ 10.

11 **SECTION 2001.** 230.08 (2) (e) 5m. of the statutes is amended to read:

12 230.08 (2) (e) 5m. Historical society — ~~5~~ 4.

13 **SECTION 2002.** 230.08 (2) (e) 11m. of the statutes is amended to read:

14 230.08 (2) (e) 11m. Safety and professional services — ~~8~~ 9.

15 **SECTION 2003.** 230.08 (2) (e) 13. of the statutes is amended to read:

16 230.08 (2) (e) 13. Veterans affairs — ~~3~~ 4.

17 **SECTION 2004.** 230.08 (2) (fs) of the statutes is amended to read:

18 230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04
19 (2) ~~and executive assistants, assistant deputy secretaries~~ to department secretaries
20 appointed under s. 15.05 (3), ~~including those~~ and executive assistants appointed by
21 the attorney general, the adjutant general, the director of the technical college
22 system ~~and~~, the state superintendent of public instruction, and the director of the
23 historical society under s. 15.05 (3).

24 **SECTION 2005.** 230.08 (2) (m) of the statutes is repealed.

25 **SECTION 2006.** 230.08 (2) (sb) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 2006**

1 230.08 (2) (sb) Solicitor general and deputy solicitor general positions in the
2 department of justice.

3 **SECTION 2007.** 230.08 (2) (w) of the statutes is repealed and recreated to read:

4 230.08 (2) (w) The executive director of the office of crime victim services in the
5 department of justice.

6 **SECTION 2008.** 230.08 (2) (xm) of the statutes is repealed.

7 **SECTION 2009.** 230.08 (2) (yc) of the statutes is created to read:

8 230.08 (2) (yc) The directors of regional offices of intergovernmental affairs in
9 the department of administration.

10 **SECTION 2010.** 230.08 (4) (d) of the statutes is amended to read:

11 230.08 (4) (d) The division administrator appointed under sub. (2) (e) 4. shall
12 be an attorney and shall be appointed by the chairperson of the employment
13 relations commission.

14 **SECTION 2011.** 230.12 (3) (e) (title) of the statutes, as affected by 2011 Wisconsin
15 Act 32, is amended to read:

16 230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty,*
17 *and academic staff employees; Wisconsin Technical College System senior executives.*

18 **SECTION 2012.** 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin
19 Act 32, is repealed.

20 **SECTION 2013.** 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

21 **SECTION 2014.** 230.12 (11) of the statutes is created to read:

22 230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There
23 is established a pay progression plan for assistant state public defenders. The pay
24 progression plan shall consist of 17 hourly salary steps, with each step equal to
25 one-seventeenth of the difference between the lowest hourly salary and the highest

ASSEMBLY BILL 40**SECTION 2014**

1 hourly salary for the salary range for assistant state public defenders contained in
2 the compensation plan. The pay progression plan shall be based entirely on merit.

3 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all
4 assistant state public defenders who have served with the state as assistant state
5 public defenders for a continuous period of 12 months or more, and who are not paid
6 the maximum hourly rate, shall be paid an hourly salary at the step that is
7 immediately above their hourly salary on June 30, 2013. All other assistant state
8 public defenders, who are not paid the maximum hourly rate, shall be paid an hourly
9 salary at the step that is immediately above their hourly salary on June 30, 2013,
10 when they have served with the state as assistant state public defenders for a
11 continuous period of 12 months.

12 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and
13 with the first pay period that occurs on or after each succeeding July 1, all assistant
14 state public defenders who have served with the state as assistant state public
15 defenders for a continuous period of 12 months or more, and who are not paid the
16 maximum hourly rate, may, at the discretion of the state public defender, be paid an
17 hourly salary at any step, or part thereof, above their hourly salary on the
18 immediately preceding June 30. All other assistant state public defenders, who are
19 not paid the maximum hourly rate, may, at the discretion of the state public defender,
20 be paid an hourly salary at any step, or part thereof, above their hourly salary on the
21 immediately preceding June 30, when they have served with the state as assistant
22 state public defenders for a continuous period of 12 months. No salary adjustment
23 for an assistant state public defender under this paragraph may exceed 10 percent
24 of his or her base pay during a fiscal year.

25 **SECTION 2015.** 230.12 (12) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 2015**

1 230.12 (12) ASSISTANT ATTORNEYS GENERAL PAY PROGRESSION PLAN. (a) There is
2 established a pay progression plan for assistant attorneys general. The pay
3 progression plan shall consist of 17 hourly salary steps, with each step equal to
4 one-seventeenth of the difference between the lowest hourly salary and the highest
5 hourly salary for the salary range for assistant attorneys general contained in the
6 compensation plan. The pay progression plan shall be based entirely on merit.

7 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all
8 assistant attorneys general who have served with the state as assistant attorneys
9 general for a continuous period of 12 months or more, and who are not paid the
10 maximum hourly rate, shall be paid an hourly salary at the step that is immediately
11 above their hourly salary on June 30, 2013. All other assistant attorneys general,
12 who are not paid the maximum hourly rate, shall be paid an hourly salary at the step
13 that is immediately above their hourly salary on June 30, 2013, when they have
14 served with the state as assistant attorneys general for a continuous period of 12
15 months.

16 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and
17 with the first pay period that occurs on or after each succeeding July 1, all assistant
18 attorneys general who have served with the state as assistant attorneys general for
19 a continuous period of 12 months or more, and who are not paid the maximum hourly
20 rate, may, at the discretion of the attorney general, be paid an hourly salary at any
21 step, or part thereof, above their hourly salary on the immediately preceding June
22 30. All other assistant attorneys general, who are not paid the maximum hourly rate,
23 may, at the discretion of the attorney general, be paid an hourly salary at any step,
24 or part thereof, above their hourly salary on the immediately preceding June 30,
25 when they have served with the state as assistant attorneys general for a continuous

ASSEMBLY BILL 40**SECTION 2015**

1 period of 12 months. No salary adjustment for an assistant attorney general under
2 this paragraph may exceed 10 percent of his or her base pay during a fiscal year.

3 **SECTION 2016.** 230.14 (3m) of the statutes is amended to read:

4 230.14 (3m) In advertising openings in the classified civil service, the state
5 may not require as a condition of application that an applicant be a college graduate
6 unless the opening is a position as a forensic scientist in a state or regional crime
7 laboratory or unless the opening must be filled by an incumbent holding a credential,
8 as defined in s. 440.01 (2) (a), or other license, permit, certificate or registration in
9 an occupation regulated by law and college graduation is required to obtain the
10 occupational credential, license, permit, certificate or registration.

11 **SECTION 2017.** 230.35 (1s) of the statutes is amended to read:

12 230.35 (1s) Annual leave of absence with pay for instructional staff employed
13 by the board of regents of the University of Wisconsin System who provide services
14 for a charter school established by contract under s. 118.40 (2r) (cm), 2011 stats.,
15 shall be determined by the governing board of the charter school established by
16 contract under s. 118.40 (2r) (cm), 2011 stats., as approved by the chancellor of the
17 University of Wisconsin-Parkside.

18 **SECTION 2018.** 231.01 (4) (a) of the statutes is amended to read:

19 231.01 (4) (a) "Cost" means the sum of all costs incurred by a participating
20 health institution, participating educational institution, participating nonprofit
21 institution, or participating research institution, as approved by the authority, as are
22 reasonable and necessary to accomplish the project, exclusive of any private or
23 federal, state, or local financial assistance received by the participating health
24 institution, participating educational institution, participating nonprofit
25 institution, or participating research institution for the payment of the project cost.

ASSEMBLY BILL 40**SECTION 2019**

1 **SECTION 2019.** 231.01 (4) (b) 1. of the statutes is amended to read:

2 231.01 (4) (b) 1. The cost incurred by or on behalf of the participating health
3 institution, participating educational institution, participating nonprofit
4 institution, or participating research institution of all necessary developmental,
5 planning, and feasibility studies, surveys, plans, and specifications, architectural,
6 engineering, legal, or other special services, the cost of acquisition of land and any
7 buildings and improvements on the land, site preparation, and development
8 including demolition or removal of existing structures, construction, reconstruction,
9 and equipment, including machinery, fixed equipment, and personal property.

10 **SECTION 2020.** 231.01 (4) (b) 2. of the statutes is amended to read:

11 231.01 (4) (b) 2. The reasonable cost of financing incurred by a participating
12 health institution, participating educational institution, participating nonprofit
13 institution, or participating research institution in the course of the development of
14 the project to the occupancy date.

15 **SECTION 2021.** 231.01 (4) (c) of the statutes is amended to read:

16 231.01 (4) (c) All rents and other net revenues from the operation of the real
17 property, improvements, or personal property on the project site by a participating
18 health institution, participating educational institution, participating nonprofit
19 institution, or participating research institution on and after the date on which the
20 contract between a participating health institution, participating educational
21 institution, participating nonprofit institution, or participating research institution
22 and the authority was entered into, but prior to the occupancy date, shall reduce the
23 sum of all costs in this subsection.

24 **SECTION 2022.** 231.01 (5n) of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 2022**

1 231.01 **(5n)** “Nonprofit entity” means an entity that is described in section 501
2 (c) (3) of the Internal Revenue Code and that is exempt from federal income tax under
3 section 501 (a) of the Internal Revenue Code.

4 **SECTION 2023.** 231.01 (5p) of the statutes is created to read:

5 231.01 **(5p)** “Nonprofit facility” means a facility that is owned or operated by
6 a nonprofit entity.

7 **SECTION 2024.** 231.01 (6m) of the statutes is created to read:

8 231.01 **(6m)** “Participating nonprofit institution” means a nonprofit entity, or
9 an affiliate of a nonprofit entity, that undertakes the financing and construction or
10 acquisition of a project or undertakes the refunding or refinancing of obligations or
11 of a mortgage or of advances as provided in this chapter and is not any of the
12 following:

13 1. An entity authorized by state law to provide or operate an educational facility
14 or an affiliate of an entity authorized by state law to provide or operate an
15 educational facility.

16 2. An entity authorized by state law to provide or operate a health facility or
17 an affiliate of an entity authorized by state law to provide or operate a health facility.

18 3. An entity authorized by state law to provide or operate a research facility or
19 an affiliate of an entity authorized by state law to provide or operate a research
20 facility.

21 **SECTION 2025.** 231.01 (7) (a) 1. of the statutes is amended to read:

22 231.01 **(7)** (a) 1. A specific health facility, educational facility, nonprofit facility,
23 or research facility work or improvement to be refinanced, acquired, constructed,
24 enlarged, remodeled, renovated, improved, furnished, or equipped by the authority
25 with funds provided in whole or in part under this chapter.

ASSEMBLY BILL 40**SECTION 2026**

1 **SECTION 2026.** 231.01 (7) (a) 2. of the statutes is amended to read:

2 231.01 (7) (a) 2. One or more structures suitable for use as a research facility,
3 nonprofit facility, health facility, laboratory, laundry, nurses' or interns' residence or
4 other multi-unit housing facility for staff, employees, patients or relatives of
5 patients admitted for treatment or care in a health facility, physician's facility,
6 administration building, nonprofit facility, research facility, maintenance, storage,
7 or utility facility.

8 **SECTION 2027.** 231.01 (7) (a) 4. of the statutes is amended to read:

9 231.01 (7) (a) 4. Any structure useful for the operation of a health facility,
10 educational facility, nonprofit facility, or research facility, including facilities or
11 supporting service structures essential or convenient for the orderly conduct of the
12 health facility, educational facility, nonprofit facility, or research facility.

13 **SECTION 2028.** 231.01 (7) (c) of the statutes is amended to read:

14 231.01 (7) (c) "Project" may include more than one project, and it may include
15 any combination of projects undertaken jointly by any participating health
16 institution, participating educational institution, participating nonprofit
17 institution, or participating research institution with one or more other
18 participating health institutions, participating educational institutions,
19 participating nonprofit institutions, or participating research institutions.

20 **SECTION 2029.** 231.02 (6) (b) of the statutes is amended to read:

21 231.02 (6) (b) Notwithstanding any other provision of law, it is not a conflict
22 of interest or violation of this section or of any other law for a trustee, director, officer,
23 or employee of a participating health institution, participating educational
24 institution, participating nonprofit institution, or participating research institution
25 or for a person having the required favorable reputation for skill, knowledge, and

ASSEMBLY BILL 40**SECTION 2029**

1 experience in state and municipal finance or for a person having the required
2 favorable reputation for skill, knowledge, and experience in the field of health
3 facility, educational facility, nonprofit facility, or research facility architecture to
4 serve as a member of the authority; if in each case to which par. (a) is applicable, the
5 trustee, director, officer, or employee of the participating health institution,
6 participating educational institution, participating nonprofit institution, or
7 participating research institution abstains from discussion, deliberation, action, and
8 vote by the authority in specific respect to any undertaking pursuant to this chapter
9 in which his or her participating health institution, participating educational
10 institution, participating nonprofit institution, or participating research institution
11 has an interest, or the person having the required favorable reputation for skill,
12 knowledge, and experience in state and municipal finance abstains from discussion,
13 deliberation, action, and vote by the authority in specific respect to any sale,
14 purchase, or ownership of bonds of the authority in which any business of which such
15 person is a participant, owner, officer, or employee has a past, current, or future
16 interest, or such person having the required favorable reputation for skill,
17 knowledge, and experience in the field of health facility, educational facility,
18 nonprofit facility, or research facility architecture abstains from discussion,
19 deliberation, action, and vote by the authority in specific respect to construction or
20 acquisition of any project of the authority in which any business of which such person
21 is a participant, owner, officer, or employee has a past, current, or future interest.

22 **SECTION 2030.** 231.03 (5) of the statutes is amended to read:

23 231.03 (5) Determine the location and character of any project to be financed
24 under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add
25 to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any

ASSEMBLY BILL 40**SECTION 2030**

1 such purpose, enter into contracts for the management and operation of a project or
2 other health facilities, educational facilities, nonprofit facilities, or research facilities
3 owned by the authority, and designate a participating health institution,
4 participating educational institution, participating nonprofit institution, or
5 participating research institution as its agent to determine the location and
6 character of a project undertaken by the participating health institution,
7 participating educational institution, participating nonprofit institution, or
8 participating research institution under this chapter and as the agent of the
9 authority, to construct, reconstruct, remodel, maintain, manage, enlarge, alter, add
10 to, repair, operate, lease as lessee or lessor and regulate the same, and as the agent
11 of the authority, to enter into contracts for any such purpose, including contracts for
12 the management and operation of such project or other health facilities, educational
13 facilities, nonprofit facilities, or research facilities owned by the authority.

14 **SECTION 2031.** 231.03 (6) (j) of the statutes is created to read:

15 231.03 (6) (j) Finance any project undertaken for a nonprofit facility by a
16 participating nonprofit institution.

17 **SECTION 2032.** 231.03 (6) (k) of the statutes is created to read:

18 231.03 (6) (k) Refinance outstanding debt of any participating nonprofit
19 institution.

20 **SECTION 2033.** 231.03 (7) of the statutes is amended to read:

21 231.03 (7) Fix and revise from time to time and charge and collect rates, rents,
22 fees, and charges for the use of and for the services furnished or to be furnished by
23 a project or other health facilities, educational facilities, nonprofit facilities, or
24 research facilities owned by the authority or any portion thereof, contract with any
25 person in respect thereto and coordinate its policies and procedures, and cooperate

ASSEMBLY BILL 40**SECTION 2033**

1 with recognized health facility, educational facility, nonprofit facility, or research
2 facility rate setting mechanisms.

3 **SECTION 2034.** 231.03 (8) of the statutes is amended to read:

4 231.03 (8) Adopt rules for the use of a project or other health facility,
5 educational facility, nonprofit facility, or research facility or any portion of the project
6 or facility owned, financed, or refinanced in whole or in part by the authority,
7 including any property used as security for a loan secured through, from, or with the
8 assistance of the authority. The authority may designate a participating health
9 institution, participating educational institution, participating nonprofit
10 institution, or participating research institution as its agent to establish rules for the
11 use of a project or other health facilities, educational facilities, nonprofit facilities,
12 or research facilities undertaken for that participating health institution,
13 participating educational institution, participating nonprofit institution, or
14 participating research institution. The rules shall ensure that a project, health
15 facility, educational facility, research facility, nonprofit facility, or property may not
16 be used primarily for sectarian instruction or study or as a place for devotional
17 activities or religious worship.

18 **SECTION 2035.** 231.03 (11) of the statutes is amended to read:

19 231.03 (11) Establish or contract with others to carry out on its behalf a health
20 facility, educational facility, nonprofit facility, or research facility project cost
21 estimating service, and make this service available on all projects to provide expert
22 cost estimates and guidance to the participating health institution, participating
23 educational institution, participating nonprofit institution, or participating
24 research institution and to the authority. To implement this service and, through it,
25 to contribute to cost containment, the authority may require such reasonable reports

ASSEMBLY BILL 40**SECTION 2035**

1 and documents from health facility, educational facility, nonprofit facility, or
2 research facility projects as are required for this service and for the development of
3 cost reports and guidelines. The authority shall appoint a technical committee on
4 health facility, educational facility, nonprofit facility, or research facility project costs
5 and cost containment.

6 **SECTION 2036.** 231.03 (13) of the statutes is amended to read:

7 231.03 (13) Make loans to any participating health institution, participating
8 educational institution, participating nonprofit institution, or participating
9 research institution for the cost of a project in accordance with an agreement
10 between the authority and the participating health institution, participating
11 educational institution, participating nonprofit institution, or participating
12 research institution. The authority may secure the loan by a mortgage or other
13 security arrangement on the health facility, educational facility, nonprofit facility, or
14 research facility granted by the participating health institution, participating
15 educational institution, participating nonprofit institution, or participating
16 research institution to the authority. The loan may not exceed the total cost of the
17 project as determined by the participating health institution, participating
18 educational institution, participating nonprofit institution, or participating
19 research institution and approved by the authority.

20 **SECTION 2037.** 231.03 (14) of the statutes is amended to read:

21 231.03 (14) Make loans to a health facility, educational facility, nonprofit
22 facility, or research facility for which bonds may be issued under sub. (6) (b), (d), or
23 (i), or (k), to refinance the health facility's, educational facility's, nonprofit facility's,
24 or research facility's outstanding debt. The authority may secure the loan or bond
25 by a mortgage or other security arrangement on the health facility, educational

ASSEMBLY BILL 40**SECTION 2037**

1 facility, nonprofit facility, or research facility granted by the participating health
2 institution, participating educational institution, participating nonprofit
3 institution, or participating research institution to the authority.

4 **SECTION 2038.** 231.03 (15) of the statutes is amended to read:

5 231.03 (15) Mortgage all or any portion of a project and other health facilities,
6 educational facilities, nonprofit facilities, or research facilities and the site thereof,
7 whether owned or thereafter acquired, for the benefit of the holders of bonds issued
8 to finance the project, health facilities, educational facilities, nonprofit facilities, or
9 research facilities or any portion thereof or issued to refund or refinance outstanding
10 indebtedness of participating health institutions, participating educational
11 institutions, participating nonprofit institutions, or participating research
12 institutions as permitted by this chapter.

13 **SECTION 2039.** 231.03 (16) of the statutes is amended to read:

14 231.03 (16) Lease to a participating health institution, participating
15 educational institution, participating nonprofit institution, or participating
16 research institution the project being financed or other health facilities, educational
17 facilities, nonprofit facilities, or research facilities conveyed to the authority in
18 connection with such financing, upon such terms and conditions as the authority
19 deems proper, and charge and collect rents therefor, and terminate any such lease
20 upon the failure of the lessee to comply with any of the obligations thereof; and
21 include in any such lease, if desired, provisions that the lessee thereof shall have
22 options to renew the term of the lease for such periods and at such rent as the
23 authority determines or to purchase all or any part of the health facilities,
24 educational facilities, nonprofit facilities, or research facilities or that, upon
25 payment of all of the indebtedness incurred by the authority for the financing of such

ASSEMBLY BILL 40**SECTION 2039**

1 project or health facilities, educational facilities, nonprofit facilities, or research
2 facilities or for refunding outstanding indebtedness of a participating health
3 institution, participating educational institution, participating nonprofit
4 institution, or participating research institution, the authority may convey all or any
5 part of the project or such other health facilities, educational facilities, nonprofit
6 facilities, or research facilities to the lessees thereof with or without consideration.

7 **SECTION 2040.** 231.03 (17) of the statutes is amended to read:

8 231.03 (17) Charge to and apportion among participating health institutions,
9 participating educational institutions, participating nonprofit institutions, and
10 participating research institutions its administrative costs and expenses incurred in
11 the exercise of the powers and duties conferred by this chapter.

12 **SECTION 2041.** 231.03 (18) of the statutes is amended to read:

13 231.03 (18) Make studies of needed health facilities, educational facilities,
14 nonprofit facilities, and research facilities that could not sustain a loan were it made
15 under this chapter and recommend remedial action to the legislature; and do the
16 same with regard to any laws or rules that prevent health facilities, educational
17 facilities, nonprofit facilities, and research facilities from benefiting from this
18 chapter.

19 **SECTION 2042.** 231.03 (19) of the statutes is amended to read:

20 231.03 (19) Obtain, or aid in obtaining, from any department or agency of the
21 United States or of this state or any private company, any insurance or guaranty
22 concerning the payment or repayment of, interest or principal, or both, or any part
23 thereof, on any loan, lease, or obligation or any instrument evidencing or securing
24 the same, made or entered into under the provisions of this chapter; and
25 notwithstanding any other provisions of this chapter, to enter into any agreement,

ASSEMBLY BILL 40**SECTION 2042**

1 contract, or other instrument with respect to that insurance or guaranty, to accept
2 payment in the manner and form provided therein in the event of default by a
3 participating health institution, participating educational institution, participating
4 nonprofit institution, or participating research institution, and to assign the
5 insurance or guaranty as security for the authority's bonds.

6 **SECTION 2043.** 231.04 of the statutes is amended to read:

7 **231.04 Expenses.** All expenses of the authority incurred in carrying out this
8 chapter shall be payable solely from funds provided under the authority of this
9 chapter, and no liability may be incurred by the authority beyond the extent to which
10 moneys have been provided under this chapter except that, for the purposes of
11 meeting the necessary expenses of initial organization and operation of the authority
12 for the period commencing on June 19, 1974 and continuing until such date as the
13 authority derives moneys from funds provided to it under the authority of this
14 chapter, the authority may borrow such moneys as it requires to supplement the
15 funds provided under s. 20.440. Such moneys borrowed by the authority shall
16 subsequently be charged to and apportioned among participating health
17 institutions, participating educational institutions, participating nonprofit
18 institutions, and participating research institutions in an equitable manner, and
19 repaid with appropriate interest over a reasonable period of time.

20 **SECTION 2044.** 231.05 (1) of the statutes is amended to read:

21 231.05 (1) By means of this chapter, it is the intent of the legislature to provide
22 assistance and alternative methods of financing to nonprofit ~~health institutions~~
23 entities to aid them in providing needed health services consistent with the state's
24 health plan, ~~to nonprofit educational institutions to aid them in providing needed~~

ASSEMBLY BILL 40**SECTION 2044**

1 educational services, and to nonprofit research institutions to aid them in providing
2 needed research facilities, and other needed services and facilities in this state.

3 **SECTION 2045.** 231.06 of the statutes is amended to read:

4 **231.06 Property acquisition.** The authority may acquire, directly or by and
5 through a participating health institution, participating educational institution,
6 participating nonprofit institution, or participating research institution as its agent,
7 by purchase or by gift or devise, such lands, structures, property, rights,
8 rights-of-way, franchises, easements, and other interests in lands, including lands
9 lying under water and riparian rights, as it deems necessary or convenient for the
10 construction or operation of a project, upon such terms and at such prices as it
11 considers reasonable and can be agreed upon between it and the owner thereof, and
12 take title thereto in the name of the authority or in the name of a health facility,
13 educational facility, nonprofit facility, or research facility as its agent.

14 **SECTION 2046.** 231.07 (1) (b) of the statutes is amended to read:

15 231.07 (1) (b) Convey to the participating health institution, participating
16 educational institution, participating nonprofit institution, or participating
17 research institution the authority's interest in the project and in any other health
18 facility, educational facility, nonprofit facility, or research facility leased, mortgaged,
19 or subject to a deed of trust or any other form of security arrangement to secure the
20 bond.

21 **SECTION 2047.** 231.07 (2) (a) of the statutes is amended to read:

22 231.07 (2) (a) The principal of and interest on any bond issued by the authority
23 to finance a project or to refinance or refund outstanding indebtedness of one or more
24 participating health institutions, participating educational institutions,
25 participating nonprofit institutions, or participating research institutions, including

ASSEMBLY BILL 40**SECTION 2047**

1 any refunding bonds issued to refund and refinance the bond, have been fully paid
2 and the bonds retired or if the adequate provision has been made to pay fully and
3 retire the bond; and

4 **SECTION 2048.** 231.08 (5) of the statutes is amended to read:

5 231.08 (5) In addition to the other authorizations under this section, bonds of
6 the authority may be secured by a pooling of leases whereby the authority may assign
7 its rights, as lessor, and pledge rents under 2 or more leases of health facilities,
8 educational facilities, nonprofit facilities, or research facilities with 2 or more
9 participating health institutions, participating educational institutions,
10 participating nonprofit institutions, or participating research institutions, as lessees
11 respectively, upon such terms as may be provided for in bond resolutions of the
12 authority.

13 **SECTION 2049.** 231.10 (1) of the statutes is amended to read:

14 231.10 (1) The state is not liable on notes or bonds of the authority and the notes
15 and bonds are not a debt of the state. All notes and bonds of the authority shall
16 contain on the face thereof a statement to this effect. The issuance of bonds under
17 this chapter shall not, directly or indirectly or contingently, obligate the state or any
18 political subdivision thereof to levy any form of taxation therefor or to make any
19 appropriation for their payment. Nothing in this section prevents the authority from
20 pledging its full faith and credit or the full faith and credit of a participating health
21 institution, participating educational institution, participating nonprofit
22 institution, or participating research institution to the payment of bonds authorized
23 under this chapter.

24 **SECTION 2050.** 231.12 of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2050**

1 **231.12 Studies and recommendations.** It is the intent and purpose of this
2 chapter that the exercise by the authority of the powers granted to it shall be in all
3 respects for the benefit of the people of this state to assist them to provide needed
4 health facilities, educational facilities, nonprofit facilities, and research facilities of
5 the number, size, type, distribution, and operation that will assure admission and
6 health care, education, ~~or~~ research opportunities, or other necessary services of high
7 quality to all who need it. The authority shall identify and study all projects which
8 are determined by health planning agencies to be needed, but which could not
9 sustain a loan were such to be made to it under this chapter. The authority shall
10 formulate and recommend to the legislature such amendments to this and other
11 laws, and such other specific measures as grants, loan guarantees, interest
12 subsidies, or other actions the state may provide which would render the
13 construction and operation of needed health facilities, educational facilities,
14 nonprofit facilities, and research facilities feasible and in the public interest. The
15 authority also shall identify and study any laws or rules which it finds handicaps or
16 bars a needed health facility, educational facility, nonprofit facility, or research
17 facility from participating in the benefits of this chapter, and recommend to the
18 legislature such actions as will remedy such situation.

19 **SECTION 2051.** 231.13 (1) (intro.) of the statutes is amended to read:

20 231.13 (1) (intro.) The authority shall collect rents for the use of, or other
21 revenues relating to the financing of, each project. The authority shall contract with
22 a participating health institution, participating educational institution,
23 participating nonprofit institution, or participating research institution for each
24 issuance of bonds. The contract shall provide that the rents or other revenues

ASSEMBLY BILL 40**SECTION 2051**

1 payable by the health facility, educational facility, nonprofit facility, or research
2 facility shall be sufficient at all times to:

3 **SECTION 2052.** 231.13 (2) of the statutes is amended to read:

4 231.13 (2) The authority shall pledge the revenues derived and to be derived
5 from a project and other related health facilities, educational facilities, nonprofit
6 facilities, or research facilities for the purposes specified in sub. (1), and additional
7 bonds may be issued which may rank on a parity with other bonds relating to the
8 project to the extent and on the terms and conditions provided in the bond resolution.
9 Such pledge shall be valid and binding from the time when the pledge is made, the
10 revenues so pledged by the authority shall immediately be subject to the lien of such
11 pledge without any physical delivery thereof or further act and the lien of any such
12 pledge shall be valid and binding as against all parties having claims of any kind in
13 tort, contract, or otherwise against the authority, irrespective of whether such
14 parties have notice thereof. Neither the bond resolution nor any financing
15 statement, continuation statement, or other instrument by which a pledge is created
16 or by which the authority's interest in revenues is assigned need be filed or recorded
17 in any public records in order to perfect the lien thereof as against 3rd parties, except
18 that a copy thereof shall be filed in the records of the authority and with the
19 department of financial institutions.

20 **SECTION 2053.** 231.16 (1) of the statutes is amended to read:

21 231.16 (1) The authority may issue bonds to refund any outstanding bond of
22 the authority or indebtedness that a participating health institution, participating
23 educational institution, participating nonprofit institution, or participating
24 research institution may have incurred for the construction or acquisition of a project
25 prior to or after April 30, 1980, including the payment of any redemption premium

ASSEMBLY BILL 40**SECTION 2053**

1 on the outstanding bond or indebtedness and any interest accrued or to accrue to the
2 earliest or any subsequent date of redemption, purchase, or maturity, or to pay all
3 or any part of the cost of constructing and acquiring additions, improvements,
4 extensions, or enlargements of a project or any portion of a project. Except for bonds
5 to refund bonds issued under s. 231.03 (6) (g), no bonds may be issued under this
6 section unless the authority has first entered into a new or amended agreement with
7 a participating health institution, participating educational institution,
8 participating nonprofit institution, or participating research institution to provide
9 sufficient revenues to pay the costs and other items described in s. 231.13.

10 **SECTION 2054.** 231.20 of the statutes is amended to read:

11 **231.20 Waiver of construction and bidding requirements.** In exercising
12 its powers under s. 101.12, the department of safety and professional services or any
13 city, village, town, or county may, within its discretion for proper cause shown, waive
14 any particular requirements relating to public buildings, structures, grounds,
15 works, and improvements imposed by law upon projects under this chapter; the
16 requirements of s. 101.13 may not be waived, however. If, however, the prospective
17 lessee so requests in writing, the authority shall, through the participating health
18 institution, participating educational institution, participating nonprofit
19 institution, or participating research institution as its agent, call for construction
20 bids in such manner as is determined by the authority with the approval of the lessee.

21 **SECTION 2055.** 231.23 of the statutes is amended to read:

22 **231.23 Nonprofit institutions.** It is intended that all nonprofit health
23 ~~institutions, educational institutions, and research institutions~~ entities in this state
24 be enabled to benefit from and participate in this chapter. To this end, all nonprofit
25 ~~health institutions, educational institutions, and research institutions~~ entities

ASSEMBLY BILL 40**SECTION 2055**

1 operating, or authorized to be operated, under any law of this state may undertake
2 projects and utilize the capital financing sources and methods of repayment provided
3 by this chapter, the provisions of any other laws to the contrary notwithstanding.

4 **SECTION 2056.** 238.133 (1) (c) of the statutes is amended to read:

5 238.133 (1) (c) "Petroleum product" has the meaning given in s. ~~101.143~~ 292.63
6 (1) (f).

7 **SECTION 2057.** 238.133 (1) (e) of the statutes is amended to read:

8 238.133 (1) (e) "Underground petroleum product storage tank" has the
9 meaning given in s. ~~101.143~~ 292.63 (1) (i).

10 **SECTION 2058.** 238.145 of the statutes is repealed.

11 **SECTION 2059.** 238.146 of the statutes is repealed.

12 **SECTION 2060.** 238.16 (1) (c) of the statutes is renumbered 238.16 (1) (c) 1. and
13 amended to read:

14 238.16 (1) (c) 1. ~~"Full-time~~ Except as provided in subd. 2., "full-time job" means
15 a regular, nonseasonal full-time position in which an individual, as a condition of
16 employment, is required to work at least 2,080 hours per year, including paid leave
17 and holidays, and for which the individual receives pay that is equal to at least 150
18 percent of the federal minimum wage and benefits that are not required by federal
19 or state law. "Full-time job" does not include initial training before an employment
20 position begins.

21 **SECTION 2061.** 238.16 (1) (c) 2. of the statutes is created to read:

22 238.16 (1) (c) 2. The corporation may grant exceptions to the requirement
23 under subd. 1. that a full-time job means a position in which an individual, as a
24 condition of employment, is required to work at least 2,080 hours per year if all of the
25 following apply:

ASSEMBLY BILL 40**SECTION 2061**

1 a. The annual pay for the position is more than the amount determined by
2 multiplying 2,080 by 150 percent of the federal minimum wage.

3 b. An individual in the position is offered retirement, health, and other benefits
4 that are equivalent to the retirement, health, and other benefits offered to an
5 individual who is required to work at least 2,080 hours per year.

6 **SECTION 2062.** 238.16 (3) (intro.) of the statutes is amended to read:

7 238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.
8 (2) may receive tax benefits under this section if, in each year for which the person
9 claims tax benefits under this section, the person increases net employment in the
10 person's business above the net employment in the person's business during the year
11 before the person was certified under sub. (2), as determined by the corporation
12 under its policies and procedures, and one of the following applies:

13 **SECTION 2063.** 238.16 (3) (a) of the statutes is amended to read:

14 238.16 (3) (a) In a tier I county or municipality, an eligible employee for whom
15 the person claims a tax credit will earn at least \$20,000 the amount determined by
16 multiplying 2,080 by 150 percent of the federal minimum wage in wages from the
17 person in the year for which the credit is claimed.

18 **SECTION 2064.** 238.16 (3) (am) of the statutes is repealed.

19 **SECTION 2065.** 238.16 (4) (b) 1. (intro.) of the statutes is amended to read:

20 238.16 (4) (b) 1. (intro.) The corporation may award to a person certified under
21 sub. (2) tax benefits for each eligible employee in an amount equal to up to 10 percent
22 of the wages paid by the person to that employee or \$10,000, whichever is less, if that
23 employee earned wages in the year for which the tax benefit is claimed equal to one
24 of the following:

25 **SECTION 2066.** 238.16 (4) (b) 1. a. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2066**

1 238.16 (4) (b) 1. a. In a tier I county or municipality, at least \$20,000 the amount
2 determined by multiplying 2,080 by 150 percent of the federal minimum wage.

3 **SECTION 2067.** 238.16 (5) (f) (intro.) of the statutes is amended to read:

4 238.16 (5) (f) (intro.) The corporation shall adopt rules policies and procedures
5 for the implementation and operation of this section, including rules policies and
6 procedures relating to the following:

7 **SECTION 2068.** 238.16 (5) (f) 5. of the statutes is created to read:

8 238.16 (5) (f) 5. Determining a change in net employment in a person's
9 business.

10 **SECTION 2069.** 238.20 of the statutes is repealed.

11 **SECTION 2070.** 238.30 (intro.) of the statutes is amended to read:

12 **238.30 Definitions.** (intro.) In this section and ss. ~~238.31~~ 238.301 to 238.395:

13 **SECTION 2071.** 238.30 (2m) (b) of the statutes is renumbered 238.30 (2m) (b)
14 (intro.) and amended to read:

15 238.30 (2m) (b) (intro.) The corporation ~~may adopt a rule specifying~~
16 ~~circumstances under which the corporation may grant exceptions to the requirement~~
17 under par. (a) that a full-time job means a job position in which an individual, as a
18 condition of employment, is required to work at least 2,080 hours per year, ~~but under~~
19 ~~no circumstances may a full-time job mean a job in which an individual, as a~~
20 ~~condition of employment, is required to work less than 37.5 hours per week. if all of~~
21 the following apply:

22 **SECTION 2072.** 238.30 (2m) (b) 1. of the statutes is created to read:

23 238.30 (2m) (b) 1. The annual pay for the position is more than the amount
24 determined by multiplying 2,080 by 150 percent of the federal minimum wage.

25 **SECTION 2073.** 238.30 (2m) (b) 2. of the statutes is created to read:

ASSEMBLY BILL 40**SECTION 2073**

1 238.30 (2m) (b) 2. An individual in the position is offered retirement, health,
2 and other benefits that are equivalent to the retirement, health, and other benefits
3 offered to an individual who is required to work at least 2,080 hours per year.

4 **SECTION 2074.** 238.30 (4m) of the statutes is amended to read:

5 238.30 (4m) “Member of a targeted group” means a person who resides in an
6 area designated by the federal government as an economic revitalization area, a
7 person who is employed in an unsubsidized job but meets the eligibility requirements
8 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
9 is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work,~~
10 ~~real pay project position under s. 49.147 (3m) trial employment match program job,~~
11 as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under
12 s. 49.155, a person who is a vocational rehabilitation referral, an economically
13 disadvantaged youth, an economically disadvantaged veteran, a supplemental
14 security income recipient, a general assistance recipient, an economically
15 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
16 food stamp recipient, if the person has been certified in the manner under 26 USC
17 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

18 **SECTION 2075.** 238.303 (1) (a) of the statutes is amended to read:

19 238.303 (1) (a) Except as provided in ~~pars. (am) and par.~~ (b), and subject to a
20 reallocation by the corporation pursuant to rules adopted under s. 238.15 (3) (d), the
21 total tax benefits available to be allocated by the corporation under ss. 238.301 to
22 238.306 may not exceed the sum of the tax benefits remaining to be allocated under
23 s. 560.71 to 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s.
24 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000
25 \$100,000,000.

ASSEMBLY BILL 40**SECTION 2076**

1 **SECTION 2076.** 238.303 (1) (am) of the statutes is repealed.

2 **SECTION 2077.** 238.399 (1) (am) 2. of the statutes is renumbered 238.399 (1)
3 (am) 2. (intro.) and amended to read:

4 238.399 (1) (am) 2. (intro.) The corporation ~~may by rule specify circumstances~~
5 ~~under which the corporation~~ may grant exceptions to the requirement under subd.
6 1. that a full-time employee means an individual who, as a condition of employment,
7 is required to work at least 2,080 hours per year, ~~but under no circumstances may~~
8 ~~a full-time employee mean an individual who, as a condition of employment, is~~
9 ~~required to work less than 37.5 hours per week.~~ if all of the following apply:

10 **SECTION 2078.** 238.399 (1) (am) 2. a. of the statutes is created to read:

11 238.399 (1) (am) 2. a. The individual is employed in a job for which the annual
12 pay is more than the amount determined by multiplying 2,080 by 150 percent of the
13 federal minimum wage.

14 **SECTION 2079.** 238.399 (1) (am) 2. b. of the statutes is created to read:

15 238.399 (1) (am) 2. b. The individual is offered retirement, health, and other
16 benefits that are equivalent to the retirement, health, and other benefits offered to
17 an individual who is required to work at least 2,080 hours per year.

18 **SECTION 2080.** 238.399 (5) (c) 2. (intro.) of the statutes is amended to read:

19 238.399 (5) (c) 2. (intro.) The business makes a significant capital investment
20 in property located in the enterprise zone and all of the following apply:

21 **SECTION 2081.** 238.399 (5) (c) 2. a. of the statutes is repealed.

22 **SECTION 2082.** 238.399 (5) (d) 1. of the statutes is amended to read:

23 238.399 (5) (d) 1. The business is ~~an original equipment~~ a manufacturer with
24 a significant supply chain in the state, as determined by the corporation ~~by rule.~~

25 **SECTION 2083.** 238.399 (6) (d) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2083**

1 238.399 (6) (d) The corporation may require a business to repay any tax
2 benefits the business claims for a year in which the business failed to maintain
3 employment ~~or capital investment~~ levels or a significant capital investment in
4 property required by an agreement under sub. (5) (c).

5 **SECTION 2084.** 238.399 (6) (g) (intro.) of the statutes is amended to read:

6 238.399 (6) (g) (intro.) The corporation shall adopt rules policies and
7 procedures specifying all of the following:

8 **SECTION 2085.** 238.399 (6) (g) 2. of the statutes is repealed.

9 **SECTION 2086.** 238.399 (6) (g) 2m. of the statutes is created to read:

10 238.399 (6) (g) 2m. The definition of “significant capital investment” for
11 purposes of sub. (5).

12 **SECTION 2087.** 256.125 of the statutes is repealed.

13 **SECTION 2088.** 281.33 (3) (a) 1. of the statutes is renumbered 281.33 (3) (a) 1.
14 (intro.) and amended to read:

15 281.33 (3) (a) 1. (intro.) Except as restricted under subd. 2., the department
16 shall establish by rule minimum standards for activities all of the following:

17 a. Activities related to construction site erosion control at sites ~~where the~~
18 ~~construction activities do not include the construction of a building and to storm~~
19 ~~water management~~ that have a land disturbance that is one acre or more in area.

20 **SECTION 2089.** 281.33 (3) (a) 1. b. of the statutes is created to read:

21 281.33 (3) (a) 1. b. Activities related to construction site erosion control at sites
22 that have a land disturbance that is less than one acre and to which ss. 101.1206 and
23 101.653 do not apply.

24 **SECTION 2090.** 281.33 (3) (a) 1. c. of the statutes is created to read:

25 281.33 (3) (a) 1. c. Storm water management.

ASSEMBLY BILL 40**SECTION 2091**

1 **SECTION 2091.** 281.33 (3) (b) (intro.) of the statutes is amended to read:

2 281.33 **(3)** (b) (intro.) The minimum standards for construction site erosion
3 control at sites ~~where the construction activities do not include the construction of~~
4 ~~a building~~ described in par. (a) 1. a. and b. shall provide for the regulation of any
5 construction activity, at such a site, that:

6 **SECTION 2092.** 281.33 (4) of the statutes is amended to read:

7 281.33 **(4)** MODEL ORDINANCES; STATE PLAN; DISTRIBUTION. The department shall
8 prepare a model zoning ordinance for construction site erosion control at sites ~~where~~
9 ~~the construction activities do not include the construction of a building~~ described in
10 sub. (3) (a) 1. a. and b. and for storm water management in the form of an
11 administrative rule. The model ordinance is subject to s. 227.19 and other provisions
12 of ch. 227 in the same manner as other administrative rules. Following the
13 promulgation of the model ordinance as a rule, the department shall distribute a copy
14 of the model ordinance to any city, village, town or county that submits a request.
15 The department shall distribute a copy of the state plan to any agency which submits
16 a request.

17 **SECTION 2093.** 281.59 (3e) (b) 1. of the statutes is amended to read:

18 281.59 **(3e)** (b) 1. Equal to \$69,200,000 \$76,700,000 during the 2011-13
19 2013-15 biennium.

20 **SECTION 2094.** 281.59 (3e) (b) 3. of the statutes is amended to read:

21 281.59 **(3e)** (b) 3. Equal to \$1,000 for any biennium after the 2011-13 2013-15
22 biennium.

23 **SECTION 2095.** 281.59 (3s) (b) 1. of the statutes is amended to read:

24 281.59 **(3s)** (b) 1. Equal to \$30,700,000 \$29,600,000 during the 2011-13
25 2013-15 biennium.

ASSEMBLY BILL 40**SECTION 2096**

1 **SECTION 2096.** 281.59 (3s) (b) 2. of the statutes is amended to read:

2 281.59 (3s) (b) 2. Equal to \$1,000 for any biennium after the ~~2011-13~~ 2013-15
3 biennium.

4 **SECTION 2097.** 283.33 (1) (a) of the statutes is amended to read:

5 283.33 (1) (a) A discharge from a discernible, confined, and discrete conveyance
6 of storm water associated with an industrial activity, ~~including construction~~, that
7 meets criteria in rules promulgated by the department.

8 **SECTION 2098.** 283.33 (1) (am) of the statutes is created to read:

9 283.33 (1) (am) A discharge from a discernible, confined, and discrete
10 conveyance of storm water associated with a construction site, including a
11 construction site for a building, that meets criteria in rules promulgated by the
12 department.

13 **SECTION 2099.** 283.33 (3) (d) of the statutes is created to read:

14 283.33 (3) (d) If the department determines that rules promulgated under s.
15 281.16 (2) prescribe performance standards that meet the requirements for
16 establishing minimum standards under this subsection, the department's rules
17 under s. 281.16 (2) satisfy the rule-making requirements under this subsection and
18 shall apply as if they were promulgated under this subsection.

19 **SECTION 2100.** 283.33 (4) (a) (intro.) of the statutes is amended to read:

20 283.33 (4) (a) (intro.) In addition to obtaining a permit under this section, the
21 owner or operator of an industrial activity described in sub. (1) (a) or (am) that
22 discharges storm water through a municipal separate storm sewer system described
23 in sub. (1) (b) to (cr) shall submit the following information to the owner or operator
24 of the municipal separate storm sewer system:

25 **SECTION 2101.** 283.33 (5) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2101**

1 283.33 (5) OTHER DISCHARGERS. A person who is required to obtain a permit
2 under sub. (1) (a), ~~(am)~~, or (d) may apply for an individual permit or request coverage
3 under a general permit issued by the department under s. 283.35.

4 **SECTION 2102.** 283.33 (7) of the statutes is amended to read:

5 283.33 (7) PETITIONS. The owner or operator of a municipal separate storm
6 sewer system may petition the department to require a permit under this section for
7 any discharge through the municipal separate storm sewer system. The department
8 may approve the petition only if a permit for the discharge is required under sub. (1)
9 (a), ~~(am)~~, or (d).

10 **SECTION 2103.** 283.35 (1m) (c) of the statutes is amended to read:

11 283.35 (1m) (c) Paragraph (b) does not apply after June 30, 2013 2015.

12 **SECTION 2104.** 283.35 (1m) (d) of the statutes is repealed.

13 **SECTION 2105.** 285.69 (2) (a) 1. of the statutes is repealed.

14 **SECTION 2106.** 285.69 (2) (a) 2. of the statutes is repealed.

15 **SECTION 2107.** 285.69 (2) (a) 3. of the statutes is repealed.

16 **SECTION 2108.** 285.69 (2) (a) 4. of the statutes is repealed.

17 **SECTION 2109.** 285.69 (2) (a) 5. of the statutes is amended to read:

18 285.69 (2) (a) 5. That fees are not based on emissions by an air contaminant
19 source in excess of 5,000 tons per year of each regulated pollutant, ~~except that,~~
20 ~~subject to par. (b), this limitation does not apply to a major utility, as defined in s.~~
21 ~~285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of 42~~
22 ~~USC 7651e.~~

23 **SECTION 2110.** 285.69 (2) (a) 6. of the statutes is repealed.

24 **SECTION 2111.** 285.69 (2) (a) 7. of the statutes is repealed.

25 **SECTION 2112.** 285.69 (2) (a) 9. of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 2113**

1 **SECTION 2113.** 285.69 (2) (a) 10. of the statutes is repealed.

2 **SECTION 2114.** 285.69 (2) (a) 11. of the statutes is repealed.

3 **SECTION 2115.** 285.69 (2) (a) 12. of the statutes is created to read:

4 285.69 (2) (a) 12. That the fee billed in 2013 equals \$37.51 per ton of emissions
5 specified under subd. 8.

6 **SECTION 2116.** 285.69 (2) (a) 13. of the statutes is created to read:

7 285.69 (2) (a) 13. That the fee billed in 2014 equals \$46.71 per ton of emissions
8 specified under subd. 8.

9 **SECTION 2117.** 285.69 (2) (a) 14. of the statutes is created to read:

10 285.69 (2) (a) 14. That the fee billed in 2015 equals \$59.81 per ton of emissions
11 specified under subd. 8.

12 **SECTION 2118.** 285.69 (2) (a) 15. of the statutes is created to read:

13 285.69 (2) (a) 15. That the amount of the fee per ton of emissions specified under
14 subd. 8. billed in a year after 2015 is 104 percent of the amount of the fee per ton billed
15 in the previous year.

16 **SECTION 2119.** 285.69 (2) (b) of the statutes is repealed.

17 **SECTION 2120.** 285.69 (2) (e) of the statutes is amended to read:

18 285.69 (2) (e) Beginning in 2001 and ending in 2012, the owner or operator of
19 a stationary source for which an operation permit is required shall pay to the
20 department an annual fee of 86 cents per ton of actual emissions in the preceding
21 year of all air contaminants on which the fee under par. (a) is based.

22 **SECTION 2121.** 285.69 (2m) (a) of the statutes is amended to read:

23 285.69 (2m) (a) The owner or operator of a stationary source for which an
24 operation permit is required under s. 285.60 but not under the federal clean air act

ASSEMBLY BILL 40**SECTION 2121**

1 shall pay to the department a fee of \$300 \$725 per year, except as provided in par.
2 (b).

3 **SECTION 2122.** 292.11 (2) (e) of the statutes is repealed.

4 **SECTION 2123.** 292.11 (7) (a) of the statutes is amended to read:

5 292.11 (7) (a) Subject to ss. s. 94.73 (2m) ~~and 101.144 (3)~~, in any case where
6 action required under sub. (3) is not being adequately taken or the identity of the
7 person responsible for the discharge is unknown, the department or its authorized
8 representative may identify, locate, monitor, contain, remove or dispose of the
9 hazardous substance or take any other emergency action which it deems appropriate
10 under the circumstances.

11 **SECTION 2124.** 292.11 (7) (c) of the statutes is amended to read:

12 292.11 (7) (c) Subject to ss. s. 94.73 (2m) ~~and 101.144 (3)~~, the department, for
13 the protection of public health, safety or welfare, may issue an emergency order or
14 a special order to the person possessing, controlling or responsible for the discharge
15 of hazardous substances to fulfill the duty imposed by sub. (3).

16 **SECTION 2125.** 292.12 (1) (a) of the statutes is amended to read:

17 292.12 (1) (a) "Agency with administrative authority" means the department
18 of agriculture, trade and consumer protection with respect to a site over which it has
19 jurisdiction under s. 94.73 (2), ~~the department of safety and professional services~~
20 ~~with respect to a site over which it has jurisdiction under s. 101.144 (2) (a)~~, or the
21 department of natural resources with respect to a site over which it has jurisdiction
22 under s. 292.11 (7).

23 **SECTION 2126.** 292.31 (7) (d) of the statutes is created to read:

24 292.31 (7) (d) The department may enter into an agreement with a responsible
25 party under the federal Comprehensive Environmental Response, Compensation,

ASSEMBLY BILL 40**SECTION 2126**

1 and Liability Act, 42 USC 9601 to 9675, to provide management and technical
2 support for a remedial action under the act. A responsible party shall reimburse the
3 department for the costs the department incurs under an agreement, using the
4 hourly billing rate calculated under s. NR 750.07 (2), Wis. Adm. Code.

5 **SECTION 2127.** 292.99 (1) of the statutes is amended to read:

6 292.99 (1) Except as provided under sub. (1m) and s. 292.63 (10), any person
7 who violates this chapter or any rule promulgated or any plan approval, license or
8 special order issued under this chapter shall forfeit not less than \$10 nor more than
9 \$5,000 for each violation. Each day of continued violation is a separate offense.
10 While an order is suspended, stayed or enjoined, this penalty does not accrue.

11 **SECTION 2128.** 299.07 (1) (a) 6m. of the statutes is created to read:

12 299.07 (1) (a) 6m. A certification or registration under s. 292.63 (2) (g).

13 **SECTION 2129.** 299.08 (1) (a) 6m. of the statutes is created to read:

14 299.08 (1) (a) 6m. A certification or registration under s. 292.63 (2) (g).

15 **SECTION 2130.** 299.09 (1) of the statutes is amended to read:

16 299.09 (1) In this section, "approval" means a well driller license under s.
17 280.15 (2m), certification for an incinerator operator under s. 285.51 (2), ~~or~~
18 certification for an operator of a solid waste disposal facility under s. 289.42 (1), or
19 certification of a consultant under s. 292.63 (2) (g).

20 **SECTION 2131.** 301.08 (1) (c) 4. of the statutes is amended to read:

21 301.08 (1) (c) 4. If the department collects any moneys from a vendor under a
22 contract under subd. 2., the department shall credit those moneys to the
23 appropriation account under s. 20.410 (1) (~~ge~~) (gf).

24 **SECTION 2132.** 301.235 (2) (a) 1. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2132**

1 301.235 (2) (a) 1. Without limitation by reason of any other statute except s.
2 ss. 13.48 (14) (am) and 16.848 (1), the power to sell and to convey title in fee simple
3 to a nonprofit corporation any land and any existing buildings thereon owned by, or
4 owned by the state and held for, the department or any of the institutions under the
5 jurisdiction of the department for such consideration and upon such terms and
6 conditions as in the judgment of the secretary are in the public interest.

7 **SECTION 2133.** 301.24 (4) of the statutes is amended to read:

8 301.24 (4) SALES. Except where a sale occurs under s. 13.48 (14) (am) or 16.848
9 (1), the department, with the approval of the building commission, may sell and
10 convey such lands under the jurisdiction of the department as the secretary deems
11 to be in excess of the present or future requirements of the department for either the
12 operation of its facilities or programs, for the maintenance of buffer zones adjacent
13 to its facilities or for other public purposes. The proceeds of the sales shall be credited
14 to the state building trust fund.

15 **SECTION 2134.** 301.24 (4m) of the statutes is amended to read:

16 301.24 (4m) CORRECTIONAL INSTITUTION PROPERTY DISPOSITION. In addition to
17 any other requirements under this section, except where a sale occurs under s. 13.48
18 (14) (am) or 16.848 (1), the department may sell or otherwise transfer or dispose of
19 the property acquired for the correctional institution under s. 46.05 (1o), 1985 stats.,
20 only if the sale, transfer or disposition is approved by the joint committee on finance.
21 The department shall submit a plan for any such proposed sale, transfer or
22 disposition to the committee.

23 **SECTION 2135.** 301.26 (4) (d) 2. of the statutes is amended to read:

24 301.26 (4) (d) 2. Beginning on July 1, ~~2011~~ 2013, and ending on June 30, ~~2012~~
25 2014, the per person daily cost assessment to counties shall be ~~\$284~~ \$297 for care in

ASSEMBLY BILL 40**SECTION 2135**

1 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), \$284 \$297 for care
2 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
3 \$99 \$125 for departmental corrective sanctions services, and \$40 \$41 for
4 departmental aftercare services.

5 **SECTION 2136.** 301.26 (4) (d) 3. of the statutes is amended to read:

6 301.26 (4) (d) 3. Beginning on July 1, ~~2012~~ 2014, and ending on June 30, ~~2013~~
7 2015, the per person daily cost assessment to counties shall be ~~\$289~~ \$304 for care in
8 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$289~~ \$304 for care
9 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
10 \$100 \$128 for departmental corrective sanctions services, and \$40 \$41 for
11 departmental aftercare services.

12 **SECTION 2137.** 301.26 (4) (e) of the statutes is amended to read:

13 301.26 (4) (e) For ~~foster care, group home care, and institutional child care to~~
14 alternate care services for delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4)
15 and (14), and 938.52 all payments and deductions made under this subsection and
16 uniform fee collections under s. 301.03 (18) shall be credited to the appropriation
17 account under s. 20.410 (3) (ho).

18 **SECTION 2138.** 301.26 (4) (ed) of the statutes is amended to read:

19 301.26 (4) (ed) For ~~foster care, group home care, and institutional child care to~~
20 alternate care services for serious juvenile offenders under ss. 49.19 (10) (d), 938.48
21 (4) and (14), and 938.52 all uniform fee collections under s. 301.03 (18) shall be
22 credited to the appropriation account under s. 20.410 (3) (ho).

23 **SECTION 2139.** 301.26 (7) (intro.) of the statutes is amended to read:

24 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
25 of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate

ASSEMBLY BILL 40**SECTION 2139**

1 funds for community youth and family aids for the period beginning on July 1, ~~2011~~
2 2013, and ending on June 30, ~~2013~~ 2015, as provided in this subsection to county
3 departments under ss. 46.215, 46.22, and 46.23 as follows:

4 **SECTION 2140.** 301.26 (7) (a) of the statutes is amended to read:

5 301.26 (7) (a) For community youth and family aids under this section,
6 amounts not to exceed \$45,478,000 for the last 6 months of ~~2011~~ 2013, \$90,956,100
7 for ~~2012~~ 2014, and \$45,478,100 for the first 6 months of ~~2013~~ 2015.

8 **SECTION 2141.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

9 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
10 allocate \$2,000,000 for the last 6 months of ~~2011~~ 2013, \$4,000,000 for ~~2012~~ 2014, and
11 \$2,000,000 for the first 6 months of ~~2013~~ 2015 to counties based on each of the
12 following factors weighted equally:

13 **SECTION 2142.** 301.26 (7) (b) 2. of the statutes is amended to read:

14 301.26 (7) (b) 2. Each county's proportion of the total Part I juvenile arrests
15 reported statewide under the uniform crime reporting system of the ~~office of justice~~
16 assistanc department of justice during the most recent 3-year period for which that
17 information is available.

18 **SECTION 2143.** 301.26 (7) (bm) of the statutes is amended to read:

19 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
20 allocate \$6,250,000 for the last 6 months of ~~2011~~ 2013, \$12,500,000 for ~~2012~~ 2014,
21 and \$6,250,000 for the first 6 months of ~~2013~~ 2015 to counties based on each county's
22 proportion of the number of juveniles statewide who are placed in a juvenile
23 correctional facility during the most recent 3-year period for which that information
24 is available.

25 **SECTION 2144.** 301.26 (7) (c) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2144**

1 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
2 \$1,053,200 for the last 6 months of ~~2011~~ 2013, \$2,106,500 for ~~2012~~ 2014, and
3 \$1,053,300 for the first 6 months of ~~2013~~ 2015 to counties based on each of the factors
4 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
5 allocation under this paragraph that is less than 93% nor more than 115% of the
6 amount that the county would have received under this paragraph if the allocation
7 had been distributed only on the basis of the factor specified in par. (b) 3.

8 **SECTION 2145.** 301.26 (7) (e) of the statutes is amended to read:

9 301.26 (7) (e) For emergencies related to community youth and family aids
10 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2011~~ 2013,
11 \$250,000 for ~~2012~~ 2014, and \$125,000 for the first 6 months of ~~2013~~ 2015. A county
12 is eligible for payments under this paragraph only if it has a population of not more
13 than 45,000.

14 **SECTION 2146.** 301.26 (7) (h) of the statutes is amended to read:

15 301.26 (7) (h) For counties that are participating in the corrective sanctions
16 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2011~~ 2013,
17 \$2,124,800 in ~~2012~~ 2014, and \$1,062,400 in the first 6 months of ~~2013~~ 2015 for the
18 provision of corrective sanctions services for juveniles from that county. In
19 distributing funds to counties under this paragraph, the department shall determine
20 a county's distribution by dividing the amount allocated under this paragraph by the
21 number of slots authorized for the program under s. 938.533 (2) and multiplying the
22 quotient by the number of slots allocated to that county by agreement between the
23 department and the county. The department may transfer funds among counties as
24 necessary to distribute funds based on the number of slots allocated to each county.

25 **SECTION 2147.** 301.26 (8) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2147**

1 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
2 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
3 6 months of ~~2011~~ 2013, \$1,333,400 in ~~2012~~ 2014, and \$666,700 in the first 6 months
4 of ~~2013~~ 2015 for alcohol and other drug abuse treatment programs.

5 **SECTION 2148.** 301.263 (3) of the statutes is amended to read:

6 301.263 (3) The department shall distribute 33% of the amounts distributed
7 under sub. (1) based on each county's proportion of the violent Part I juvenile arrests
8 reported statewide under the uniform crime reporting system of the ~~office of justice~~
9 ~~assistance in the department of administration~~ department of justice, during the
10 most recent 2-year period for which that information is available. The department
11 shall distribute 33% of the amounts distributed under sub. (1) based on each county's
12 proportion of the number of juveniles statewide who are placed in a juvenile
13 correctional facility or a secured residential care center for children and youth during
14 the most recent 2-year period for which that information is available. The
15 department shall distribute 34% of the amounts distributed under sub. (1) based on
16 each county's proportion of the total Part I juvenile arrests reported statewide under
17 the uniform crime reporting system of the ~~office of justice assistance~~ department of
18 justice, during the most recent 2-year period for which that information is available.

19 **SECTION 2149.** 301.27 (1) of the statutes is amended to read:

20 301.27 (1) CHARGES. In compliance with the compensation plan established
21 under s. 230.12 (3), the department may make and determine charges for meals,
22 living quarters, laundry, and other services furnished to employees of the state
23 correctional institutions and members of the employee's family maintained as such.
24 All moneys received from each person on account of these services shall be used for
25 operation of the institutions under s. 20.410 (1) (a) and (3) (a), and (hm) ~~and~~ (j). If

ASSEMBLY BILL 40**SECTION 2149**

1 a chaplain employed in any institution administered by the department is not
2 furnished a residence by the state, \$1,800 or 20% of the chaplain's salary, whichever
3 is greater, is designated as his or her housing allowance.

4 **SECTION 2150.** 301.32 (1) of the statutes is amended to read:

5 301.32 (1) PROPERTY DELIVERED TO WARDEN OR SUPERINTENDENT; CREDIT AND DEBIT.

6 All money and other property delivered to an employee of any state correctional
7 institution for the benefit of a prisoner or resident shall be delivered to the warden
8 or superintendent, who shall enter the property upon his or her accounts to the credit
9 of the prisoner or resident. The property may be used only under the direction and
10 with the approval of the superintendent or warden and for the crime victim and
11 witness assistance surcharge under s. 973.045 (4), the delinquency victim and
12 witness assistance surcharge under s. 938.34 (8d) (c), the deoxyribonucleic acid
13 analysis surcharge under s. 973.046 (1r), the child pornography surcharge under s.
14 973.042, the drug offender diversion surcharge under s. 973.043, or the benefit of the
15 prisoner or resident. If the money remains uncalled for for one year after the
16 prisoner's or resident's death or departure from the state correctional institution, the
17 superintendent shall deposit it in the general fund. If any prisoner or resident leaves
18 property, other than money, uncalled for at a state correctional institution for one
19 year, the superintendent shall sell the property and deposit the proceeds in the
20 general fund, donate the property to a public agency or private, nonprofit
21 organization or destroy the property. If any person satisfies the department, within
22 5 years after the deposit, of his or her right to the deposit, the department shall direct
23 the department of administration to draw its warrant in favor of the claimant and
24 it shall charge the same to the appropriation made by s. 20.913 (3) (bm).

25 **SECTION 2151.** 301.32 (3) (a) of the statutes is renumbered 301.32 (3).

ASSEMBLY BILL 40**SECTION 2152**

1 **SECTION 2152.** 301.32 (3) (b) of the statutes is repealed.

2 **SECTION 2153.** 301.32 (3) (c) of the statutes is repealed.

3 **SECTION 2154.** 302.04 of the statutes is amended to read:

4 **302.04 Duties of warden and superintendents.** Except as provided in s.
5 ss. 13.48 (14) (am) and 16.848 (1), the warden or the superintendent of each state
6 prison shall have charge and custody of the prison and all lands, belongings,
7 furniture, implements, stock and provisions and every other species of property
8 within the same or pertaining thereto. The warden or superintendent shall enforce
9 the rules of the department for the administration of the prison and for the
10 government of its officers and the discipline of its inmates.

11 **SECTION 2155.** 302.12 (2) of the statutes is amended to read:

12 **302.12 (2)** Money accruing under this section remains under the control of the
13 department, to be used for the crime victim and witness assistance surcharge under
14 s. 973.045 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 (1r), the
15 drug offender diversion surcharge under s. 973.043, and the benefit of the inmate or
16 the inmate's family or dependents, under rules promulgated by the department as
17 to time, manner and amount of disbursements. The rules shall provide that the
18 money be used for the reasonable support of the inmate's family or dependents before
19 it is allocated for the drug offender diversion surcharge.

20 **SECTION 2156.** 302.13 of the statutes is amended to read:

21 **302.13 Preservation of property an inmate brings to prison.** The
22 department shall preserve money and effects, except clothes, in the possession of an
23 inmate when admitted to the prison and, subject to the crime victim and witness
24 assistance surcharge under s. 973.045 (4), the deoxyribonucleic acid analysis
25 surcharge under s. 973.046 (1r), the child pornography surcharge under s. 973.042,

ASSEMBLY BILL 40**SECTION 2156**

1 and the drug offender diversion surcharge under s. 973.043, shall restore the money
2 and effects to the inmate when discharged.

3 **SECTION 2157.** 302.43 of the statutes is amended to read:

4 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
5 in the amount of one-fourth of his or her term for good behavior if sentenced to at
6 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
7 for time served prior to sentencing under s. 973.155, including good time under s.
8 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
9 or refuses to perform any duty lawfully required of him or her, may be deprived by
10 the sheriff of good time under this section, except that the sheriff shall not deprive
11 the inmate of more than 2 days good time for any one offense without the approval
12 of the court. An inmate who files an action or special proceeding, including a petition
13 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of
14 the number of days of good time specified in the court order prepared under s. 807.15
15 (3). This section does not apply to a person who is confined in the county jail in
16 connection with his or her participation in a substance abuse treatment program
17 that meets the requirements of s. ~~16.964 (12) (e)~~ 165.95 (3), as determined by the
18 ~~office of justice assistance~~ department of justice under s. ~~16.964 (12) (j)~~ 165.95 (9) and
19 (10).

20 **SECTION 2158.** 304.075 of the statutes is repealed.

21 **SECTION 2159.** 321.40 (5) (c) of the statutes is amended to read:

22 321.40 (5) (c) No guard member may receive a tuition grant under sub. (3) for
23 any semester in which he or she received a payment under s. 45.20 (2) or 45.205 (2).

24 **SECTION 2160.** 321.42 (1) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2160**

1 321.42 (1) (b) The costs and expenses of the defense under par. (a) shall be
2 audited by the department of administration and charged to the appropriation under
3 s. ~~20.455 (1) (b)~~ 20.505 (1) (d). If the jury or court finds that the member against
4 whom the action is brought acted within the scope of his or her employment as a
5 member, the judgment as to damages entered against the member shall be paid by
6 the state.

7 **SECTION 2161.** 321.60 (1) (a) 12. of the statutes is amended to read:

8 321.60 (1) (a) 12. A license or certificate of registration issued by the
9 department of financial institutions, or a division of it, under ss. 138.09, 138.12,
10 138.14, 202.13, 202.14, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72,
11 224.725, or 224.93 or subch. IV of ch. 551.

12 **SECTION 2162.** 323.40 (3) (a) of the statutes is renumbered 323.40 (3) (a) 1. and
13 amended to read:

14 323.40 (3) (a) 1. Except as provided in par. (b), an individual who registers in
15 writing with a local unit of government's emergency management program to
16 provide his or her own labor without compensation, other than reimbursement for
17 travel, lodging, or meals, during a disaster, an imminent threat of a disaster, or a
18 related training exercise is considered an employee of the local unit of government
19 state for worker's compensation under ch. 102 for purposes of any claim relating to
20 the labor provided.

21 **SECTION 2163.** 323.40 (3) (a) 2. of the statutes is created to read:

22 323.40 (3) (a) 2. If an individual who is considered an employee of the state
23 under subd. 1. files a claim for worker's compensation relating to the individual's
24 labor provided during a disaster, an imminent threat of a disaster, or a related
25 training exercise, the local unit of government with which the individual is

ASSEMBLY BILL 40**SECTION 2163**

1 registered to provide that labor shall refer that claim to the department of military
2 affairs, and, if the claim is payable under ch. 102, the department shall pay that
3 claim from the appropriation under s. 20.465 (3) (am).

4 **SECTION 2164.** 343.50 (8) (c) 3. of the statutes is renumbered 343.50 (8) (c) 5.

5 **SECTION 2165.** 343.50 (8) (c) 4. of the statutes is created to read:

6 343.50 (8) (c) 4. Notwithstanding par. (b) and s. 343.14 (2j), the department
7 may, upon request, provide to the department of revenue any applicant information,
8 including social security numbers, maintained by the department of transportation
9 and identified in s. 343.14 (2), including providing electronic access to the
10 information. Any information obtained by the department of revenue under this
11 subdivision is subject to the confidentiality provisions of s. 71.78.

12 **SECTION 2166.** 348.21 (3) (b) 1. b. of the statutes is amended to read:

13 348.21 (3) (b) 1. b. ~~Two~~ Three cents for each pound of total excess load if the
14 excess is over 2,000 pounds and not over 3,000 pounds.

15 **SECTION 2167.** 348.21 (3) (b) 1. c. of the statutes is amended to read:

16 348.21 (3) (b) 1. c. ~~Three~~ Five cents for each pound of total excess load if the
17 excess is over 3,000 pounds and not over 4,000 pounds.

18 **SECTION 2168.** 348.21 (3) (b) 1. d. of the statutes is amended to read:

19 348.21 (3) (b) 1. d. ~~Five~~ Eight cents for each pound of total excess load if the
20 excess is over 4,000 pounds and not over 5,000 pounds.

21 **SECTION 2169.** 348.21 (3) (b) 1. e. of the statutes is amended to read:

22 348.21 (3) (b) 1. e. ~~Seven~~ Fifteen cents for each pound of total excess load if the
23 excess is over 5,000 pounds.

24 **SECTION 2170.** 348.21 (3) (b) 2. b. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2170**

1 348.21 (3) (b) 2. b. ~~Four~~ Five cents for each pound of total excess load if the
2 excess is over 2,000 pounds and not over 3,000 pounds.

3 **SECTION 2171.** 348.21 (3) (b) 2. c. of the statutes is amended to read:

4 348.21 (3) (b) 2. c. ~~Six~~ Eight cents for each pound of total excess load if the excess
5 is over 3,000 and not over 4,000 pounds.

6 **SECTION 2172.** 348.21 (3) (b) 2. d. of the statutes is amended to read:

7 348.21 (3) (b) 2. d. ~~Eight~~ Twelve cents for each pound of total excess load if the
8 excess is over 4,000 pounds and not over 5,000 pounds.

9 **SECTION 2173.** 348.21 (3) (b) 2. e. of the statutes is amended to read:

10 348.21 (3) (b) 2. e. ~~Ten~~ Eighteen cents for each pound of total excess load if the
11 excess is over 5,000 pounds.

12 **SECTION 2174.** 348.21 (3g) (a) (intro.) of the statutes is amended to read:

13 348.21 (3g) (a) (intro.) For ~~a~~ the first conviction ~~or a 2nd conviction within a~~
14 ~~12-month period~~, a forfeiture of not less than \$150 nor more than \$250 plus an
15 amount equal to whichever of the following applies:

16 **SECTION 2175.** 348.21 (3g) (b) (intro.) of the statutes is amended to read:

17 348.21 (3g) (b) (intro.) For the ~~3rd~~ 2nd and each subsequent conviction within
18 a 12-month period, a forfeiture of not less than \$500 nor more than \$550, plus an
19 amount equal to whichever of the following applies:

20 **SECTION 2176.** 409.109 (4) (n) of the statutes is created to read:

21 409.109 (4) (n) Any rental-purchase company that has filed notice as provided
22 under s. 420.02 (1) and any rental-purchase agreement entered into by such a
23 rental-purchase company.

24 **SECTION 2177.** Chapter 420 of the statutes is created to read:

25

CHAPTER 420

ASSEMBLY BILL 40**SECTION 2177****1 RENTAL-PURCHASE COMPANIES**

2 **420.01 Definitions.** In this chapter:

3 (1) "Cash price" means the price at which a rental-purchase company would
4 sell rental property to the lessee of the rental property if the lessee were to pay for
5 the rental property in full on the date on which the rental-purchase agreement is
6 executed.

7 (2) "Department" means the department of financial institutions.

8 (3) "Rental property" means property rented under a rental-purchase
9 agreement but does not include any motor vehicle, as defined in s. 340.01 (35), or any
10 musical instrument that is intended to be used in whole or in part in an elementary
11 school or high school.

12 (4) "Rental-purchase agreement" means an agreement between a
13 rental-purchase company and a lessee for the use of rental property if all of the
14 following apply:

15 (a) The rental property is to be used primarily for personal, family, or household
16 purposes.

17 (b) The agreement has an initial term of 4 months or less and is renewable with
18 each payment after the initial term.

19 (c) The agreement does not obligate or require the lessee to renew the
20 agreement beyond the initial term.

21 (d) The agreement permits, but does not obligate, the lessee to acquire
22 ownership of the rental property.

23 (5) "Rental-purchase company" means a person engaged in the business of
24 entering into rental-purchase agreements in this state or acquiring rental-purchase
25 agreements that are entered into in this state.

ASSEMBLY BILL 40**SECTION 2177**

1 **420.02 Notice to the department. (1) NOTICE.** (a) Except as provided in
2 par. (b), a rental-purchase company shall file notice with the department, in the form
3 and manner prescribed by the department, within 30 days after commencing
4 business in this state. A separate notice is required for each place of business
5 maintained by the rental-purchase company.

6 (b) A rental-purchase company that generates less than 75 percent of its total
7 revenues in this state from transactions involving rental-purchase agreements may
8 elect not to file notice with the department under par. (a) and, upon informing the
9 department of this election in a manner prescribed by the department, shall not be
10 governed by the provisions of this chapter.

11 **(2) FEE.** For each location for which a notice is filed under sub. (1), the
12 rental-purchase company shall pay to the department an annual fee of \$1,000. If a
13 rental-purchase company fails to timely pay the annual fee, the department shall
14 order the rental-purchase company to cease operating until the annual fee is paid.

15 **420.03 General requirements of disclosure. (1) FORM, LOCATION, SIZE, AND**
16 **TIME OF DISCLOSURE.** The information that is required to be disclosed under s. 420.04
17 shall satisfy all of the following:

18 (a) The information shall be clearly and conspicuously disclosed.

19 (b) The information shall be disclosed in writing.

20 (c) Except as provided in par. (f), the information shall be disclosed in the
21 rental-purchase agreement above the line for the lessee's signature. Multiple pages
22 or backs of pages may be used as long as the face of the rental-purchase agreement
23 is signed by the lessee and other pages are signed or initialed by the lessee.

24 (d) Except as provided in par. (f), the information shall be disclosed in not less
25 than 8-point standard type.

ASSEMBLY BILL 40**SECTION 2177**

1 (e) The information shall be disclosed before the time that the lessee becomes
2 legally obligated under the rental-purchase agreement.

3 (f) The disclosures required by s. 420.04 (2), (3), (4), and (7) shall be printed in
4 at least 10-point boldface type on the face of the rental-purchase agreement, and
5 shall be grouped together in a box, in the form and order prescribed by the
6 department.

7 **(2) ACCURACY OF DISCLOSURE.** The information required under s. 420.04 must
8 be accurate as of the time that it is disclosed to the lessee. If any information
9 subsequently becomes inaccurate as a result of any act, occurrence, or agreement by
10 the lessee, the resulting inaccuracy is not a violation of any provision of this chapter
11 relating to rental-purchase agreements.

12 **(3) COPY OF RENTAL-PURCHASE AGREEMENT.** The rental-purchase company shall
13 provide the lessee with a copy of the completed rental-purchase agreement signed
14 by the lessee. If more than one lessee is legally obligated under the same
15 rental-purchase agreement, delivery of a copy of the completed rental-purchase
16 agreement to one of the lessees shall satisfy this subsection.

17 **420.04 Required provisions of rental-purchase agreement.** A
18 rental-purchase company shall include all of the following information, to the extent
19 applicable, in every rental-purchase agreement:

20 **(1) DESCRIPTION.** A brief description of the rental property, sufficient to identify
21 the rental property to the lessee and the rental-purchase company, including any
22 identification number, and a statement indicating whether the rental property is
23 new or used. A statement that new rental property is used shall not be a violation
24 of this subchapter.

25 **(2) CASH PRICE.** The cash price of the rental property.

ASSEMBLY BILL 40**SECTION 2177**

1 **(3) RENTAL PAYMENTS TO ACQUIRE OWNERSHIP.** The total number, total dollar
2 amount, and timing of all rental payments necessary to acquire ownership of the
3 rental property, excluding any applicable taxes, application or processing charge,
4 delivery fee, liability damage waiver fee, and fees for optional services.

5 **(4) COST OF RENTAL SERVICES.** The difference between the total dollar amount
6 of payments necessary to acquire ownership of the rental property disclosed under
7 sub. (3) and the cash price of the property disclosed under sub. (2). The
8 rental-purchase company shall also include a statement substantially similar to the
9 following: "The cost of rental services is the amount you will pay in addition to the
10 cash price if you acquire ownership of the rented goods by making all payments
11 necessary to acquire ownership."

12 **(5) PERIODIC PAYMENT.** The rental payment and any applicable taxes and fees
13 for optional services to which the lessee agrees.

14 **(6) UP-FRONT PAYMENT.** The total amount of the initial payment to be made by
15 the lessee at the time that the rental-purchase agreement is executed or the rental
16 property is delivered, including the initial rental payment, any application or
17 processing charge, any delivery fee, and fees for other optional services to which the
18 lessee agrees.

19 **(7) TOTAL PAYMENTS TO ACQUIRE OWNERSHIP.** The total of all charges to be paid
20 by the lessee to acquire ownership of the rental property, which shall consist of the
21 total dollar amount of all rental payments disclosed under sub. (3), and the total
22 dollar amount of all required fees and taxes.

23 **(8) OTHER CHARGES.** An itemized description of any other charges or fees that
24 the rental-purchase company may charge upon the occurrence of a contingency
25 specified in the rental-purchase agreement, such as late fees.

ASSEMBLY BILL 40**SECTION 2177**

1 **(9) SUMMARY OF EARLY-PURCHASE OPTION.** A statement summarizing the terms
2 of the lessee's options to acquire ownership of the rental property as provided in s.
3 420.06 (3).

4 **(10) RESPONSIBILITY FOR THEFT OR DAMAGE.** A statement that, unless otherwise
5 agreed, the lessee is responsible for the fair market value of the rental property,
6 determined according to the early-purchase option formula under sub. (9), if the
7 rental property is stolen, damaged, or destroyed while in the possession of or subject
8 to the control of the lessee. The statement shall indicate that the fair market value
9 will be determined as of the date on which the rental property is stolen, damaged,
10 or destroyed.

11 **(11) SERVICE AND WARRANTY.** A statement that during the term of the rental-
12 purchase agreement, the rental-purchase company is required to service the rental
13 property and maintain it in good working condition, as long as no other person has
14 serviced the rental property. In lieu of servicing the rental property, the
15 rental-purchase company may, at its option, replace the rental property with
16 substitute property of comparable quality and condition. The rental-purchase
17 company's obligation to provide service is limited to defects in the property not
18 caused by improper use or neglect by the lessee or harmful conditions outside the
19 control of the rental-purchase company or manufacturer.

20 **(12) TERMINATION AT OPTION OF LESSEE.** A statement that the lessee may
21 terminate the agreement at any time without penalty by voluntarily surrendering
22 or returning the rental property in good repair.

23 **(13) RIGHT TO REINSTATE.** A brief explanation of the lessee's right to reinstate
24 a rental-purchase agreement under s. 420.07.

ASSEMBLY BILL 40**SECTION 2177**

1 **(14) RENTAL, NOT PURCHASE.** A statement reading substantially as follows: “You
2 are renting this property. You will not own the property until you make all payments
3 necessary to acquire ownership or until you exercise your early-purchase option. If
4 you do not make your payments as scheduled or exercise your early-purchase option,
5 the rental-purchase company may repossess the property.”

6 **(15) INFORMATION ABOUT RENTAL-PURCHASE COMPANY AND LESSEE.** The names of
7 the rental-purchase company and the lessee, the rental-purchase company’s
8 business address and telephone number, the lessee’s address, and the date on which
9 the rental-purchase agreement is executed.

10 **(16) OPTIONAL SERVICES.** Space for a specific, separately signed or initialed,
11 affirmative, written indication of the lessee’s desire for any optional service for which
12 a charge is assessed. The lessee’s request must be obtained after a written disclosure
13 of the cost of the optional service is made, and the disclosure of the cost and purpose
14 of such service must be listed at or near the affirmation space. This requirement is
15 satisfied by a separate written agreement for an optional service that meets the
16 requirements of this subsection.

17 **420.05 Prohibited provisions of rental-purchase agreements.** A
18 rental-purchase agreement may not contain any of the following:

19 **(1) CONFESSION.** A confession of judgment.

20 **(2) REPOSSESSION.** A provision authorizing a rental-purchase company, or an
21 agent of the rental-purchase company, to enter the lessee’s residence without the
22 lessee’s permission, or to commit a breach of the peace in the repossession of rental
23 property provided by the rental-purchase company under the rental-purchase
24 agreement.

ASSEMBLY BILL 40**SECTION 2177**

1 **(3) WAIVER.** A waiver of a defense or counterclaim, a waiver of any right to
2 assert any claim that the lessee may have against the rental-purchase company or
3 an agent of the rental-purchase company, or a waiver of any provision of this chapter
4 relating to rental-purchase agreements.

5 **(4) OVERPAYMENT.** A provision requiring rental payments totaling more than
6 the total dollar amount of all rental payments necessary to acquire ownership, as
7 disclosed in the rental-purchase agreement.

8 **(5) INSURANCE.** A provision requiring the lessee to purchase insurance from the
9 rental-purchase company to insure the rental property.

10 **(6) ATTORNEY FEES.** A provision requiring the lessee to pay any attorney fees.

11 **420.06 Price and cost limitations. (1) LIMITS ON CASH PRICES.** The cash price
12 for rental property offered by a rental-purchase company may not exceed the greater
13 of the following:

14 (a) An amount equal to twice the actual purchase price of the rental property,
15 including any applicable freight charges, paid by the rental-purchase company.

16 (b) The price at which property of like type and quality is offered, in the
17 ordinary course of business, for sale for cash in the market area of the
18 rental-purchase store where the property is offered for rental purchase.

19 **(2) LIMITS ON COST OF RENTAL SERVICES AND OTHER CHARGES.** The total amount
20 charged by the rental-purchase company for all required charges or fees, excluding
21 applicable taxes and any late fees or reinstatement fees, in a rental-purchase
22 transaction shall not exceed twice the maximum cash price of the property as
23 determined under sub. (1).

24 **(3) ACQUISITION OF OWNERSHIP.** At any time after the initial rental period under
25 a rental-purchase agreement, if a lessee affirmatively elects an early-purchase

ASSEMBLY BILL 40**SECTION 2177**

1 option, the lessee may acquire ownership of the rental property by tendering an
2 amount not to exceed 55 percent of the difference between the total of rental
3 payments necessary to acquire ownership of the rental property and the total
4 amount of rental payments paid for use of the rental property at that time, plus
5 applicable taxes, except that the lessee's early-purchase option amount may not be
6 less than the amount of one rental payment. Before a lessee acquires ownership of
7 the rental property as provided under this subsection, a rental-purchase company
8 may first require the lessee to pay any accrued unpaid rental payments and fees.

9 (4) ANNUAL PERCENTAGE RATE DISCLOSURE NOT REQUIRED. A rental-purchase
10 company shall not be required to disclose, in a rental-purchase agreement or
11 otherwise, any percentage rate calculation, including a time-price differential, an
12 annual percentage rate, or an effective annual percentage rate.

13 **420.07 Reinstatement of a rental-purchase agreement. (1)**

14 REINSTATEMENT GENERALLY. Subject to sub. (2), a lessee may reinstate a
15 rental-purchase agreement that has ended without losing any rights or options
16 previously acquired if all of the following apply:

17 (a) The lessee voluntarily returned or surrendered the rental property within
18 7 days after the expiration of the rental-purchase agreement.

19 (b) Not more than 120 days have passed after the date on which the
20 rental-purchase agreement ended.

21 (2) AUTHORIZED CONDITIONS ON REINSTATEMENT. As a condition of reinstatement
22 under sub. (1), the rental-purchase company may require the payment of all
23 past-due rental charges, any applicable late fees, a reinstatement fee not to exceed
24 \$5, and the rental payment for the next term.

ASSEMBLY BILL 40**SECTION 2177**

1 **(3) EFFECT OF REPOSSESSION ON REINSTATEMENT.** Subject to s. 420.05 (2), nothing
2 in this section prohibits a rental-purchase company from repossessing or attempting
3 to repossess rental property when a rental-purchase agreement ends, but such
4 efforts do not affect the lessee's right to reinstate as long as the rental property is
5 voluntarily returned or surrendered within 7 days after the rental-purchase
6 agreement ends.

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

12 **(5) NOTICE OF REINSTATEMENT RIGHTS.** If the lessee is entitled to reinstatement
13 under subs. (1) and (2), within 15 days of repossession or voluntary return or
14 surrender of the rental property, the rental-purchase company shall provide written
15 notice to the lessee of the lessee's rights and obligations under this section.

16 **420.08 Receipts and statements. (1) RECEIPTS.** A rental-purchase company
17 shall provide a written receipt to the lessee for any payment made by the lessee in
18 cash or, upon the request of the lessee, for any other type of payment.

19 **(2) STATEMENT DUE TO LESSEE.** Subject to sub. (4), upon the request of a lessee,
20 a rental-purchase company shall provide a written statement to the lessee showing
21 the lessee's payment history on each rental-purchase agreement between the lessee
22 and the rental-purchase company. A rental-purchase company is not required to
23 provide a statement covering any rental-purchase agreement that ended more than
24 one year prior to the date of the lessee's request. A rental-purchase company may
25 provide a single statement covering all rental-purchase agreements or separate

ASSEMBLY BILL 40**SECTION 2177**

1 statements for each rental-purchase agreement, at the rental-purchase company's
2 option.

3 **(3) STATEMENT DUE TO OTHER PARTIES.** Subject to sub. (4), upon the written
4 request of a lessee, made during the term of or no later than one year after the
5 rental-purchase agreement ended, a rental-purchase company shall provide a
6 written statement to any person the lessee designates, showing the lessee's payment
7 history under the rental-purchase agreement.

8 **(4) FEE FOR STATEMENT.** A lessee or, if appropriate, a lessee's designee, is entitled
9 to receive one statement under subs. (2) and (3) without charge once every 12
10 months. A rental-purchase company shall provide an additional statement if the
11 lessee pays the rental-purchase company's reasonable costs of preparing and
12 furnishing the statement.

13 **420.09 Advertising disclosure required.** If an advertisement for a
14 rental-purchase agreement states the amount of a payment for a specific item of
15 property, the advertisement shall also clearly and conspicuously state all of the
16 following:

17 **(1)** That the transaction advertised is a rental-purchase agreement.

18 **(2)** The total number and total dollar amount of all rental payments necessary
19 to acquire ownership of the property.

20 **(3)** That the lessee does not acquire ownership of the property if the lessee fails
21 to make all payments necessary to acquire ownership of the property.

22 **420.10 Price cards displayed. (1) PRICE CARDS GENERALLY.** Except as
23 provided in sub. (2), a card or tag that clearly and conspicuously states all of the
24 following shall be displayed on or next to any property displayed or offered by a
25 rental-purchase company for rent under a rental-purchase agreement:

ASSEMBLY BILL 40**SECTION 2177**

- 1 (a) The cash price that a lessee would pay to purchase the property.
- 2 (b) The amount and timing of the rental payments.
- 3 (c) The total number and total amount of all rental payments necessary to
- 4 acquire ownership of the property under a rental-purchase agreement.
- 5 (d) The cost of rental services under a rental-purchase agreement.
- 6 (e) Whether the property is new or used.

7 **(2) EXCEPTIONS.** If property is offered for rent under a rental-purchase

8 agreement through a catalog, whether print or electronic, or if the size of the property

9 is such that displaying a card or tag on or next to the property would be impractical,

10 a rental-purchase company may make the disclosures required under sub. (1) in a

11 catalog, list, or disclosure sheet if the catalog, list, or disclosure sheet is readily

12 available to prospective lessees and provided upon request.

13 **420.11 Rule making.** The department may promulgate rules to administer

14 and enforce the requirements of this chapter.

15 **420.12 Penalties. (1) AWARD OF DAMAGES.** Subject to sub. (3), a

16 rental-purchase company that violates any provision of this chapter, rule

17 promulgated under this chapter, or order issued under this chapter pertaining to a

18 lessee is liable to the lessee in an amount equal to the greater of the following:

- 19 (a) The actual damages sustained by the lessee as a result of the violation.
- 20 (b) If the action is not brought as a class action, 25 percent of the total payments
- 21 necessary for the lessee to acquire ownership of the rental property, but not less than
- 22 \$100 nor more than \$1,000.
- 23 (c) If the action is brought as a class action, the amount the court determines
- 24 to be appropriate, subject to sub. (2).

ASSEMBLY BILL 40**SECTION 2177**

1 **(2) DAMAGE LIMITATIONS IN CLASS ACTIONS.** The total recovery by all lessees in
2 any class action or series of class actions arising out of the same violation may not
3 be more than the lesser of \$500,000 or 1 percent of the net worth of the
4 rental-purchase company. In determining the amount of any award in a class action,
5 the court shall consider, among other relevant factors, the amount of actual damages
6 awarded, the frequency and persistence of the violation, the rental-purchase
7 company's resources, and the extent to which the rental-purchase company's
8 violation was intentional.

9 **(3) UNINTENTIONAL VIOLATIONS.** A rental-purchase company is not liable for any
10 violation of this chapter if the rental-purchase company shows by a preponderance
11 of the evidence that the violation was not intentional and resulted from a bona fide
12 error, and the rental-purchase company maintained procedures reasonably adapted
13 to avoid such an error.

14 **(4) COSTS AND ATTORNEY FEES.** If a court awards any monetary amount under
15 sub. (1) to a lessee, the rental-purchase company shall also be liable to the lessee for
16 the costs of the action and, notwithstanding s. 814.04 (1), for reasonable attorney fees
17 as determined by the court.

18 **420.13 Inapplicability of Consumer Act and ch. 409.** A rental-purchase
19 company that has filed notice as provided under s. 420.02 (1) is not subject to the
20 Wisconsin Consumer Act, chs. 421 to 427, or any related rule or order adopted under
21 chs. 421 to 427, or to any provision of ch. 409, and any rental-purchase agreement
22 entered into by such a rental-purchase company may not be construed or regulated
23 as a security interest, credit sale, retail installment sale, conditional sale, or any
24 other form of consumer credit, nor considered to be the creation of a debt or extension
25 of credit.

ASSEMBLY BILL 40**SECTION 2178**

1 **SECTION 2178.** 421.202 (11) of the statutes is created to read:

2 421.202 (11) Any rental-purchase company that has filed notice as provided
3 under s. 420.02 (1) and any rental-purchase agreement entered into by such a
4 rental-purchase company.

5 **SECTION 2179.** 440.03 (7m) of the statutes is amended to read:

6 440.03 (7m) The department may promulgate rules that establish procedures
7 for submitting an application for a credential or credential renewal by electronic
8 transmission. Any rules promulgated under this subsection shall specify procedures
9 for complying with any requirement that a fee be submitted with the application.
10 The rules may also waive any requirement in chs. 440 to 480 that an application
11 submitted to the department, an examining board or an affiliated credentialing
12 board be executed, verified, signed, sworn or made under oath, notwithstanding ss.
13 440.26 (2) (b), ~~440.42 (2) (intro.)~~, 440.91 (2) (intro.), 443.06 (1) (a), 443.10 (2) (a),
14 445.04 (2), 445.08 (4), 445.095 (1) (a), 448.05 (7), 450.09 (1) (a), 452.10 (1) and 480.08
15 (2m).

16 **SECTION 2180.** 440.03 (13) (b) 29. of the statutes is repealed.

17 **SECTION 2181.** 440.03 (13) (b) 57m. of the statutes is repealed.

18 **SECTION 2182.** 440.03 (13) (b) 58. of the statutes is repealed.

19 **SECTION 2183.** 440.05 (intro.) of the statutes is amended to read:

20 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
21 credentials, except as provided in ss. ~~440.42, 440.43, 440.44~~, 440.51, 444.03, 444.11,
22 446.02 (2) (c), 447.04 (2) (c) 2., 449.17 (1m) (d), and 449.18 (2) (d):

23 **SECTION 2184.** 440.08 (2) (a) 23m. of the statutes is repealed.

24 **SECTION 2185.** 440.08 (2) (a) 35m. of the statutes is repealed.

25 **SECTION 2186.** 440.08 (2) (a) 63p. of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 2187**

1 **SECTION 2187.** 440.08 (2) (a) 63t. of the statutes is repealed.

2 **SECTION 2188.** Subchapter IV (title) of chapter 440 [precedes 440.41] of the
3 statutes is renumbered subchapter II (title) of chapter 202 [precedes 202.11].

4 **SECTION 2189.** 440.41 (intro.) of the statutes is renumbered 202.11 (intro.).

5 **SECTION 2190.** 440.41 (1) of the statutes is renumbered 202.11 (1).

6 **SECTION 2191.** 440.41 (2) (intro.) of the statutes is renumbered 202.11 (2)
7 (intro.).

8 **SECTION 2192.** 440.41 (2) (a) of the statutes is renumbered 202.11 (2) (a).

9 **SECTION 2193.** 440.41 (2) (b) of the statutes is renumbered 202.11 (2) (b) and
10 amended to read:

11 202.11 (2) (b) A benevolent, educational, philanthropic, humane, scientific,
12 patriotic, social welfare or advocacy, public health, environmental conservation,
13 civic, or other eleemosynary objective.

14 **SECTION 2194.** 440.41 (3) of the statutes is renumbered 202.11 (3) and amended
15 to read:

16 202.11 (3) “Charitable sales promotion” means an advertising or sales
17 campaign, that is conducted by a person who is regularly and primarily engaged in
18 trade or commerce for profit other than in connection with soliciting, ~~which~~ and that
19 represents that the purchase or use of goods or services offered will benefit, in whole
20 or in part, a charitable organization or charitable purpose.

21 **SECTION 2195.** 440.41 (4) of the statutes is renumbered 202.11 (4).

22 **SECTION 2196.** 440.41 (5) of the statutes is renumbered 202.11 (5) (intro.) and
23 amended to read:

24 202.11 (5) (intro.) “Contribution” means a grant or pledge of money, credit,
25 property, or other thing of any kind or value, except used clothing or household goods,

ASSEMBLY BILL 40**SECTION 2196**

1 to a charitable organization or for a charitable purpose. "Contribution" does not
2 include income from bingo any of the following:

3 (a) Bingo or raffles conducted under ch. 563, ~~a.~~

4 (b) A government grant, ~~or a.~~

5 (c) A bona fide fee, due, or assessment paid by a member of a charitable
6 organization, except that, if initial membership in a charitable organization is
7 conferred solely as consideration for making a grant or pledge of money to the
8 charitable organization in response to a solicitation, ~~the~~ that grant or pledge of
9 money is a contribution.

10 **SECTION 2197.** 440.41 (6) of the statutes is renumbered 202.11 (6) (intro.) and
11 amended to read:

12 202.11 (6) (intro.) "Fund-raising counsel" means a person who, for
13 compensation, plans, manages, advises, consults, or prepares material for, or with
14 respect to, solicitation in this state for a charitable organization, but who does not
15 solicit ~~and who does not~~ in this state or employ, engage, or provide any person who
16 is paid to solicit ~~contributions~~ in this state. "Fund-raising counsel" does not include
17 ~~an~~ any of the following:

18 (a) An attorney, investment counselor, or employee of a financial institution
19 who, in the normal course of his or her work as an attorney, investment counselor,
20 or employee of a financial institution, advises a person to make a contribution ~~or a.~~

21 (b) A bona fide employee, volunteer, or salaried officer of a charitable
22 organization.

23 **SECTION 2198.** 440.41 (7) of the statutes is renumbered 202.11 (7) (intro.) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 2198**

1 202.11 (7) (intro.) “Professional fund-raiser” means a person who, for
2 compensation, solicits in this state or employs, engages, or provides, directly or
3 indirectly, another person who is paid to solicit in this state. “Professional
4 fund-raiser” does not include an any of the following:

5 (a) An attorney, investment counselor, or employee of a financial institution
6 who, in the normal course of his or her work as an attorney, investment counselor,
7 or employee of a financial institution, advises a person to make a charitable
8 contribution, ~~a~~.

9 (b) A bona fide employee, volunteer, wholly owned subsidiary, or salaried officer
10 of a charitable organization, ~~an~~.

11 (c) An employee of a temporary help agency who is placed with a charitable
12 organization ~~or a~~.

13 (d) A bona fide employee of a person who employs another person to solicit in
14 this state.

15 **SECTION 2199.** 440.41 (8) of the statutes is renumbered 202.11 (8).

16 **SECTION 2200.** 440.41 (9) (intro.) of the statutes is renumbered 202.11 (9)
17 (intro.).

18 **SECTION 2201.** 440.41 (9) (a) of the statutes is renumbered 202.11 (9) (a).

19 **SECTION 2202.** 440.41 (9) (b) of the statutes is renumbered 202.11 (9) (b) and
20 amended to read:

21 202.11 (9) (b) An announcement to the news media or by radio, television,
22 telephone, telegraph, or other transmission of images or information concerning ~~the~~
23 a request for contributions a contribution by or for a charitable organization or for
24 a charitable purpose.

ASSEMBLY BILL 40**SECTION 2203**

1 **SECTION 2203.** 440.41 (9) (c) of the statutes is renumbered 202.11 (9) (c) and
2 amended to read:

3 202.11 (9) (c) The distribution or posting of a handbill, written advertisement,
4 or other publication which that directly or by implication seeks ~~contributions a~~
5 contribution.

6 **SECTION 2204.** 440.41 (9) (d) (intro.) of the statutes is renumbered 202.11 (9)
7 (d) (intro.) and amended to read:

8 202.11 (9) (d) (intro.) The sale of, or offer or attempt to sell, a membership or
9 an advertisement, advertising space, book, card, tag, coupon, device, magazine,
10 merchandise, subscription, flower, ticket, candy, cookie, or other tangible item in
11 connection with any of the following:

12 **SECTION 2205.** 440.41 (9) (d) 1. of the statutes is renumbered 202.11 (9) (d) 1.

13 **SECTION 2206.** 440.41 (9) (d) 2. of the statutes is renumbered 202.11 (9) (d) 2.

14 **SECTION 2207.** 440.41 (9) (d) 3. of the statutes is renumbered 202.11 (9) (d) 3.

15 **SECTION 2208.** 440.41 (10) of the statutes is renumbered 202.11 (10).

16 **SECTION 2209.** 440.42 of the statutes is renumbered 202.12, and 202.12 (1) (b)
17 3., (c) and (d), (2) (b), (c), (g) and (L) 1. and 2., (3) (a) 2., (5) (a) 1., 2., 3., 3m. and 5. and
18 (7) (a), (b) and (c), as renumbered, are amended to read:

19 202.12 (1) (b) 3. Pays to the department ~~a \$15~~ the registration fee determined
20 by the department under s. 202.08.

21 (c) The department shall issue a certificate of registration to each charitable
22 organization that is registered under this subsection. Renewal applications shall be
23 submitted to the department, ~~on~~ in a form provided and manner prescribed by the
24 department, ~~on or before the expiration date specified in s. 440.08 (2) (a)~~ by August

ASSEMBLY BILL 40**SECTION 2209**

1 1 of each year and shall include a registration statement that complies with sub. (2)
2 and the renewal fee determined by the department under s. ~~440.03 (9) (a)~~ 202.08.

3 (d) ~~Within 20 days after receiving~~ Upon the department's review of an
4 application for registration or for renewal of a registration under this subsection, the
5 department shall notify the charitable organization of any deficiencies in the
6 application, registration statement, or fee payment.

7 (2) (b) The address and telephone number, and electronic mail address, if
8 available, of the charitable organization and the address and telephone number of
9 any offices in this state or, if the charitable organization does not have an address,
10 the name, address, and telephone number of the person having custody of its
11 financial records.

12 (c) The names and the addresses of the officers, directors ~~and~~, trustees, ~~and the~~
13 principal salaried employees of the charitable organization.

14 (g) A statement of whether the charitable organization has ever had its
15 authority to solicit denied, suspended, revoked, or enjoined by a court or other
16 governmental authority.

17 (L) 1. A copy of the charitable organization's charter, articles of organization,
18 agreement of association, instrument of trust, constitution, or other organizational
19 instrument and bylaws.

20 2. A statement of the place where and the date when the charitable
21 organization was legally established, the form of its organization, and whether it has
22 tax-exempt status.

23 (3) (a) 2. A statement of support, revenue, expenses, and changes in fund
24 balance.

ASSEMBLY BILL 40**SECTION 2209**

1 **(5)** (a) 1. A person that is exempt from filing a federal annual information
2 return under section 6033 (a) ~~(2)~~ (3) (A) (i) and (iii) and (C) (i) of the internal revenue
3 code Internal Revenue Code.

4 2. A candidate for national, state, or local office or a political party or other
5 committee or group required to file financial information with the federal elections
6 commission or a filing officer under s. 11.02.

7 3. Except as provided in par. (b) and in rules promulgated under sub. (8), a
8 charitable organization ~~which~~ that does not intend to raise or receive contributions
9 in excess of \$5,000 during a fiscal year, if all of its functions, including solicitation,
10 are performed by persons who are unpaid for their services and if no part of its assets
11 or income inures to the benefit of, or is paid to, any officer or member of the charitable
12 organization.

13 3m. A fraternal, civic, benevolent, patriotic, or social organization that solicits
14 contributions solely from its membership.

15 5. A nonprofit, postsecondary educational institution accredited by a regional
16 accrediting agency or association approved under 20 USC 1099b, or an educational
17 institution and its authorized charitable foundations ~~which~~ that solicit contributions
18 only from its students and their families, alumni, faculty, trustees, corporations,
19 foundations, and patients.

20 **(7)** (a) Before a fund-raising counsel performs any material services for a
21 charitable organization that is required to be registered under sub. (1), the charitable
22 organization shall contract in writing with the fund-raising counsel, except as
23 provided in par. (c). Requirements for the contract are specified in s. ~~440.43~~ 202.13
24 (3).

ASSEMBLY BILL 40**SECTION 2209**

1 (b) Before a professional fund-raiser performs any material services for a
2 charitable organization that is required to be registered under sub. (1), the charitable
3 organization shall contract in writing with the professional fund-raiser.
4 Requirements for the contract are specified in s. ~~440.44~~ 202.14 (4).

5 (c) Paragraph (a) does not apply if the fund-raising counsel is exempt under
6 s. ~~440.43~~ 202.13 (6) from contracting in writing with the charitable organization.

7 **SECTION 2210.** 440.43 of the statutes is renumbered 202.13, and 202.13 (1) (a),
8 (b) 3. and (c), (3), (5) and (6), as renumbered, are amended to read:

9 202.13 (1) (a) Except as provided in sub. (6), no fund-raising counsel may at
10 any time have custody of contributions from a solicitation for a charitable
11 organization that is required to be registered under s. ~~440.42~~ 202.12 (1) unless the
12 fund-raising counsel is registered with the department under this subsection.

13 (b) 3. Pays to the department a ~~\$50~~ the registration fee determined by the
14 department under s. 202.08, except that no registration fee is required under this
15 subdivision for an individual who is eligible for the veterans fee waiver program
16 under s. 45.44.

17 (c) The department shall issue a certificate of registration to each fund-raising
18 counsel that is registered under this subsection. Renewal applications shall be
19 submitted to the department, ~~on~~ in a form provided and manner prescribed by the
20 department, ~~on or before the date specified in s. 440.08 (2) (a)~~ by September 1 of each
21 even-numbered year and shall include the renewal fee determined by the
22 department under s. ~~440.03 (9) (a)~~ 202.08 and evidence satisfactory to the
23 department that the fund-raising counsel maintains a bond that is approved under
24 sub. (2).

ASSEMBLY BILL 40**SECTION 2210**

1 **(3) CONTRACT.** Except as provided in sub. (6), before a fund-raising counsel
2 performs any material services for a charitable organization that is required to be
3 registered under s. ~~440.42~~ 202.12 (1), the charitable organization and the
4 fund-raising counsel shall contract in writing, and the fund-raising counsel shall
5 file the contract with the department. The contract shall contain information that
6 will enable the department to identify the services that the fund-raising counsel is
7 to provide, including whether the fund-raising counsel will at any time have custody
8 of contributions.

9 **(5) DEPARTMENT DISCLOSURE.** The department shall not disclose information
10 under sub. (4) (c) 1. except to the extent necessary for investigative or law
11 enforcement purposes and except that the department may, if requested under s.
12 49.22 (2m), disclose information regarding the name, address, or employer of or
13 financial information related to an individual to the department of children and
14 families or a county child support agency under s. 59.53 (5).

15 **(6) EXCEPTIONS.** This section does not apply to a fund-raising counsel who does
16 not intend to earn more than \$1,000 per year as a fund-raising counsel, except that
17 a fund-raising counsel who does not intend to earn more than \$1,000 but does earn
18 more than \$1,000 in a year shall, beginning 30 days after actually earning more than
19 \$1,000 in a year, comply with sub. (3) and, if the fund-raising counsel at any time has
20 custody of contributions for a charitable organization that is required to be registered
21 under s. ~~440.42~~ 202.12 (1), register under sub. (1).

22 **SECTION 2211.** 440.44 of the statutes is renumbered 202.14, and 202.14 (1) (a),
23 (b) 3., (c) and (d), (3) (intro.), (4) (a), (7), (8), (9) (a) 2. and (10), as renumbered, are
24 amended to read:

ASSEMBLY BILL 40**SECTION 2211**

1 202.14 (1) (a) No professional fund-raiser may solicit in this state for a
2 charitable organization that is required to be registered under s. ~~440.42~~ 202.12 (1)
3 unless the professional fund-raiser is registered under this subsection.

4 (b) 3. Pays ~~to the department a \$50~~ the registration fee determined by the
5 department under s. 202.08, except that no registration fee is required under this
6 subdivision for an individual who is eligible for the veterans fee waiver program
7 under s. 45.44.

8 (c) The department shall issue a certificate of registration to each professional
9 fund-raiser that is registered under this subsection. Renewal applications shall be
10 submitted to the department, ~~on~~ in a form provided and manner prescribed by the
11 department, ~~on or before the date specified in s. 440.08 (2) (a)~~ by September 1 of each
12 even-numbered year and shall include the renewal fee determined by the
13 department under s. ~~440.03 (9) (a)~~ 202.08 and evidence satisfactory to the
14 department that the professional fund-raiser maintains a bond that is approved
15 under sub. (2).

16 (d) ~~Within 20 days after receiving~~ Upon the department's review of an
17 application for registration or for renewal of a registration under this subsection, the
18 department shall notify the professional fund-raiser of any deficiencies in the
19 application, bond, or fee payment.

20 (3) (intro.) Before performing services under a contract with a charitable
21 organization that is required to be registered under s. ~~440.42~~ 202.12 (1), a
22 professional fund-raiser shall file with the department a completed solicitation
23 notice in the form and manner prescribed by the department. The charitable
24 organization on whose behalf the professional fund-raiser is acting shall file with the
25 department a written confirmation that the solicitation notice and any

ASSEMBLY BILL 40**SECTION 2211**

1 accompanying material are true and complete to the best of its knowledge. The
2 solicitation notice shall include all of the following:

3 (4) (a) A professional fund-raiser and a charitable organization that is
4 required to be registered under s. ~~440.42~~ 202.12 (1) shall enter into a written contract
5 that clearly states the respective obligations of the professional fund-raiser and the
6 charitable organization and states the amount of gross revenue, raised under the
7 contract, that the charitable organization will receive. The amount of the gross
8 revenue that the charitable organization will receive shall be expressed as a fixed
9 percentage of the gross revenue or as an estimated percentage of the gross revenue,
10 as provided in pars. (b) to (d).

11 (7) FINANCIAL REPORT. Within 90 days after completing services under a
12 contract described in sub. (4), and on the anniversary of the signing of a contract
13 described under sub. (4) lasting more than one year, the professional fund-raiser
14 shall, if the charitable organization is required to be registered under s. ~~440.42~~
15 202.12 (1), account in writing to the charitable organization for all contributions
16 received and all expenses incurred under the contract. The charitable organization
17 shall retain the accounting for at least 3 years and make it available to the
18 department upon request.

19 (8) DEPOSITING CONTRIBUTIONS. A professional fund-raiser shall deposit, in its
20 entirety, a contribution of money received by the professional fund-raiser, on behalf
21 of a charitable organization required to be registered under s. ~~440.42~~ 202.12 (1), in
22 an account at a financial institution within 5 days after its receipt. The account shall
23 be in the name of the charitable organization. The charitable organization shall have
24 sole control of all withdrawals from the account.

ASSEMBLY BILL 40**SECTION 2211**

1 **(9)** (a) 2. The name and residence address of each employee, agent, or other
2 person involved in the solicitation.

3 **(10)** NONDISCLOSURE. The department may not disclose information under sub.
4 (9) (a) 1. to any person except to the extent necessary for investigative or law
5 enforcement purposes and except that the department may, if requested under s.
6 49.22 (2m), disclose information regarding the name, address, or employer of or
7 financial information related to an individual to the department of children and
8 families or a county child support agency under s. 59.53 (5).

9 **SECTION 2212.** 440.45 of the statutes is renumbered 202.15 and amended to
10 read:

11 **202.15 Charitable sales promotions.** If a commercial coventurer conducts
12 a charitable sales promotion on behalf of a charitable organization that is required
13 to be registered under s. ~~440.42~~ 202.12 (1), the commercial coventurer shall disclose
14 in each advertisement for the charitable sales promotion the dollar amount, or
15 percentage of price, per unit of goods or services purchased or used that will benefit
16 the charitable organization or charitable purpose. If the actual dollar amount or
17 percentage cannot reasonably be determined on the date of the advertisement, the
18 commercial coventurer shall disclose an estimated dollar amount or percentage. The
19 estimate shall be based upon all of the relevant facts known to the commercial
20 coventurer and to the charitable organization regarding the charitable sales
21 promotion.

22 **SECTION 2213.** 440.455 of the statutes is renumbered 202.155, and 202.155 (1)
23 (intro.) and (b), (2) and (3) (intro.), as renumbered, are amended to read:

24 202.155 **(1)** (intro.) Except as provided in sub. (4), if a professional fund-raiser
25 or unpaid solicitor solicits a contribution for a charitable organization that is

ASSEMBLY BILL 40**SECTION 2213**

1 required to be registered under s. ~~440.42~~ 202.12 (1), the professional fund-raiser or
2 unpaid solicitor shall, at the time of the solicitation or with a written confirmation
3 of a solicitation, prior to accepting a contribution, make the following disclosures to
4 the person from whom the contribution is solicited:

5 (b) That a financial statement of the charitable organization disclosing assets,
6 liabilities, fund balances, revenue, and expenses for the preceding fiscal year will be
7 provided to the person upon request.

8 (2) The financial statement under sub. (1) (b) shall, at a minimum, divide
9 expenses into categories of management and general, program services and
10 fund-raising. If the charitable organization is required to file an annual financial
11 report under s. ~~440.42~~ 202.12 (3) (a), the financial statement under sub. (1) (b) shall
12 be consistent with that annual financial report.

13 (3) (intro.) In addition to the requirements under subs. (1) and (2), except as
14 provided in sub. (4), if a professional fund-raiser solicits on behalf of a charitable
15 organization that is required to be registered under s. ~~440.42~~ 202.12 (1), all of the
16 following apply:

17 **SECTION 2214.** 440.46 of the statutes is renumbered 202.16, and 202.16 (1)
18 (intro.), (b), (c), (e) and (g), as renumbered, are amended to read:

19 202.16 (1) (intro.) No person may, in the planning, management, or execution
20 of a solicitation or charitable sales promotion, do any of the following:

21 (b) Imply that a contribution is for or on behalf of a charitable organization or
22 use any emblem, device, or printed matter belonging to or associated with a
23 charitable organization without first being authorized in writing to do so by the
24 charitable organization.

ASSEMBLY BILL 40**SECTION 2214**

1 (c) Use a name, symbol, or statement so closely related or similar to that used
2 by another charitable organization that the use of the name, symbol, or statement
3 would tend to confuse or mislead a person being solicited.

4 (e) Lead anyone in any manner to believe that another person sponsors,
5 endorses, or approves a solicitation or charitable sales promotion if the other person
6 has not sponsored, endorsed, or approved the solicitation or charitable sales
7 promotion in writing.

8 (g) Represent directly or by implication that a charitable organization will
9 receive a fixed or estimated percentage of the gross revenue raised greater than that
10 established under s. ~~440.44~~ 202.14 (4).

11 **SECTION 2215.** 440.47 of the statutes is renumbered 202.17, and 202.17 (1), (2),
12 (3) and (5), as renumbered, are amended to read:

13 202.17 (1) PUBLIC RECORDS. Except as provided in ss. ~~440.43~~ 202.13 (5) and
14 ~~440.44~~ 202.14 (10), registration statements, applications, reports, contracts, and
15 agreements of charitable organizations, fund-raising counsel, professional
16 fund-raisers, and unpaid solicitors and all other documents and information
17 retained by or filed with the department under this subchapter are available for
18 inspection or copying under s. 19.35 (1).

19 (2) FISCAL RECORDS; INSPECTION; RETENTION. All charitable organizations,
20 fund-raising counsels, professional fund-raisers, and unpaid solicitors shall keep
21 true records concerning activities regulated by this subchapter in a form that will
22 enable them accurately to provide the information required by this subchapter.
23 Upon demand, those records shall be made available to the department for
24 inspection and copying. The records shall be retained by the charitable organization,

ASSEMBLY BILL 40**SECTION 2215**

1 fund-raising counsel, professional fund-raiser, or unpaid solicitor for at least 3 years
2 after the end of the fiscal year to which they relate.

3 (3) EXCHANGE OF INFORMATION. The department may exchange with the
4 appropriate authority of any other state or of the United States information with
5 respect to charitable organizations, fund-raising counsel, professional fund-raisers,
6 unpaid solicitors, and commercial coventurers.

7 (5) ~~SUBSTITUTE SERVICE UPON DEPARTMENT OF FINANCIAL INSTITUTIONS.~~ A
8 charitable organization, fund-raising counsel, professional fund-raiser, or
9 commercial coventurer that has its principal place of business outside of this state
10 or is organized under laws other than the laws of this state and that is subject to this
11 subchapter shall be considered to have irrevocably appointed the department of
12 ~~financial institutions~~ as its agent for the service of process or notice directed to the
13 charitable organization, fund-raising counsel, professional fund-raiser, or
14 commercial coventurer or to any of its partners, principal officers, or directors in an
15 action or proceeding brought under this subchapter. Service of process or notice upon
16 the department of ~~financial institutions~~ shall be made by personally delivering to
17 and leaving with the department of ~~financial institutions~~ a copy of the process or
18 notice. That service shall be sufficient service if the department of ~~financial~~
19 ~~institutions~~ immediately sends notice of the service and a copy of the process or notice
20 to the charitable organization, fund-raising counsel, professional fund-raiser,
21 commercial coventurer, or other person to whom it is directed by registered mail,
22 with return receipt requested, at the last address known to the department of
23 ~~financial institutions~~.

24 **SECTION 2216.** 440.475 of the statutes is repealed.

ASSEMBLY BILL 40**SECTION 2217**

1 **SECTION 2217.** 440.48 of the statutes is renumbered 202.18, and 202.18 (1) (b),
2 (c) 1. and 2. (intro.) and a., (d) and (e), as renumbered, are amended to read:

3 202.18 (1) (b) Upon finding that a person has violated this subchapter or the
4 applicable rules promulgated under s. 202.095 or this subchapter, the court may
5 make any necessary order or judgment, including but not limited to injunctions,
6 restitution, and, notwithstanding s. 814.04, award of reasonable attorney fees and
7 costs of investigation and litigation, and, except as provided in par. (c), may impose
8 a forfeiture of not less than \$100 nor more than \$10,000 for each violation.

9 (c) 1. A person who violates s. ~~440.47~~ 202.17 (4) (b) may be required to forfeit
10 not more than \$5,000, unless the person establishes reasonable cause for the
11 violation.

12 2. (intro.) A person who, with intent to avoid, prevent, or interfere with a civil
13 investigation under this subsection, does any of the following may be required to
14 forfeit not more than \$5,000:

15 a. Alters or by any other means falsifies, removes from any place, conceals,
16 withholds, destroys, or mutilates any documentary material in the possession,
17 custody, or control of a person subject to notice of the taking of testimony or
18 examination of documents under s. ~~440.47~~ 202.17 (4).

19 (d) A charitable organization, fund-raising counsel, professional fund-raiser,
20 commercial coventurer, or any other person who violates the terms of an injunction
21 or other order entered under this subsection may be required to forfeit, in addition
22 to all other remedies, not less than \$1,000 nor more than \$10,000 for each violation.
23 The department of justice may recover the forfeiture in a civil action. Each separate
24 violation of an order entered under this subsection is a separate offense, except that

ASSEMBLY BILL 40**SECTION 2217**

1 each day of a violation through continuing failure to obey an order is a separate
2 offense.

3 (e) No charitable organization may indemnify an officer, employee, or director
4 for any costs, fees, restitution, or forfeitures assessed against that individual by the
5 court under par. (b), (c), or (d) unless the court determines that the individual acted
6 in good faith and reasonably believed the conduct was in or not opposed to the best
7 interests of the charitable organization.

8 **SECTION 2218.** Subchapter VI (title) of chapter 440 [precedes 440.55] of the
9 statutes is created to read:

10 **CHAPTER 440**

11 **SUBCHAPTER VI**

12 **EDUCATIONAL APPROVAL BOARD**

13 **SECTION 2219.** Subchapter VI (title) of chapter 440 [precedes 440.60] of the
14 statutes is renumbered subchapter VII (title) of chapter 440 [precedes 440.60].

15 **SECTION 2220.** Subchapter VII (title) of chapter 440 [precedes 440.70] of the
16 statutes is renumbered subchapter VIII (title) of chapter 440 [precedes 440.70].

17 **SECTION 2221.** Subchapter VIII (title) of chapter 440 [precedes 440.88] of the
18 statutes is renumbered subchapter IX (title) of chapter 440 [precedes 440.88].

19 **SECTION 2222.** Subchapter IX (title) of chapter 440 [precedes 440.90] of the
20 statutes is renumbered subchapter X (title) of chapter 440 [precedes 449.90].

21 **SECTION 2223.** Subchapter X (title) of chapter 440 [precedes 440.96] of the
22 statutes is renumbered subchapter XI (title) of chapter 440 [precedes 440.96].

23 **SECTION 2224.** Subchapter XI (title) of chapter 440 [precedes 440.97] of the
24 statutes is renumbered subchapter XII (title) of chapter 440 [precedes 440.97].

ASSEMBLY BILL 40**SECTION 2225**

1 **SECTION 2225.** Subchapter XII (title) of chapter 440 [precedes 440.98] of the
2 statutes is renumbered subchapter XIII (title) of chapter 440 [precedes 440.98].

3 **SECTION 2226.** Subchapter XIII (title) of chapter 440 [precedes 440.9805] of the
4 statutes is renumbered subchapter XIV (title) of chapter 440 [precedes 440.9805].

5 **SECTION 2227.** Subchapter XIV (title) of chapter 440 [precedes 440.99] of the
6 statutes is renumbered subchapter XV (title) of chapter 440 [precedes 440.99].

7 **SECTION 2228.** 441.15 (2m) of the statutes is amended to read:

8 441.15 (2m) Subsection (2) does not apply to a person granted a license to
9 practice midwifery under subch. ~~XIII~~ XIV of ch. 440.

10 **SECTION 2229.** 448.03 (2) (a) of the statutes is amended to read:

11 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
12 permit, registration, certificate or certification granted to practice midwifery under
13 subch. ~~XIII~~ XIV of ch. 440, to practice professional or practical nursing or
14 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice
15 dentistry or dental hygiene under ch. 447, to practice optometry under ch. 449, to
16 practice acupuncture under ch. 451 or under any other statutory provision, or as
17 otherwise provided by statute.

18 **SECTION 2230.** 450.19 (5) of the statutes is repealed.

19 **SECTION 2231.** 460.05 (1) (e) 1. of the statutes is amended to read:

20 460.05 (1) (e) 1. Graduated from a school of massage therapy or bodywork
21 therapy approved by the educational approval board under s. ~~38.50~~ 440.55 that
22 meets the requirements under s. 460.095 or completed a training program approved
23 by the affiliated credentialing board under the rules promulgated under s. 460.04 (2)
24 (b).

ASSEMBLY BILL 40**SECTION 2232**

1 **SECTION 2232.** Chapter 461 (title) of the statutes is renumbered subchapter III
2 (title) of chapter 202 [precedes 202.21].

3 **SECTION 2233.** 461.01 of the statutes is renumbered 202.21, and 202.21 (intro.),
4 (1) and (6) of the statutes, as renumbered, are amended to read:

5 **202.21 Definitions.** (intro.) In this ~~chapter~~ subchapter:

6 **(1)** “Applicant” means a professional employer organization or a professional
7 employer group that applies for registration under s. ~~461.02~~ 202.22.

8 **(6)** “Registrant” means a professional employer organization or a professional
9 employer group that is registered under s. ~~461.02~~ 202.22.

10 **SECTION 2234.** 461.02 (title) of the statutes is renumbered 202.22 (title).

11 **SECTION 2235.** 461.02 (1) of the statutes is renumbered 202.22 (1), and 202.22
12 (1) (b), as renumbered, is amended to read:

13 202.22 **(1)** (b) No person may designate as the person’s title, or append to the
14 person’s name the words or letters, “professional employer organization,” “P.E.O.,”
15 “professional employer group,” “P.E.G.,” “staff leasing company,” “registered staff
16 leasing company,” “employee leasing company,” or “administrative employer,” or
17 other similar titles or letters, or use ~~these~~ those titles, words, or letters to describe
18 the person’s business or represent that the person or the person’s business is
19 registered or licensed as a “professional employer organization,” “P.E.O.,”
20 “professional employer group,” “P.E.G.,” “staff leasing company,” “registered staff
21 leasing company,” “employee leasing company,” or “administrative employer,” unless
22 the person is registered by the department under this ~~chapter~~ section.

23 **SECTION 2236.** 461.02 (2) of the statutes is renumbered 202.22 (2), and 202.22
24 (2) (intro.), (d) and (e), as renumbered, are amended to read:

ASSEMBLY BILL 40**SECTION 2236**

1 202.22 (2) APPLICATION FOR REGISTRATION. (intro.) Except as provided in sub.
2 (7) (b), an applicant for registration under this section shall submit to the
3 department an application for registration ~~on~~ in a form and manner prescribed by
4 the department, together with the registration fee determined by the department
5 under s. ~~440.03 (9) (a)~~ 202.08 and all of the following:

6 (d) A statement of ownership, which shall include the name and business
7 experience of every controlling person, as defined in s. ~~461.01~~ 202.21 (3) (a), of the
8 applicant.

9 (e) A statement of management, which shall include the name and business
10 experience of every controlling person, as defined in s. ~~461.01~~ 202.21 (3) (b), of the
11 applicant.

12 **SECTION 2237.** 461.02 (3) of the statutes is repealed.

13 **SECTION 2238.** 461.02 (4) of the statutes is renumbered 202.22 (4), and 202.22
14 (4) (a), as renumbered, is amended to read:

15 202.22 (4) (a) ~~Renewal applications~~ A registrant shall be submitted submit a
16 renewal application, together with the applicable renewal fee determined by the
17 department under s. ~~440.03 (9) (a)~~ 202.08, to the department ~~on~~ in a form provided
18 and manner prescribed by the department ~~on or before the applicable renewal date~~
19 ~~specified under s. 440.08 (2) (a)~~ by July 1 of each year. Except as provided in pars.
20 (b) and (c) and sub. (7) (b), ~~the~~ a registrant shall submit with each renewal
21 application shall be accompanied by a financial statement, as that term is used
22 specified in sub. (2) (f) 1., updated to reflect the current financial condition of the
23 registrant.

24 **SECTION 2239.** 461.02 (5) (title) of the statutes is renumbered 202.22 (5) (title).

ASSEMBLY BILL 40**SECTION 2240**

1 **SECTION 2240.** 461.02 (5) (a) of the statutes is renumbered 202.22 (5) (a) and
2 amended to read:

3 202.22 **(5)** (a) Except as provided in sub. (7) (b), a professional employer
4 organization or professional employer group that is domiciled outside this state, that
5 is registered or licensed as a professional employer organization or professional
6 employer group in another state, that does not maintain an office in this state or
7 directly solicit clients that are located or domiciled in this state, and that has no more
8 than 50 employees performing services for clients in this state on any given day may
9 apply for small operations registration under this section by ~~filing with~~ submitting
10 to the department ~~a~~ an application for small operations registration in a form and
11 manner prescribed by the department and paying the initial ~~credential~~ registration
12 fee determined by the department under s. ~~440.03 (9) (a)~~ 202.08. An applicant that
13 is seeking small operations registration shall, in addition to the information required
14 under sub. (2) (a) to (e), provide the department with information and documentation
15 showing that the applicant meets the qualifications specified in this paragraph for
16 small operations registration.

17 **SECTION 2241.** 461.02 (5) (b) of the statutes is repealed.

18 **SECTION 2242.** 461.02 (5) (c) of the statutes is repealed.

19 **SECTION 2243.** 461.02 (5) (d) of the statutes is renumbered 202.22 (5) (d).

20 **SECTION 2244.** 461.02 (5) (e) of the statutes is renumbered 202.22 (5) (e) and
21 amended to read:

22 202.22 **(5)** (e) A professional employer organization or professional employer
23 group registered under this subsection is not required to comply with the financial
24 capability requirement under s. ~~461.03~~ 202.23.

ASSEMBLY BILL 40**SECTION 2245**

1 **SECTION 2245.** 461.02 (6) of the statutes is renumbered 202.22 (6) and amended
2 to read:

3 **202.22 (6) PROFESSIONAL EMPLOYER GROUP REGISTRATION.** Except as provided in
4 sub. (7) (b), 2 or more professional employer organizations that are part of a
5 professional employer group may register under this section or renew a registration
6 by providing the information required under sub. (2), (4), or (5) on a combined or
7 consolidated basis, paying the initial ~~credential~~ registration or renewal fee
8 determined by the department under s. ~~440.03 (9) (a)~~ 202.08, and guaranteeing each
9 other's obligations. If a professional employer group provides a combined or
10 consolidated financial statement under sub. (2) (f) 1. that includes the financial
11 condition of entities that are not part of the professional employer group, the
12 controlling person ~~controlling the professional employer group~~ shall guarantee the
13 obligations of the professional employer organizations in the professional employer
14 group.

15 **SECTION 2246.** 461.02 (7) of the statutes is renumbered 202.22 (7), and 202.22
16 (7) (a), (b) and (c), as renumbered, are amended to read:

17 **202.22 (7) (a)** The department shall by rule provide for registration of a
18 professional employer organization or professional employer group on acceptance by
19 the department of a registration form, financial statement, or any other information
20 or documentation required under sub. (2), (4), (5), or (6), s. ~~461.03~~ 202.23, or rules
21 promulgated under s. ~~461.06~~ 202.095 or 202.26 in the form of an electronic record,
22 as defined in s. 137.11 (7) and, if a signature is required, on acceptance of an
23 electronic signature, as defined in s. 137.11 (8).

24 (b) The department may by rule provide for registration of a professional
25 employer organization or professional employer group without compliance with sub.

ASSEMBLY BILL 40**SECTION 2246**

1 (2), (4), (5), or (6), s. ~~461.03~~ 202.23, or rules promulgated under s. ~~461.06~~ 202.095
2 or 202.26 on acceptance by the department of assurance, provided by a bonded,
3 independent, and qualified assurance organization that has been approved by the
4 department, ~~that provides assurance~~ satisfactory to the department that the
5 professional employer organization or professional employer group is qualified to
6 operate as a professional employer organization or a professional employer group in
7 this state.

8 (c) This subsection does not limit the authority of the department to require a
9 professional employer organization or professional employer group to register as
10 provided in sub. (2), (4), (5), or (6), to maintain proof of financial capability as
11 required under s. ~~461.03~~ 202.23, or to comply with this chapter and the rules
12 promulgated under s. ~~461.06~~ 202.095 or 202.26; to investigate an applicant or
13 registrant and deny registration or renewal registration under sub. (8), or to
14 investigate an applicant, registrant, or controlling person and take disciplinary
15 action under s. ~~461.05~~ 202.06.

16 **SECTION 2247.** 461.02 (8) of the statutes is renumbered 202.22 (8) and amended
17 to read:

18 **202.22 (8) ISSUANCE OF REGISTRATION.** The department shall investigate each
19 applicant or registrant who submits to the department an application for
20 registration or registration renewal under this section, together with the applicable
21 registration or registration renewal fee, to determine whether the applicant or
22 registrant is qualified for registration or for renewal registration. Except as provided
23 in s. ~~440.12 and 440.13~~ ss. 202.03 and 202.035, the department shall issue a
24 registration or renewal registration if, after completing the investigation, the
25 department determines that the applicant or registrant meets the applicable

ASSEMBLY BILL 40**SECTION 2247**

1 requirements under this chapter and rules promulgated under s. ~~461.06~~ 202.095 or
2 202.26 for issuance or renewal of a registration and is satisfied that the applicant or
3 registrant will comply with this chapter and those rules.

4 **SECTION 2248.** 461.02 (9) of the statutes is renumbered 202.22 (9).

5 **SECTION 2249.** 461.03 of the statutes is renumbered 202.23 and amended to
6 read:

7 **202.23 Financial capability.** Except as provided in s. ~~461.02~~ 202.22 (5) (e)
8 or (7) (b), a professional employer organization or professional employer group shall
9 maintain one of the following:

10 (1) **WORKING CAPITAL REQUIREMENT.** Working capital, as defined by generally
11 accepted accounting principals, of not less than \$100,000, as shown in the financial
12 statement submitted to the department under s. ~~461.02~~ 202.22 (2) (f) 1., (4), or (6).
13 If a professional employer organization or professional employer group has less than
14 \$100,000 in working capital, the department may issue a registration or renewal
15 registration contingent on the registrant meeting the working capital requirement
16 of this subsection no later than 180 days after the issuance of the registration or
17 renewal registration. During the period of contingent registration, the registrant
18 shall submit quarterly financial statements to the department accompanied by an
19 attestation by the chief executive officer of the registrant that all wages, salaries,
20 employee benefits, worker's compensation insurance premiums, payroll taxes,
21 unemployment insurance contributions, and other amounts that are payable to or
22 with respect to an employee of the registrant performing services for a client were
23 paid by the registrant when due.

24 (2) **ALTERNATIVE COMMITMENT.** A bond, certificate of deposit, escrow account, or
25 irrevocable letter of credit in an amount that is not less than \$100,000 or, if the

ASSEMBLY BILL 40**SECTION 2249**

1 financial statement submitted to the department under s. ~~461.02~~ 202.22 (2) (f) 1.,
2 (4), or (6) indicates a deficit in working capital, a bond, certificate of deposit, escrow
3 account, or irrevocable letter of credit in an amount that is not less than \$100,000
4 plus an amount that is sufficient to cover that deficit. The commitment described in
5 this subsection shall be in a form approved by the department, shall be held in a
6 depository designated by the department, and shall secure the payment by the
7 professional employer organization or professional employer group of any wages,
8 salaries, employee benefits, worker's compensation insurance premiums, payroll
9 taxes, unemployment insurance contributions, or other amounts that are payable to
10 or with respect to an employee performing services for a client if the professional
11 employer organization or professional employer group does not make those
12 payments when due. The commitment shall be established in favor of or be made
13 payable to the department, for the benefit of the state and any employee to whom or
14 with respect to whom the professional employer organization or professional
15 employer group does not make a payment described in this subsection when due. The
16 professional employer organization or professional employer group shall file with the
17 department any agreement, instrument, or other document that is necessary to
18 enforce the commitment against the professional employer organization or
19 professional employer group, or against any relevant 3rd party, or both.

20 **SECTION 2250.** 461.04 of the statutes is renumbered 202.24, and 202.24 (3), as
21 renumbered, is amended to read:

22 202.24 (3) LICENSING. Nothing in this ~~chapter~~ subchapter or in any contract for
23 the provision of the nontemporary, ongoing workforce of a client may be construed
24 to affect or impair any federal, state, or local licensing, registration, or certification

ASSEMBLY BILL 40**SECTION 2250**

1 requirement that is applicable to a client or to an employee performing services for
2 a client.

3 **SECTION 2251.** 461.05 of the statutes is repealed.

4 **SECTION 2252.** 461.06 of the statutes is renumbered 202.26, and 202.26 (intro.),
5 (1) and (3), as renumbered, are amended to read:

6 **202.26 Rules.** (intro.) The rules the department shall ~~promulgate rules to~~
7 ~~promulgates under s. 202.095 that implement this chapter. Those rules subchapter~~
8 shall include rules providing for all of the following:

9 (1) Alternative registration of professional employer organizations under s.
10 ~~461.02~~ 202.22 (7) (a) and (b).

11 (3) Minimum requirements for issuance or renewal of a registration under s.
12 ~~461.02~~ 202.22 (8).

13 **SECTION 2253.** 461.10 of the statutes is renumbered 202.29 and amended to
14 read:

15 **202.29 Short title.** This chapter subchapter shall be known as the “Wisconsin
16 Professional Employer Organizations Act.”

17 **SECTION 2254.** 562.025 (1) (intro.) of the statutes is amended to read:

18 562.025 (1) (intro.) No employee in the division of gaming who performs any
19 duty related to racing or ~~the executive assistant or the secretary or, deputy secretary,~~
20 or assistant deputy secretary of administration and no member of such a person’s
21 immediate family, as defined in s. 19.42 (7), may, while that person is employed or
22 serves in such a capacity or for 2 years following the termination of his or her
23 employment with the department after having served in such a capacity, do any of
24 the following:

25 **SECTION 2255.** 563.05 (5) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2255**

1 563.05 (5) (intro.) No employee in the division of gaming who performs any
2 duty related to bingo or raffles or ~~the executive assistant or the secretary or, deputy~~
3 ~~secretary, or assistant deputy secretary~~ of administration and no member of such a
4 person's immediate family, as defined in s. 19.42 (7), may, while that person is
5 employed or serves in such a capacity or for 2 years following the termination of his
6 or her employment with the department after having served in such a capacity, do
7 any of the following:

8 **SECTION 2256.** Chapter 564 of the statutes is repealed.

9 **SECTION 2257.** 565.01 (4n) of the statutes is created to read:

10 565.01 (4n) "Personal representative" has the meaning given in s. 851.23.

11 **SECTION 2258.** 565.05 (1) (intro.) of the statutes is amended to read:

12 565.05 (1) (intro.) No employee in the lottery division of the department or ~~the~~
13 ~~executive assistant or the secretary or, deputy secretary, or assistant deputy~~
14 ~~secretary~~ of revenue may do any of the following:

15 **SECTION 2259.** 565.05 (1) (a) of the statutes is amended to read:

16 565.05 (1) (a) Have a direct or indirect interest in, or be employed by, any
17 vendor while serving as an employee in the lottery division of the department or as
18 ~~the executive assistant or as secretary or, deputy secretary, or assistant deputy~~
19 ~~secretary~~ of revenue or for 2 years following the person's termination of service.

20 **SECTION 2260.** 565.17 (5) (a) of the statutes is amended to read:

21 565.17 (5) (a) No employee in the lottery division of the department or ~~the~~
22 ~~executive assistant or the secretary or, deputy secretary, or assistant deputy~~
23 ~~secretary~~ of revenue and no member of such a person's immediate family, as defined
24 in s. 19.42 (7), may purchase a lottery ticket or lottery share.

ASSEMBLY BILL 40**SECTION 2261**

1 **SECTION 2261.** 565.30 (1) of the statutes is renumbered 565.30 (1) (a) and
2 amended to read:

3 565.30 (1) (a) The administrator shall direct the payment of a prize, in the form
4 elected under s. 565.28, if applicable, to the holder of the winning lottery ticket or
5 lottery share or to a person designated under sub. (2), except that a prize may be paid
6 to another person under a court order or, upon the death of a prize winner, any prize
7 money that has not been paid shall be paid to the prize winner's estate of a deceased
8 prize winner.

9 (e) The department, administrator, state and any contractor for materials,
10 equipment or services of the game in which the prize is won are discharged of all
11 liability upon payment of the prize to the holder of a winning lottery ticket or lottery
12 share.

13 **SECTION 2262.** 565.30 (1) (b) of the statutes is created to read:

14 565.30 (1) (b) If prize money, other than prize money from a multijurisdictional
15 lottery, is being paid in the form of an annuity to a person at the time of his or her
16 death, and if the personal representative of the deceased person's estate petitions the
17 administrator within 18 months after the effective date of this paragraph [LRB
18 inserts date], or within 18 months after the date of death of the person, whichever
19 is later, to have the remaining prize money paid in the form of a lump sum, the
20 administrator shall direct that the payment be made as a lump sum.

21 **SECTION 2263.** 565.30 (1) (c) of the statutes is created to read:

22 565.30 (1) (c) If prize money, other than prize money from a multijurisdictional
23 lottery, is being paid in the form of an annuity to a person, other than a prize winner,
24 and if the person petitions the administrator within 18 months after the effective
25 date of this paragraph [LRB inserts date], or within 18 months after the date of

ASSEMBLY BILL 40**SECTION 2263**

1 the receipt of the first annuity payment by the person, whichever is later, to have the
2 remaining prize money paid in the form of a lump sum, the administrator shall direct
3 that the payment be made in a lump sum.

4 **SECTION 2264.** 565.30 (1) (d) of the statutes is created to read:

5 565.30 (1) (d) The administrator shall establish a procedure for submitting
6 petitions under pars. (b) and (c).

7 **SECTION 2265.** 601.415 (10) of the statutes is amended to read:

8 601.415 (10) PETROLEUM PRODUCT STORAGE REMEDIAL ACTION PROGRAM RULES.
9 The commissioner shall promulgate the rules required under s. ~~101.143~~ 292.63 (1m).

10 **SECTION 2266.** 632.697 of the statutes is created to read:

11 **632.697 Benefits subject to department's right to recover.** Death
12 benefits payable under a life insurance policy or an annuity are subject to the right
13 of the department of health services to recover under s. 46.27 (7g), 49.496, 49.682,
14 or 49.849 an amount equal to the medical assistance that is recoverable under s.
15 49.496 (3) (a), an amount equal to aid under s. 49.68, 49.683, or 49.685 that is
16 recoverable under s. 49.682 (2) (a), or an amount equal to long-term community
17 support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that
18 was paid on behalf of the deceased policyholder or annuitant.

19 **SECTION 2267.** 635.02 (7) (b) 3. of the statutes is amended to read:

20 635.02 (7) (b) 3. A professional employer organization, as defined in s. ~~461.01~~
21 202.21 (5), or a professional employer group, as defined in s. ~~461.01~~ 202.21 (4), that
22 provides health care benefits to more than 50 employees performing services for a
23 client, as defined in s. ~~461.01~~ 202.21 (2).

24 **SECTION 2268.** 700.24 of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2268**

1 **700.24 Death of a joint tenant; effect of liens.** A real estate mortgage, a
2 security interest under ch. 409, or a lien under s. 72.86 (2), 1985 stats., or s. 71.91 (5)
3 (b), ~~or ch. 49 or 779 or rules promulgated under s. 46.286 (7)~~ on or against the interest
4 of a joint tenant does not defeat the right of survivorship in the event of the death
5 of such joint tenant, but the surviving joint tenant or tenants take the interest such
6 deceased joint tenant could have transferred prior to death subject to such mortgage,
7 security interest, or statutory lien.

8 **SECTION 2269.** 701.065 (1) (b) 1. of the statutes is amended to read:

9 701.065 (1) (b) 1. The claim is a claim based on tort, on a marital property
10 agreement that is subject to the time limitations under s. 766.58 (13) (b) or (c), on
11 Wisconsin income, franchise, sales, withholding, gift, or death taxes, or on
12 unemployment compensation contributions due or benefits overpaid; a claim for
13 funeral or administrative expenses; a claim of this state under s. 46.27 (7g), 49.496
14 ~~or, 49.682, or rules promulgated under s. 46.286 (7) 49.849;~~ or a claim of the United
15 States.

16 **SECTION 2270.** 701.065 (5) of the statutes is created to read:

17 701.065 (5) CLAIMS OF DEPARTMENT OF HEALTH SERVICES. (a) *Definitions.* In this
18 subsection:

19 1. "Department" means the department of health services.

20 2. "Long-term care program" has the meaning given in s. 49.496 (1) (bk).

21 (b) *Living trusts.* 1. Notwithstanding sub. (1) (a), if a settlor of a living trust,
22 or if the predeceased spouse of a settlor of a living trust, at any time received any
23 services provided as a benefit under a long-term care program, medical assistance
24 under subch. IV of ch. 49, long-term community support services funded under s.
25 46.27 (7), or aid under s. 49.68, 49.683, or 49.685, the trustee shall provide written

ASSEMBLY BILL 40**SECTION 2270**

1 notice to the department by registered or certified mail, within 30 days after the
2 death of the settlor and before any property held in the trust is distributed. The
3 notice shall include demographic information about the settlor and the settlor's
4 predeceased spouse, if any, information about how to file a claim, a copy of the trust
5 document, and documentation supporting the value of the trust on the settlor's date
6 of death.

7 2. After the death of a settlor who, or whose predeceased spouse, received
8 services, medical assistance, long-term community support services, or aid
9 described in subd. 1., the department may recover under s. 46.27 (7g), 49.496, 49.682,
10 or 49.849, from property held in the living trust immediately before the settlor's
11 death, an amount equal to the medical assistance that is recoverable under s. 49.496
12 (3) (a), an amount equal to aid under s. 49.68, 49.683, or 49.685 that is recoverable
13 under s. 49.682 (2) (a), or an amount equal to long-term community support services
14 under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf
15 of the settlor or the settlor's predeceased spouse. The deadline for the department
16 to file a claim for recovery under this subdivision shall be the date that is 4 months
17 after the date of the trustee's notice under subd. 1.

18 3. Within 90 days after receipt of a claim for recovery from the department, a
19 trustee under subd. 1. shall pay to the department any amount that the department
20 may recover under subd. 2. If the trustee distributes property from the trust before
21 the department makes a claim to the trustee for the recovery of any amount specified
22 in subd. 2., the trustee shall provide the department with information about the
23 distributed property and to whom it was distributed or transferred. The department
24 is entitled to recover any amounts specified in subd. 2. from the persons to whom the
25 property was distributed or transferred.

ASSEMBLY BILL 40**SECTION 2270**

1 (c) *Special needs or pooled trusts.* 1. Notwithstanding sub. (1) (a), within 30
2 days after the death of a beneficiary under a trust described in 42 USC 1396p (d) (4)
3 (A) or (C), the trustee shall provide written notice to the department by registered
4 or certified mail. The notice shall include demographic information about the
5 decedent, information about how to file a claim, a copy of the trust document, and
6 documentation supporting the value of the decedent's property held in the trust on
7 the decedent's date of death. Within 90 days after receipt of a claim from the
8 department, the trustee shall repay the department for any medical assistance paid
9 on behalf of the decedent, as required under the terms of the trust.

10 2. If a trustee under subd. 1. fails to comply with the notice and repayment
11 requirements under subd. 1., the trustee is personally liable to the department for
12 any costs the department incurs in recovering medical assistance amounts paid on
13 behalf of the decedent from property distributed from the trust before any repayment
14 is made and for any recoverable amounts that the department is unable to recover
15 from persons to whom the property was distributed.

16 3. After the death of a beneficiary under a trust described in 42 USC 1396p (d)
17 (4) (C), the trustee may retain up to 30 percent of the balance in the decedent's
18 account, unless the trustee fails to comply with the notice and repayment
19 requirements under subd. 1., in which case the trustee may not retain any of the
20 balance in the decedent's account.

21 **SECTION 2271.** 705.04 (2g) of the statutes is amended to read:

22 705.04 (2g) Notwithstanding subs. (1) and (2), the department of health
23 services may collect, from funds of a decedent that are held by the decedent
24 immediately before death in a joint account or a P.O.D. account, an amount equal to
25 the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal

ASSEMBLY BILL 40**SECTION 2271**

1 to aid under s. 49.68, 49.683, or 49.685 that is recoverable under s. 49.682 (2) (a), or
2 an amount equal to long-term community support services under s. 46.27 that is
3 recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or
4 the decedent's spouse ~~or an amount equal to the family care benefit under s. 46.286~~
5 ~~that is recoverable under rules promulgated under s. 46.286 (7) and that was paid~~
6 ~~on behalf of the decedent or the decedent's spouse.~~

7 **SECTION 2272.** 710.01 of the statutes is amended to read:

8 **710.01 Aliens may acquire lands.** ~~Subject to the limitations of s. 710.02 an~~
9 An alien may acquire and hold lands or any right thereto or interest therein by
10 purchase, devise, or descent, and the alien may convey, mortgage, and devise the
11 same; and if the alien shall die intestate the same shall descend to the alien's heirs;
12 and in all cases such lands shall be held, conveyed, mortgaged, or devised or shall
13 descend in like manner and with like effect as if such alien were a native citizen of
14 the state or of the United States.

15 **SECTION 2273.** 710.02 of the statutes is repealed.

16 **SECTION 2274.** 710.03 of the statutes is amended to read:

17 **710.03 Provision not retroactive.** The title to any lands conveyed before
18 May 3, 1887, or any lands which nonresident aliens may hold under s. 710.02, 2011
19 stats., conveyed since that date and before the effective date of this section [LRB
20 inserts date], shall not be questioned nor in any manner affected by reason of the
21 alienage of any person from or through whom such title may have been derived.

22 **SECTION 2275.** 766.55 (2) (bm) of the statutes is created to read:

23 766.55 (2) (bm) An obligation incurred by a spouse that is recoverable under
24 s. 46.27 (7g), 49.496, 49.682, or 49.849 may be satisfied from all property that was
25 the property of that spouse immediately before that spouse's death and from all

ASSEMBLY BILL 40**SECTION 2275**

1 property that was marital property at any time within 5 years before that spouse
2 applied for public assistance, as defined in s. 49.849 (1) (e), or while that spouse was
3 eligible for public assistance, as defined in s. 49.849 (1) (e).

4 **SECTION 2276.** 767.511 (6) (intro.) of the statutes is amended to read:

5 767.511 (6) INTEREST ON ARREARAGE. (intro.) ~~A- Subject to sub. (6m),~~ a party
6 ordered to pay child support under this section shall pay simple interest at the rate
7 of 1% per month on any amount in arrears that is equal to or greater than the amount
8 of child support due in one month. ~~If Subject to sub. (6m),~~ if the party no longer has
9 a current obligation to pay child support, interest at the rate of 1% per month shall
10 accrue on the total amount of child support in arrears, if any. Interest under this
11 subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4), or 815.05 (8)
12 and is paid to the department or its designee under s. 767.57. Except as provided in
13 s. 767.57 (1m) and except as required under federal statutes or regulations, the
14 department or its designee shall apply all payments received for child support as
15 follows:

16 **SECTION 2277.** 767.511 (6m) of the statutes is created to read:

17 767.511 (6m) PILOT PROGRAM ON INTEREST RATE. The department may conduct
18 a pilot program under which the interest that accrues on the amounts in arrears
19 specified in sub. (6) and in s. 767.531 shall be at the rate of 0.5 percent per month
20 instead of 1 percent per month. If the department conducts a pilot program under
21 this subsection, the program may begin at any time after December 31, 2013, but
22 shall end on June 30, 2015, and the new rate shall apply to interest that accrues
23 during that time. At the end of the pilot program, if any, the interest rate shall revert
24 to 1 percent per month, unless the department of administration approves the
25 continuation of the lower rate.

ASSEMBLY BILL 40**SECTION 2278**

1 **SECTION 2278.** 767.531 (intro.) of the statutes is amended to read:

2 **767.531 Family support.** (intro.) The court may make a financial order
3 designated “family support” as a substitute for child support orders under s. 767.511
4 and maintenance payment orders under s. 767.56. ~~A Subject to s. 767.511 (6m), a~~
5 party ordered to pay family support under this section shall pay simple interest at
6 the rate of 1% per month on any amount in arrears that is equal to or greater than
7 the amount of child support due in one month. ~~If Subject to s. 767.511 (6m), if the~~
8 party no longer has a current obligation to pay child support, interest at the rate of
9 1% per month shall accrue on the total amount of child support in arrears, if any.
10 Interest under this section is in lieu of interest computed under s. 807.01 (4), 814.04
11 (4), or 815.05 (8) and is paid to the department or its designee under s. 767.57. Except
12 as provided in s. 767.57 (1m), the department or its designee shall apply all payments
13 received for family support as follows:

14 **SECTION 2279.** 767.57 (1m) (intro.) of the statutes is amended to read:

15 **767.57 (1m) OVERPAYMENT.** (intro.) Notwithstanding ~~ss. 767.511 (6) and~~
16 ~~767.531, if~~ If the department or its designee receives support or maintenance money
17 that exceeds the amount due in the month in which it is received and the department
18 or its designee determines that the excess amount is for support or maintenance due
19 in a succeeding month, the department or its designee may hold the amount of
20 overpayment that does not exceed the amount due in the next month for
21 disbursement in the next month if any of the following applies:

22 **SECTION 2280.** 788.01 of the statutes is amended to read:

23 **788.01 Arbitration clauses in contracts enforceable.** A provision in any
24 written contract to settle by arbitration a controversy thereafter arising out of the
25 contract, or out of the refusal to perform the whole or any part of the contract, or an

ASSEMBLY BILL 40**SECTION 2280**

1 agreement in writing between 2 or more persons to submit to arbitration any
2 controversy existing between them at the time of the agreement to submit, shall be
3 valid, irrevocable and enforceable except upon such grounds as exist at law or in
4 equity for the revocation of any contract. This chapter shall not apply to contracts
5 between employers and employees, or between employers and associations of
6 employees, except as provided in s. 111.10, nor to agreements to arbitrate disputes
7 under s. ~~101.143~~ 292.63 (6s) or 230.44 (4) (bm).

8 **SECTION 2281.** 813.12 (8) (a) of the statutes, as affected by 2011 Wisconsin Act
9 266, is amended to read:

10 813.12 (8) (a) Whoever knowingly violates a temporary restraining order or
11 injunction issued under sub. (3) or (4) shall be fined not more than \$10,000 or
12 imprisoned for not more than 9 months or both, and may be subject to an order under
13 s. 813.129 (1) (b). If the court issues an order under s. 813.129 (1) (b), the court shall
14 report the violation to the department of corrections immediately upon the person's
15 conviction.

16 **SECTION 2282.** 813.125 (7) of the statutes, as affected by 2011 Wisconsin Act
17 266, is amended to read:

18 813.125 (7) PENALTY. Whoever violates a temporary restraining order or
19 injunction issued under this section shall be fined not more than \$10,000 or
20 imprisoned not more than ~~90 days~~ 9 months or both, and may be subject to an order
21 under s. 813.129 (1) (b). If the court issues an order under s. 813.129 (1) (b), the court
22 shall report the violation to the department of corrections immediately upon the
23 person's conviction.

24 **SECTION 2283.** 813.129 (1) of the statutes, as created by 2011 Wisconsin Act
25 266, is repealed and recreated to read:

ASSEMBLY BILL 40**SECTION 2283**

1 813.129 (1) A court may order a person to submit to global positioning system
2 tracking if any of the following occurs:

3 (a) In a jurisdiction that has established a program under sub. (6), the court
4 issues a temporary restraining order or injunction under s. 813.12 or 813.125.

5 (b) The person is convicted of knowingly violating a temporary restraining
6 order or injunction issued under s. 813.12 or 813.125.

7 **SECTION 2284.** 813.129 (5) of the statutes, as created by 2011 Wisconsin Act
8 266, is amended to read:

9 813.129 (5) If, after weighing the factors set forth under sub. (2), the court
10 determines that a person is more likely than not to cause serious bodily harm to the
11 person who petitioned for the restraining order or injunction, and the court
12 determines that another alternative, including imprisonment, is more likely to
13 protect the person who petitioned for the restraining order or injunction, the court
14 may not enter an order under sub. (1) (b).

15 **SECTION 2285.** 813.129 (6) of the statutes is created to read:

16 813.129 (6) A local unit of government, a law enforcement agency, or a tribal
17 law enforcement agency may establish a global positioning tracking program for
18 persons subject to a temporary restraining order or injunction under s. 813.12 or
19 813.125. A local unit of government, a law enforcement agency, or a tribal law
20 enforcement agency may apply for a grant under s. 165.94 (1) to establish and
21 administer a program established pursuant to this subsection. Any program
22 established pursuant to this subsection shall comply with the guidelines established
23 under s. 165.94 (2), regardless of whether the local unit of government, law
24 enforcement agency, or tribal law enforcement agency receives a grant under s.
25 165.94 (1).

ASSEMBLY BILL 40**SECTION 2286**

1 **SECTION 2286.** 814.67 (1) (c) (intro.) of the statutes is renumbered 814.67 (1)
2 (c) 1. a. and amended to read:

3 814.67 (1) (c) 1. a. ~~For traveling, going and returning~~ Traveling from his or her
4 residence ~~if within the state; or, if without the state, from the point where he or she~~
5 ~~crosses the state boundary to the place of attendance, and returning by the usually~~
6 ~~traveled route between such points; if his or her residence is within the state.~~

7 **SECTION 2287.** 814.67 (1) (c) 1. of the statutes is renumbered 814.67 (1) (c) 1.
8 (intro.) and amended to read:

9 814.67 (1) (c) 1. (intro.) ~~For witnesses~~ a witness, the rate of 20 cents per mile.
10 for either of the following:

11 **SECTION 2288.** 814.67 (1) (c) 1. b. of the statutes is created to read:

12 814.67 (1) (c) 1. b. Traveling from the point where he or she crosses the state
13 boundary to the place of attendance and returning by the usually traveled route
14 between such points if his or her residence is outside the state.

15 **SECTION 2289.** 814.67 (1) (c) 2. of the statutes is renumbered 814.67 (1) (c) 2.
16 a. and amended to read:

17 814.67 (1) (c) 2. a. ~~For interpreters~~ Except as provided in subd. 2. b., for an
18 interpreter, the mileage rate set under s. 20.916 (8) for traveling from his or her
19 residence to the place of attendance and returning by the usually traveled route
20 between such points.

21 **SECTION 2290.** 814.67 (1) (c) 2. b. of the statutes is created to read:

22 814.67 (1) (c) 2. b. For an interpreter traveling to the place of attendance from
23 his or her place of residence outside the state, the number of miles between the
24 interpreter's residence and the point at which he or she crosses the state boundary

ASSEMBLY BILL 40**SECTION 2290**

1 for which the interpreter may receive reimbursement under this subdivision may not
2 exceed 100 miles each way, following the usually traveled route between such points.

3 **SECTION 2291.** 814.75 (7) of the statutes is amended to read:

4 814.75 (7) The deoxyribonucleic acid analysis surcharge under s. 973.046 (1r).

5 **SECTION 2292.** 814.76 (5) of the statutes is amended to read:

6 814.76 (5) The deoxyribonucleic acid analysis surcharge under s. 973.046 (1r).

7 **SECTION 2293.** 852.03 (6) of the statutes is amended to read:

8 852.03 (6) TAKING THROUGH OR BY ALIEN. No person is disqualified from taking
9 as an heir because the person or a person through whom he or she claims is not or
10 at some time was not a U.S. citizen. The rights of an alien to acquire or hold land in
11 the state are governed by ss. 710.01 ~~to~~ and 710.03.

12 **SECTION 2294.** 859.02 (2) (a) of the statutes is amended to read:

13 859.02 (2) (a) It is a claim based on tort, on a marital property agreement that
14 is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income,
15 franchise, sales, withholding, gift, or death taxes, or on unemployment insurance
16 contributions due or benefits overpaid; a claim for funeral or administrative
17 expenses; a claim of this state under s. 46.27 (7g), 49.496 ~~or~~, 49.682, or rules
18 promulgated under s. 46.286 (7) 49.849; or a claim of the United States; or

19 **SECTION 2295.** 859.07 (2) (a) 3. of the statutes is amended to read:

20 859.07 (2) (a) 3. The decedent or the decedent's spouse received the family care
21 benefit under s. 46.286 services provided as a benefit under a long-term care
22 program, as defined in s. 49.496 (1) (bk), medical assistance under subch. IV of ch.
23 49, long-term community support services funded under s. 46.27 (7), or aid under s.
24 49.68, 49.683, or 49.685.

25 **SECTION 2296.** 867.01 (3) (am) 4. of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2296**

1 867.01 (3) (am) 4. Whether the decedent or the decedent's spouse received the
2 ~~family care benefit under s. 46.286 services provided as a benefit under a long-term~~
3 ~~care program, as defined in s. 49.496 (1) (bk),~~ medical assistance under subch. IV of
4 ch. 49, long-term community support services funded under s. 46.27 (7) or aid under
5 s. 49.68, 49.683 or 49.685.

6 **SECTION 2297.** 867.01 (3) (d) of the statutes is amended to read:

7 867.01 (3) (d) *Notice.* The court may hear the matter without notice or order
8 notice to be given under s. 879.03. If the decedent or the decedent's spouse received
9 ~~the family care benefit under s. 46.286 services provided as a benefit under a~~
10 ~~long-term care program, as defined in s. 49.496 (1) (bk),~~ medical assistance under
11 subch. IV of ch. 49, long-term community support services funded under s. 46.27 (7),
12 or aid under s. 49.68, 49.683, or 49.685, the petitioner shall give notice by certified
13 mail to the department of health services as soon as practicable after filing the
14 petition with the court.

15 **SECTION 2298.** 867.02 (2) (am) 6. of the statutes is amended to read:

16 867.02 (2) (am) 6. Whether the decedent or the decedent's spouse received the
17 ~~family care benefit under s. 46.286 services provided as a benefit under a long-term~~
18 ~~care program, as defined in s. 49.496 (1) (bk),~~ medical assistance under subch. IV of
19 ch. 49, long-term community support services funded under s. 46.27 (7), or aid under
20 s. 49.68, 49.683, or 49.685.

21 **SECTION 2299.** 867.03 (1g) (c) of the statutes is amended to read:

22 867.03 (1g) (c) Whether the decedent or the decedent's spouse ever received the
23 ~~family care benefit under s. 46.286 services provided as a benefit under a long-term~~
24 ~~care program, as defined in s. 49.496 (1) (bk),~~ medical assistance under subch. IV of

ASSEMBLY BILL 40**SECTION 2299**

1 ch. 49, long-term community support services funded under s. 46.27 (7) or aid under
2 s. 49.68, 49.683 or 49.685.

3 **SECTION 2300.** 867.03 (1m) (a) of the statutes is amended to read:

4 867.03 (1m) (a) Whenever an heir, trustee, or person who was guardian of the
5 decedent at the time of the decedent's death intends to transfer a decedent's property
6 by affidavit under sub. (1g) and the decedent or the decedent's spouse ever received
7 ~~the family care benefit under s. 46.286~~ services provided as a benefit under a
8 long-term care program, as defined in s. 49.496 (1) (bk), medical assistance under
9 subch. IV of ch. 49, long-term community support services funded under s. 46.27 (7),
10 or aid under s. 49.68, 49.683, or 49.685, the heir, trustee, or person who was guardian
11 of the decedent at the time of the decedent's death shall give notice to the department
12 of health services of his or her intent. The notice shall include the information in the
13 affidavit under sub. (1g) and the heir, trustee, or person who was guardian of the
14 decedent at the time of the decedent's death shall give the notice by certified mail,
15 return receipt requested.

16 **SECTION 2301.** 867.03 (1m) (b) of the statutes is amended to read:

17 867.03 (1m) (b) An heir, trustee, or person who was guardian of the decedent
18 at the time of the decedent's death who files an affidavit under sub. (1g) that states
19 that the decedent or the decedent's spouse received ~~the family care benefit under s.~~
20 ~~46.286~~ services provided as a benefit under a long-term care program, as defined in
21 s. 49.496 (1) (bk), medical assistance under subch. IV of ch. 49, long-term community
22 support services funded under s. 46.27 (7), or aid under s. 49.68, 49.683, or 49.685
23 shall attach to the affidavit the proof of mail delivery of the notice required under par.
24 (a) showing ~~a~~ the delivery date ~~that is not less than 10 days before the day on which~~

ASSEMBLY BILL 40**SECTION 2301**

1 ~~the heir, trustee, or person who was guardian of the decedent at the time of the~~
2 ~~decedent's death files the affidavit.~~

3 **SECTION 2302.** 867.03 (2g) of the statutes is renumbered 867.03 (2g) (a) and
4 amended to read:

5 867.03 (2g) (a) By accepting the decedent's property under this section the heir,
6 trustee, or guardian assumes a duty to apply the property transferred for the
7 payment of obligations according to priorities established under s. 859.25 and to
8 distribute any balance to those persons designated in the appropriate governing
9 instrument, as defined in s. 854.01, of the decedent or if there is no governing
10 instrument, according to the rules of intestate succession under ch. 852, subject to
11 par. (b). An heir or guardian may publish a notice to creditors in the same manner
12 and with the same effect as a trustee under s. 701.065. This subsection paragraph
13 does not prohibit any appropriate person from requesting administration of the
14 decedent's estate under s. 856.07 or ch. 865.

15 **SECTION 2303.** 867.03 (2g) (b) of the statutes is created to read:

16 867.03 (2g) (b) Property transferred under this section to or by an heir, trustee,
17 or guardian is subject to the right of the department of health services to recover
18 under s. 46.27 (7g), 49.496, 49.682, or 49.849 an amount equal to the medical
19 assistance that is recoverable under s. 49.496 (3) (a), an amount equal to aid under
20 s. 49.68, 49.683, or 49.685 that is recoverable under s. 49.682 (2) (a), or an amount
21 equal to long-term community support services under s. 46.27 that is recoverable
22 under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or the decedent's
23 spouse. Upon request, the heir, trustee, or guardian shall provide to the department
24 of health services information about any of the decedent's property that the heir,

ASSEMBLY BILL 40**SECTION 2303**

1 trustee, or guardian has distributed and information about the persons to whom the
2 property was distributed.

3 **SECTION 2304.** 867.035 (title) of the statutes is repealed.

4 **SECTION 2305.** 867.035 (1) (a) (intro.) of the statutes is renumbered 49.849 (2)
5 (a) (intro.) and amended to read:

6 49.849 (2) (a) (intro.) Subject to par. ~~(bm)~~ (b), the department of health services
7 may collect from the property of a decedent, including funds of a decedent that are
8 held by the decedent immediately before death in a joint account or a P.O.D. account,
9 by affidavit under sub. ~~(2)~~ (3) (b) or by lien under sub. ~~(2m)~~ (4) (a) an amount equal
10 to the medical assistance that is recoverable under s. 49.496 (3) (a), the long-term
11 community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c)
12 1., the family care benefit that is recoverable under rules promulgated under s.
13 ~~46.286 (7)~~, or the aid under s. 49.68, 49.683, or 49.685 that is recoverable under s.
14 49.682 (2) (a), and that was paid on behalf of the decedent or the decedent's spouse,
15 if all of the following conditions are satisfied:

16 **SECTION 2306.** 867.035 (1) (a) 1. of the statutes is repealed.

17 **SECTION 2307.** 867.035 (1) (a) 2. of the statutes is renumbered 49.849 (2) (a) 1.

18 **SECTION 2308.** 867.035 (1) (a) 3. of the statutes is renumbered 49.849 (2) (a) 2.

19 **SECTION 2309.** 867.035 (1) (a) 4. of the statutes is repealed.

20 **SECTION 2310.** 867.035 (1) (bm) of the statutes is renumbered 49.849 (2) (b),
21 and 49.849 (2) (b) (intro.), as renumbered, is amended to read:

22 49.849 (2) (b) (intro.) The department of health services shall reduce the
23 amount of its recovery under par. (a) by up to the amount specified in s. 861.33 (2)
24 if necessary to allow the decedent's heirs or beneficiaries under the decedent's will
25 to retain the following personal property of the decedent:

ASSEMBLY BILL 40**SECTION 2311**

1 **SECTION 2311.** 867.035 (2) of the statutes is renumbered 49.849 (3) (b) and
2 amended to read:

3 49.849 (3) (b) A person who possesses or receives property of a decedent shall
4 transmit the property to the department of health services, if the conditions in sub.
5 (1) (a) 1. to 4. (2) (a) 1. and 2. are satisfied, upon receipt of an affidavit by a person
6 designated by the secretary of health services to administer this section showing that
7 the department paid on behalf of the decedent or the decedent's spouse recoverable
8 benefits specified in sub. (1) (2) (a). Upon transmittal, the person is released from
9 any obligation to other creditors or heirs of the decedent.

10 **SECTION 2312.** 867.035 (2m) (a) of the statutes is renumbered 49.849 (4) (a),
11 and 49.849 (4) (a) (intro.), as renumbered, is amended to read:

12 49.849 (4) (a) (intro.) If the conditions condition in sub. (1) (a) 1., 2., and 4. are
13 (2) (a) 1. is satisfied, the department of health services shall have a lien in the amount
14 that it may recover under sub. (1) (2) (a) on any interest in ~~the decedent's~~ any
15 property of the decedent that is real property, including a home, as defined in s.
16 49.496 (1) (b), ~~transferred under s. 867.03 (1g)~~. The department may record the lien
17 in the office of the register of deeds of the county in which the real property is located.

18 (b) The department may enforce the a lien under par. (a) by foreclosure in the
19 same manner as a mortgage on real property, unless any of the following is alive:

20 **SECTION 2313.** 867.035 (2m) (b) of the statutes is repealed.

21 **SECTION 2314.** 867.035 (3) of the statutes is renumbered 49.849 (5) and
22 amended to read:

23 49.849 (5) OTHER VALID CLAIMS. If a person has a valid claim against the
24 decedent's estate property of the decedent that would have a higher priority under
25 s. 859.25 (1) if the estate were administered property were subject to administration

ASSEMBLY BILL 40**SECTION 2314**

1 than the department of ~~health services~~ would have under s. 859.25 (1) (e) and the
2 person demands payment in writing within one year of the date on which the
3 property was transmitted to the department, the department shall pay to the person
4 the value of the property collected under sub. ~~(2)~~ (3) or the amount of the claim,
5 whichever is less. The department may authorize any person who possesses
6 property of the decedent to honor higher priority claims with the decedent's property
7 before transmitting property to the department.

8 **SECTION 2315.** 867.035 (4) of the statutes is renumbered 49.849 (6) (a) and
9 amended to read:

10 49.849 **(6)** (a) From the appropriation under s. 20.435 (4) (im), with respect to
11 funds collected by the department under sub. ~~(1)~~ (2) related to medical assistance
12 paid on behalf of the decedent or the decedent's spouse, the department of ~~health~~
13 ~~services~~ shall pay claims under sub. ~~(3)~~ (5), shall pay to the federal government from
14 the amount recovered under this section and not paid out as claims under sub. ~~(3)~~
15 (5) an amount equal to the amount of federal funds used to pay the benefits recovered
16 under this section and shall spend the remainder of the amount recovered under this
17 section for medical assistance benefits under subch. IV of ~~ch. 49~~.

18 **SECTION 2316.** 867.035 (4m) of the statutes is renumbered 49.849 (6) (b) and
19 amended to read:

20 49.849 **(6)** (b) From the appropriation under s. 20.435 (7) (im), with respect to
21 funds collected by the department under sub. ~~(1)~~ (2) related to long-term community
22 support services funded under s. 46.27 (7) paid on behalf of the decedent or the
23 decedent's spouse, the department of ~~health services~~ shall pay claims under sub. ~~(3)~~
24 (5) and shall spend the remainder of the funds recovered under this section for
25 long-term community support services funded under s. 46.27 (7).

ASSEMBLY BILL 40**SECTION 2317**

1 **SECTION 2317.** 867.035 (5) of the statutes is renumbered 49.849 (7) and
2 amended to read:

3 49.849 (7) RULES FOR HARDSHIP WAIVER. The department of health services shall
4 promulgate rules establishing standards to determine whether the application of
5 this section would work an undue hardship in individual cases. If the department
6 of health services determines that the application of this section would work an
7 undue hardship in a particular case, the department shall waive the application of
8 this section in that case. This subsection does not apply with respect to collecting
9 from the property of a decedent if the decedent is a deceased nonrecipient surviving
10 spouse.

11 **SECTION 2318.** 893.33 (4r) of the statutes is created to read:

12 893.33 (4r) This section applies to liens of the department of health services
13 on real property under ss. 46.27 (7g), 49.496, 49.682, 49.848, and 49.849.

14 **SECTION 2319.** 938.06 (1) (title) of the statutes is amended to read:

15 938.06 (1) (title) COUNTIES WITH A POPULATION OF ~~500,000~~ 750,000 OR MORE.

16 **SECTION 2320.** 938.06 (1) (a) 1. of the statutes is amended to read:

17 938.06 (1) (a) 1. In counties with a population of ~~500,000~~ 750,000 or more, the
18 county board of supervisors shall provide the court with the services necessary for
19 investigating and supervising cases under this chapter by operating a children's
20 court center under the supervision of a director who is appointed as provided in s.
21 46.21 (1m) (a). Except as otherwise provided in this subsection, the director is the
22 chief administrative officer of the center and of the intake and probation sections and
23 juvenile detention facilities of the center. The director is responsible for managing
24 the personnel of, and administering the services of, the sections and the juvenile

ASSEMBLY BILL 40**SECTION 2320**

1 detention facilities, and for supervising operation of the physical plant and
2 maintenance and improvement of the buildings and grounds of the center.

3 **SECTION 2321.** 938.06 (2) (title) of the statutes is amended to read:

4 938.06 (2) (title) COUNTIES WITH A POPULATION UNDER ~~500,000~~ 750,000.

5 **SECTION 2322.** 938.06 (2) (a) of the statutes is amended to read:

6 938.06 (2) (a) In counties having less than ~~500,000~~ 750,000 population, the
7 county board of supervisors shall authorize the county department or the court, or
8 both, to provide intake services under s. 938.067 and the staff needed to provide
9 dispositional services under s. 938.069. Intake services shall be provided by
10 employees of the court or the county department and may not be subcontracted to
11 other individuals or agencies, except as provided in par. (am). Intake workers shall
12 be governed in their intake work, including their responsibilities for requesting the
13 filing of a petition and entering into a deferred prosecution agreement, by general
14 written policies established by the circuit judges for the county, subject to the
15 approval of the chief judge of the judicial administrative district.

16 **SECTION 2323.** 938.06 (4) of the statutes is amended to read:

17 938.06 (4) STATE AID. State aid to any county for juvenile delinquency-related
18 court services under this section shall be at the same net effective rate that each
19 county is reimbursed for county administration under s. 48.569, except as provided
20 in s. 301.26. Counties having a population of less than ~~500,000~~ 750,000 may use
21 funds received under ss. 48.569 (1) (d) and 301.26, including county or federal
22 revenue sharing funds allocated to match funds received under s. 48.569 (1) (d), for
23 the cost of providing court attached intake services in amounts not to exceed ~~50%~~ 50
24 percent of the cost of providing court attached intake services or \$30,000 per county
25 per calendar year, whichever is less.

ASSEMBLY BILL 40**SECTION 2324**

1 **SECTION 2324.** 938.21 (1m) of the statutes is created to read:

2 **938.21 (1m) BIOLOGICAL SPECIMEN.** If the juvenile has been taken into custody
3 on the basis of a violation that would be a felony if committed by an adult in this state
4 or of a violation of s. 940.225 (3m), 941.20 (1), 944.20, 944.30, 944.31, 944.33 (1),
5 946.52, or 948.10 (1) (b), the court shall determine if a biological specimen has been
6 obtained from the juvenile under s. 165.84 (7), and if not, the court shall direct that
7 a law enforcement agency or tribal law enforcement agency obtain a biological
8 specimen from the juvenile and submit it to the state crime laboratories as specified
9 in rules promulgated by the department of justice under s. 165.76 (4).

10 **SECTION 2325.** 938.30 (2m) of the statutes is created to read:

11 **938.30 (2m) BIOLOGICAL SPECIMEN.** If the juvenile is before the court on the basis
12 of a violation that would be a felony if committed by an adult in this state or of a
13 violation of s. 940.225 (3m), 941.20 (1), 944.20, 944.30, 944.31, 944.33 (1), 946.52, or
14 948.10 (1) (b), the court shall determine if a biological specimen has been obtained
15 from the juvenile under s. 165.84 (7), and if not, the court shall direct that a law
16 enforcement agency or tribal law enforcement agency obtain a biological specimen
17 from the juvenile and submit it to the state crime laboratories as specified in rules
18 promulgated by the department of justice under s. 165.76 (4).

19 **SECTION 2326.** 938.34 (6m) of the statutes is amended to read:

20 **938.34 (6m) COORDINATED SERVICES PLAN OF CARE.** If the report prepared under
21 s. 938.33 (1) recommends that the juvenile is in need of a coordinated services plan
22 of care and if an initiative under s. 46.56 has been established ~~in~~ for the county or,
23 if applicable, ~~by~~ for a tribe, order that an assessment of the juvenile and the juvenile's
24 family for eligibility for and appropriateness of the initiative, and if eligible for

ASSEMBLY BILL 40**SECTION 2326**

1 enrollment in the initiative, that a coordinated services plan of care be developed and
2 implemented.

3 **SECTION 2327.** 938.34 (15) (a) 1. and 3. of the statutes are consolidated,
4 renumbered 938.34 (15) (a) and amended to read:

5 938.34 (15) (a) If the juvenile is adjudicated delinquent on the basis of a
6 violation that would be a felony if committed by an adult in this state or of a violation
7 of s. 940.225, 948.02 (1) or (2), 948.025, or 948.085 (2) (3m), 941.20 (1), 944.20, 944.30,
8 944.31, 944.33 (1), 946.52, or 948.10 (1) (b), the court shall require the juvenile to
9 provide comply with the requirement under s. 165.76 (1) (am) by providing a
10 biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.
11 ~~3. The results from deoxyribonucleic acid analysis of a specimen under subd. 1. or~~
12 ~~2. this paragraph may be used only as authorized under s. 165.77 (3). The state crime~~
13 ~~laboratories shall destroy any such specimen in accordance with s. 165.77 (3).~~

14 **SECTION 2328.** 938.34 (15) (a) 2. of the statutes is repealed.

15 **SECTION 2329.** 938.34 (15) (b) of the statutes is amended to read:

16 938.34 (15) (b) ~~The department of justice shall promulgate rules providing~~
17 ~~procedures for juveniles to provide specimens~~ Biological samples required under par.
18 (a) ~~and for the transportation of the specimens to the state crime laboratories under~~
19 ~~s. 165.77 shall be obtained and submitted as specified in rules promulgated by the~~
20 department of justice under s. 165.76 (4).

21 **SECTION 2330.** 938.355 (4) (a) of the statutes is amended to read:

22 938.355 (4) (a) Except as provided under par. (b) or s. 938.368, an order under
23 this section or s. 938.357 or 938.365 made before the juvenile attains 18 years of age
24 that places or continues the placement of the juvenile in his or her home shall

ASSEMBLY BILL 40**SECTION 2330**

1 terminate ~~at the end of~~ one year after the date on which the order is granted unless
2 the court specifies a shorter period of time or the court terminates the order sooner.

3 (am) Except as provided in par. (b) or s. 938.368, an order under this section
4 or s. 938.357 or 938.365 made before the juvenile attains 18 years of age that places
5 or continues the placement of the juvenile in a foster home, group home, or
6 residential care center for children and youth or in the home of a relative other than
7 a parent shall terminate ~~when~~ on the latest of the following dates, unless the court
8 specifies a shorter period or the court terminates the order sooner:

9 1. The date on which the juvenile attains 18 years of age, ~~at the end of.~~

10 2. The date that is one year after the date on which the order is granted, ~~or, if.~~

11 3. If the juvenile is a full-time student at a secondary school or its vocational
12 or technical equivalent and is reasonably expected to complete the program before
13 attaining 19 years of age, ~~when~~ the date on which the juvenile attains 19 years of age,
14 ~~whichever is later, unless the court specifies a shorter period of time or the court~~
15 ~~terminates the order sooner.~~

16 **SECTION 2331.** 938.355 (4) (am) 4. of the statutes is created to read:

17 938.355 (4) (am) 4. If the juvenile is a full-time student at a secondary school
18 or its vocational or technical equivalent and if an individualized education program
19 under s. 115.787 is in effect for the juvenile, the date on which the juvenile attains
20 21 years of age.

21 **SECTION 2332.** 938.357 (6) of the statutes is renumbered 938.357 (6) (a) and
22 amended to read:

23 938.357 (6) (a) No change in placement may extend the expiration date of the
24 original order, except that if the change in placement is from a placement in the
25 juvenile's home to a placement in a foster home, group home, or residential care

ASSEMBLY BILL 40**SECTION 2332**

1 center for children and youth or in the home of a relative who is not a parent, the court
2 may extend the expiration date of the original order to the latest of the following
3 dates, unless the court specifies a shorter period:

4 1. The date on which the juvenile attains 18 years of age, to the

5 2. The date that is one year after the date of on which the change in placement
6 order, or, if is granted.

7 3. If the juvenile is a full-time student at a secondary school or its vocational
8 or technical equivalent and is reasonably expected to complete the program before
9 attaining 19 years of age, to the date on which the juvenile attains 19 years of age,
10 whichever is later, or for a shorter period of time as specified by the court.

11 (b) If the change in placement is from a placement in a foster home, group home,
12 or residential care center for children and youth or in the home of a relative to a
13 placement in the juvenile's home and if the expiration date of the original order is
14 more than one year after the date of the change in placement order, the court shall
15 shorten the expiration date of the original order to the date that is one year after the
16 date of on which the change in placement order is granted or to an earlier date as
17 specified by the court.

18 **SECTION 2333.** 938.357 (6) (a) 4. of the statutes is created to read:

19 938.357 (6) (a) 4. If the juvenile is a full-time student at a secondary school or
20 its vocational or technical equivalent and if an individualized education program
21 under s. 115.787 is in effect for the juvenile, the date on which the juvenile reaches
22 21 years of age.

23 **SECTION 2334.** 938.365 (5) of the statutes is renumbered 938.365 (5) (a) and
24 amended to read:

ASSEMBLY BILL 40**SECTION 2334**

1 938.365 (5) (a) Except as provided in s. 938.368, an order under this section that
2 continues the placement of a juvenile in his or her home or that extends an order
3 under s. 938.34 (4d), (4h), (4m), or (4n) shall be for a specified length of time not to
4 exceed one year after ~~its~~ the date of entry on which the order is granted.

5 **(b)** Except as provided in s. 938.368, an order under this section that continues
6 the placement of a juvenile in a foster home, group home, or residential care center
7 for children and youth or in the home of a relative other than a parent shall be for
8 a specified length of time not to exceed the latest of the following dates:

9 1. The date on which the juvenile attains 18 years of age,

10 2. The date that is one year after the date on which the order is granted, or, if,

11 3. If the juvenile is a full-time student at a secondary school or its vocational
12 or technical equivalent and is reasonably expected to complete the program before
13 attaining 19 years of age, the date on which the juvenile attains 19 years of age,
14 whichever is later.

15 **SECTION 2335.** 938.365 (5) (b) 4. of the statutes is created to read:

16 938.365 (5) (b) 4. If the juvenile is a full-time student at a secondary school or
17 its vocational or technical equivalent and if an individualized education program
18 under s. 115.787 is in effect for the juvenile, the date on which the juvenile attains
19 21 years of age.

20 **SECTION 2336.** 938.48 (4) of the statutes is amended to read:

21 938.48 (4) CARE, TRAINING, AND PLACEMENT. Provide appropriate care and
22 training for juveniles under its supervision under s. 938.183, 938.34 (4h), (4m), or
23 (4n), or 938.357 (4), including serving those juveniles in their own homes, placing
24 them in licensed foster homes or licensed group homes under s. 48.63 or in
25 independent living situations as provided in s. 938.34 (3) (e), contracting for their

ASSEMBLY BILL 40**SECTION 2336**

1 care by licensed child welfare agencies, or replacing them in juvenile correctional
2 facilities or secured residential care centers for children and youth in accordance
3 with rules promulgated under ch. 227, except that the department may not purchase
4 the educational component of private day treatment programs for a juvenile in its
5 custody unless the department, the school board, as defined in s. 115.001 (7), and the
6 state superintendent of public instruction all determine that an appropriate public
7 education program is not available for the juvenile. Disputes between the
8 department and the school district shall be resolved by the state superintendent of
9 public instruction.

10 **SECTION 2337.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

11 944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational
12 approval board under s. ~~38.50~~ 440.55, or is a school described in s. ~~38.50~~ 440.55 (1)
13 (e) 6., 7. or 8.; and

14 **SECTION 2338.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

15 948.11 (4) (b) 3. a. Is a technical college, is a school approved by the educational
16 approval board under s. ~~38.50~~ 440.55, or is a school described in s. ~~38.50~~ 440.55 (1)
17 (e) 6., 7. or 8.; and

18 **SECTION 2339.** 950.06 (2) of the statutes is amended to read:

19 950.06 (2) The costs of providing services under sub. (1m) shall be paid for by
20 the county, but the county is eligible to receive reimbursement from the state for not
21 more than 90% of the costs incurred in providing those services. The department
22 shall determine the level of services for which a county may be reimbursed. The
23 county board shall file a claim for reimbursement with the department. The
24 department shall reimburse counties under this subsection from the appropriation

ASSEMBLY BILL 40**SECTION 2339**

1 appropriations under s. 20.455 (5) (k), ~~(kk)~~ and (kp) and, on a semiannual basis, from
2 the ~~appropriations~~ appropriation under s. 20.455 (5) ~~(e)~~ and (g).

3 **SECTION 2340.** 961.41 (5) (c) 2. of the statutes is amended to read:

4 961.41 (5) (c) 2. All moneys in excess of \$850,000 and up to \$1,275,000 plus
5 one-third of moneys in excess of \$1,275,000 collected in each fiscal year from drug
6 surcharges under this subsection shall be credited to the appropriation account
7 under s. ~~20.505 (6) (ku)~~ 20.455 (2) (kv).

8 **SECTION 2341.** 961.472 (5) (b) of the statutes is amended to read:

9 961.472 (5) (b) The person is participating in a substance abuse treatment
10 program that meets the requirements of s. ~~16.964 (12) (e)~~ 165.95 (3), as determined
11 by the ~~office of justice assistance~~ department of justice under s. ~~16.964 (12) (i)~~ 165.95
12 (9) and (10).

13 **SECTION 2342.** 967.11 (1) of the statutes is amended to read:

14 967.11 (1) In this section, “approved substance abuse treatment program”
15 means a substance abuse treatment program that meets the requirements of s.
16 ~~16.964 (12) (e)~~ 165.95 (3), as determined by the ~~office of justice assistance~~ department
17 of justice under s. ~~16.964 (12) (i)~~ 165.95 (9) and (10).

18 **SECTION 2343.** 970.02 (8) of the statutes is created to read:

19 970.02 (8) If the offense charged is a felony or an offense under s. 940.225 (3m),
20 941.20 (1), 944.20, 944.30, 944.31, 944.33 (1), 946.52, or 948.10 (1) (b), the judge shall
21 determine if a biological specimen has been obtained from the defendant under s.
22 165.84 (7), and, if not, the judge shall direct that a law enforcement agency or tribal
23 law enforcement agency obtain a biological specimen from the defendant and submit
24 it to the state crime laboratories as specified in rules promulgated by the department
25 of justice under s. 165.76 (4).

ASSEMBLY BILL 40**SECTION 2344**

1 **SECTION 2344.** 971.17 (1m) (a) of the statutes is amended to read:

2 971.17 **(1m)** (a) If the defendant under sub. (1) is found not guilty by reason of
3 mental disease or defect for a felony or a violation of s. 165.765 (1), 2011 stats., or of
4 s. 940.225 (3m), 941.20 (1), 944.20, 944.30, 944.31, 944.33 (1), 946.52, or 948.10 (1)
5 (b), the court shall require the person to provide a biological specimen to the state
6 crime laboratories for deoxyribonucleic acid analysis. Biological specimens required
7 under this paragraph shall be obtained and submitted as specified in rules
8 promulgated by the department of justice under s. 165.76 (4).

9 **SECTION 2345.** 973.042 (3) of the statutes is repealed.

10 **SECTION 2346.** 973.042 (5) of the statutes is amended to read:

11 973.042 **(5)** The secretary of administration shall credit ~~part A of the surcharge~~
12 ~~to the appropriation account under s. 20.410 (1) (gj).~~ The secretary of administration
13 ~~shall credit part B of the surcharge to the appropriation account under s. 20.455 (2)~~
14 (5) (gj). ~~The secretary of administration shall credit part C of the surcharge to the~~
15 ~~appropriation account under s. 20.505 (6) (gj).~~

16 **SECTION 2347.** 973.043 (3) of the statutes is amended to read:

17 973.043 **(3)** All moneys collected from drug offender diversion surcharges shall
18 be credited to the appropriation account under s. ~~20.505 (6) (ku)~~ 20.455 (2) (kv) and
19 used for the purpose of making grants to counties under s. ~~16.964 (12)~~ 165.95.

20 **SECTION 2348.** 973.045 (1) of the statutes is amended to read:

21 973.045 **(1)** If a court imposes a sentence or places a person on probation, the
22 court shall impose a crime victim and witness assistance surcharge. A surcharge
23 imposed under this subsection may not be waived, reduced, or forgiven for any
24 reason. The surcharge is the total amount calculated by adding up the amount for
25 every misdemeanor count and every felony count as follows:

ASSEMBLY BILL 40**SECTION 2348**

1 (a) For each misdemeanor ~~offense or count~~ on which a conviction occurred, \$67.

2 (b) For each felony ~~offense or count~~ on which a conviction occurred, \$92.

3 **SECTION 2349.** 973.045 (1r) of the statutes is repealed.

4 **SECTION 2350.** 973.045 (2) of the statutes is amended to read:

5 973.045 (2) After the clerk determines the amount due, the clerk of court shall
6 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The
7 county treasurer shall then make payment to the secretary of administration under
8 s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation
9 account under s. 20.455 (5) (g) the amount paid to the secretary by the county
10 treasurer under this subsection and any amount collected under sub. (4).

11 **SECTION 2351.** 973.045 (2m) of the statutes is repealed.

12 **SECTION 2352.** 973.045 (3) of the statutes is repealed.

13 **SECTION 2353.** 973.046 (1g) of the statutes is repealed.

14 **SECTION 2354.** 973.046 (1r) of the statutes is renumbered 973.046 (1r) (intro.)
15 and amended to read:

16 973.046 (1r) (intro.) If a court imposes a sentence or places a person on
17 probation ~~for a violation of s. 940.225, 948.02 (1) or (2), 948.025, 948.085~~, the court
18 shall impose a deoxyribonucleic acid analysis surcharge of ~~\$250.~~ calculated as
19 follows:

20 **SECTION 2355.** 973.046 (1r) (a) and (b) of the statutes are created to read:

21 973.046 (1r) (a) For each conviction for a felony, \$250.

22 (b) For each conviction for a misdemeanor, \$200.

23 **SECTION 2356.** 973.047 (1f) of the statutes is amended to read:

24 973.047 (1f) If a court imposes a sentence or places a person on probation ~~for~~
25 ~~a felony conviction or for a conviction for a violation of s. 165.765 (1), 940.225 (3m),~~

ASSEMBLY BILL 40**SECTION 2356**

1 944.20, or 948.10 (1) (b), the court shall require the person to provide a biological
2 specimen to the state crime laboratories for deoxyribonucleic acid analysis.

3 **SECTION 2357.** 973.047 (1m) of the statutes is amended to read:

4 973.047 (1m) The results from deoxyribonucleic acid analysis of a specimen
5 provided under this section may be used only as authorized under s. 165.77 (3). The
6 state crime laboratories shall destroy any such specimen in accordance with s. 165.77
7 (3).

8 **SECTION 2358.** 973.047 (2) of the statutes is amended to read:

9 973.047 (2) The department of justice shall promulgate rules providing for
10 procedures for defendants to provide specimens when Biological samples required
11 to do so under this section and for the transportation of those specimens to the state
12 crime laboratories for analysis under s. 165.77 sub. (1f) shall be obtained and
13 submitted as specified in rules promulgated by the department of justice under s.
14 165.76 (4).

15 **SECTION 2359.** 973.09 (3) (bg) of the statutes is created to read:

16 973.09 (3) (bg) 1. At least 90 days before the expiration date of a probationer's
17 period of probation, the department shall notify the sentencing court and district
18 attorney that a probationer owes an unpaid surcharge imposed under s. 973.045.
19 Upon receiving notice from the department, the court shall schedule a probation
20 review hearing to be held before the expiration date of the period of probation unless
21 the probationer either pays the unpaid surcharge before the scheduled hearing date
22 or voluntarily waives the hearing. A waiver of a probation review hearing under this
23 paragraph must include an acknowledgment by the probationer that waiver may
24 result in an extension of the probation period, a modification of the terms and
25 conditions of probation, or a revocation of probation.

ASSEMBLY BILL 40**SECTION 2359**

1 2. If the court does not extend probation, the court shall issue a judgment for
2 the unpaid surcharge and direct the clerk of circuit court to file and enter the
3 judgment in the judgment and lien docket. The judgment has the same force and
4 effect as judgments entered under s. 806.10.

5 3. At a probation review hearing scheduled under subd. 1., the department has
6 the burden of proving that the probationer owes an unpaid surcharge imposed under
7 s. 973.045 and the amount of the unpaid surcharge. If the department proves by a
8 preponderance of the evidence that the probationer owes an unpaid surcharge under
9 s. 973.045, the court may, by order, extend the period of probation for a stated period
10 or modify the terms and conditions of probation.

11 4. If the court does not extend or modify the terms of probation under subd. 3.,
12 the court shall issue a judgment for the unpaid surcharge and direct the clerk of
13 circuit court to file and enter the judgment in the judgment and lien docket without
14 fee. If the court issues a judgment for the unpaid surcharge, the court shall send to
15 the department a written notification that a civil judgment has been issued for the
16 unpaid fees. The judgment has the same force and effect as judgments entered under
17 s. 806.10.

18 **SECTION 2360.** 973.155 (1m) of the statutes is amended to read:

19 973.155 (1m) A convicted offender shall be given credit toward the service of
20 his or her sentence for all days spent in custody as part of a substance abuse
21 treatment program that meets the requirements of s. ~~16.964 (12) (e)~~ 165.95 (3), as
22 determined by the ~~office of justice assistance~~ department of justice under s. ~~16.964~~
23 ~~(12) (i)~~ 165.95 (9) and (10), for any offense arising out of the course of conduct that
24 led to the person's placement in that program.

25 **SECTION 2361.** 980.063 (1) (b) of the statutes is amended to read:

ASSEMBLY BILL 40**SECTION 2361**

1 980.063 (1) (b) The results from deoxyribonucleic acid analysis of a specimen
2 under par. (a) may be used only as authorized under s. 165.77 (3). ~~The state crime~~
3 ~~laboratories shall destroy any such specimen in accordance with s. 165.77 (3).~~

4 **SECTION 2362.** 980.063 (2) of the statutes is amended to read:

5 980.063 (2) ~~The department of justice shall promulgate rules providing for~~
6 ~~procedures for defendants to provide specimens~~ Biological samples required under
7 sub. (1) ~~and for the transportation of those specimens to the state crime laboratories~~
8 ~~for analysis under s. 165.77 (a) shall be obtained and submitted as specified in rules~~
9 promulgated by the department of justice under s. 165.76 (4).

10 **SECTION 2363.** 995.10 (1) (i) 1. d. of the statutes is created to read:

11 995.10 (1) (i) 1. d. Owns an automated roll-your-own machine that is used to
12 make cigarettes, not including an individual who owns a roll-your-own machine and
13 uses the machine in his or her home solely to make cigarettes for his or her personal
14 use or for the use of other individuals who live in his or her home.

15 **SECTION 2364.** 2011 Wisconsin Act 32, section 9219 (1u) is amended to read:

16 [2011 Wisconsin Act 32] Section 9219 (1u) APPROPRIATION LAPSES AND
17 REESTIMATES. The governor shall take actions during the 2011-13 and 2013-15 fiscal
18 biennia fiscal biennium to ensure that from general purpose revenue appropriations
19 to the office of the governor under section 20.525 of the statutes an amount equal to
20 \$582,200 is lapsed from sum certain appropriation accounts or is subtracted from the
21 expenditure estimates for any other types of appropriations, or both, in each that
22 fiscal biennium.

23 **SECTION 2365.** 2011 Wisconsin Act 32, section 9255 (1) (b) is amended to read:

24 [2011 Wisconsin Act 32] Section 9255 (1) (b) Notwithstanding section 20.001
25 (3) (a) to (c) of the statutes, but subject to paragraph (e), the secretary of

ASSEMBLY BILL 40**SECTION 2365**

1 administration shall lapse to the general fund from the unencumbered balances of
2 general purpose revenue and program revenue appropriations to executive branch
3 state agencies, other than sum sufficient appropriations and appropriations of
4 federal revenues, an amount equal to \$174,300,000 in the 2011-13 fiscal biennium
5 and \$174,300,000 in the 2013-15 fiscal biennium. Before lapsing any moneys under
6 this paragraph, the secretary shall develop a plan for lapsing the moneys and shall
7 submit the plan to the joint committee on finance. If the cochairpersons of the joint
8 committee on finance do not notify the secretary within 14 working days after the
9 date of the submittal of the plan that the committee has scheduled a meeting to
10 review the plan, the plan may be implemented by the secretary. If, within 14 days
11 after the date of the submittal of the plan, the cochairpersons of the committee notify
12 the secretary that the committee has scheduled a meeting to review the plan, moneys
13 may be lapsed only after the plan has been approved by the committee.

14 **SECTION 2366.** 2011 Wisconsin Act 212, section 13 (1) of the statutes is
15 repealed.

16 **SECTION 9101. Nonstatutory provisions; Administration.**

17 (1) TRANSFER OF OFFICE OF JUSTICE ASSISTANCE.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
19 liabilities of the office of justice assistance, except those that are primarily related
20 to administering federal homeland security moneys, or to reintegrating American
21 Indians who have been incarcerated, as determined by the department of
22 administration become the assets and liabilities of the department of justice. On the
23 effective date of this paragraph, the assets and liabilities of the office of justice
24 assistance that are primarily related to administering federal homeland security
25 moneys, and not related to interoperable communications, as determined by the

ASSEMBLY BILL 40**SECTION 9101**

1 department of administration, become the assets and liabilities of the department
2 of military affairs. On the effective date of this paragraph, the assets and liabilities
3 of the office of justice assistance that are primarily related to the reintegration of
4 American Indians who have been incarcerated, as determined by the department of
5 administration, become the assets and liabilities of the department of corrections.

6 (b) *Employee transfers.* On the effective date of this paragraph, the incumbents
7 holding those positions in the department of administration performing duties that
8 are primarily related to the office of justice assistance, except those positions
9 performing duties that are primarily related to administering federal homeland
10 security moneys, or to reintegrating American Indians who have been incarcerated,
11 as determined by the department of administration, are transferred to the
12 department of justice. On the effective date of this paragraph, the incumbents
13 holding those positions that are primarily related to administering federal homeland
14 security moneys, and not related to interoperable communications, as determined by
15 the department of administration, are transferred to the department of military
16 affairs. On the effective date of this paragraph, the incumbents holding those
17 positions that are primarily related to reintegrating American Indians who have
18 been incarcerated, as determined by the department of administration, are
19 transferred to the department of corrections.

20 (c) *Employee status.* Employees transferred under paragraph (b) have all the
21 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
22 statutes in the department of justice, the department of military affairs, or the
23 department of corrections, whichever is applicable, that they enjoyed in the office of
24 justice assistance immediately before the transfer. Notwithstanding section 230.28

ASSEMBLY BILL 40**SECTION 9101**

1 (4) of the statutes, no employee so transferred who has attained permanent status
2 in class is required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all
4 tangible personal property, including records, of the office of justice assistance,
5 except property that is primarily related to administering federal homeland security
6 moneys, or property that is primarily related to reintegrating American Indians who
7 have been incarcerated, as determined by the department of administration, is
8 transferred to the department of justice. On the effective date of this paragraph, all
9 tangible personal property, including records, of the office of justice assistance that
10 is primarily related to administering federal homeland security moneys, and not
11 related to interoperable communications, as determined by the department of
12 administration, is transferred to the department of military affairs. On the effective
13 date of this paragraph, all tangible personal property, including records, of the office
14 of justice assistance that is primarily related to reintegrating American Indians who
15 have been incarcerated, as determined by the department of administration, is
16 transferred to the department of corrections.

17 (e) *Contracts.*

18 1. All contracts entered into by the office of justice assistance in effect on the
19 effective date of this subdivision, except contracts that are primarily related to
20 administering federal homeland security moneys, or are primarily related to
21 reintegrating American Indians who have been incarcerated, as determined by the
22 department of administration, remain in effect and are transferred to the
23 department of justice. The department of justice shall carry out any such contractual
24 obligations unless modified or rescinded by the department of justice to the extent
25 allowed under the contract.

ASSEMBLY BILL 40**SECTION 9101**

1 2. All contracts entered into by the office of justice assistance in effect on the
2 effective date of this subdivision that are primarily related to administering federal
3 homeland security moneys, and not related to interoperable communications, as
4 determined by the department of administration, remain in effect and are
5 transferred to the department of military affairs. The department of military affairs
6 shall carry out any such contractual obligations unless modified or rescinded by the
7 department of military affairs to the extent allowed under the contract.

8 3. All contracts entered into by the office of justice assistance in effect on the
9 effective date of this subdivision that are primarily related to reintegrating
10 American Indians who have been incarcerated, as determined by the department of
11 administration, remain in effect and are transferred to the department of
12 corrections. The department of corrections shall carry out any such contractual
13 obligations unless modified or rescinded by the department of corrections to the
14 extent allowed under the contract.

15 (f) *Pending matters.* Any matter pending with the office of justice assistance
16 on the effective date of this paragraph, except matters that are primarily related to
17 administering federal homeland security moneys, or to reintegrating American
18 Indians who have been incarcerated, as determined by the department of
19 administration, is transferred to the department of justice, and all materials
20 submitted to or actions taken by the office of justice assistance with respect to the
21 pending matter are considered as having been submitted to or taken by the
22 department of justice. Any matter pending with the office of justice assistance on the
23 effective date of this paragraph that is primarily related to administering federal
24 homeland security moneys, and not related to interoperable communications, as
25 determined by the department of administration, is transferred to the department

ASSEMBLY BILL 40**SECTION 9101**

1 of military affairs, and all materials submitted to or actions taken by the office of
2 justice assistance with respect to the pending matter are considered as having been
3 submitted to or taken by the department of military affairs. Any matter pending
4 with the office of justice assistance on the effective date of this paragraph that is
5 primarily related to reintegrating American Indians who have been incarcerated, as
6 determined by the department of administration, is transferred to the department
7 of corrections, and all materials submitted to or actions taken by the office of justice
8 assistance with respect to the pending matter are considered as having been
9 submitted to or taken by the department of corrections.

10 (g) *Rules and orders.*

11 1. All rules promulgated for the office of justice assistance, except rules that are
12 primarily related to administering federal homeland security moneys, or to
13 reintegrating American Indians who have been incarcerated, as determined by the
14 department of administration, that are in effect on the effective date of this
15 subdivision remain in effect until their specified expiration dates or until amended
16 or repealed by the department of justice. All orders issued by the office of justice
17 assistance, except orders that are primarily related to administering federal
18 homeland security moneys, or to reintegrating American Indians who have been
19 incarcerated, as determined by the department of administration, that are in effect
20 on the effective date of this subdivision remain in effect until their specified
21 expiration dates or until modified or rescinded by the department of justice.

22 2. All rules promulgated for the office of justice assistance that are primarily
23 related to administering federal homeland security moneys, and not related to
24 interoperable communications, as determined by the department of administration,
25 and that are in effect on the effective date of this subdivision remain in effect until

ASSEMBLY BILL 40**SECTION 9101**

1 their specified expiration dates or until amended or repealed by the department of
2 military affairs. All orders issued by the office of justice assistance that are primarily
3 related to administering federal homeland security moneys, and not related to
4 interoperable communications, as determined by the department of administration,
5 and that are in effect on the effective date of this subdivision remain in effect until
6 their specified expiration dates or until modified or rescinded by the department of
7 military affairs.

8 3. All rules promulgated for the office of justice assistance that are primarily
9 related to reintegrating American Indians who have been incarcerated, as
10 determined by the department of administration, and that are in effect on the
11 effective date of this subdivision remain in effect until their specified expiration
12 dates or until amended or repealed by the department of corrections. All orders
13 issued by the office of justice assistance that are primarily related to reintegrating
14 American Indians who have been incarcerated, as determined by the department of
15 administration, and that are in effect on the effective date of this subdivision remain
16 in effect until their specified expiration dates or until modified or rescinded by the
17 department of corrections.

18 (2) GENERAL PRIME CONTRACTOR CONTRACT. When the department of
19 administration develops a contract under section 16.855 (14m) (a) of the statutes, as
20 created by this act, the department shall provide public notice of the contract
21 development, review written comments, and hold at least one public hearing,
22 allowing for testimony. The building commission must approve the contract before
23 the department may use the contract.

24 **SECTION 9102. Nonstatutory provisions; Agriculture, Trade and**
25 **Consumer Protection.**

ASSEMBLY BILL 40**SECTION 9102**

1 (1) TRANSFER OF FACILITY DESIGN SERVICES.

2 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
3 liabilities of the department of agriculture, trade and consumer protection that are
4 primarily related to facility design services, as determined by the secretary of
5 administration, shall become assets and liabilities of the department of
6 administration.

7 (b) *Positions and employees.*

8 1. On the effective date of this subdivision, 1.0 FED position in the department
9 of agriculture, trade and consumer protection having primary responsibility for
10 facility design services, as determined by the secretary of administration, is
11 transferred to the department of administration and shall become 1.0 PR-S position
12 in the department of administration.

13 2. The incumbent employee in the position specified in subdivision 1. is
14 transferred on the effective date of this subdivision to the department of
15 administration.

16 3. The employee transferred under subdivision 2. has all the rights and the
17 same status under subchapter V of chapter 111 of the statutes and chapter 230 of the
18 statutes that the employee enjoyed in the department of agriculture, trade and
19 consumer protection immediately before the transfer. Notwithstanding section
20 230.28 (4) of the statutes, if the employee has attained permanent status in class
21 immediately before the transfer, the employee is not required to serve a probationary
22 period.

23 (c) *Tangible personal property.* On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of agriculture, trade
25 and consumer protection that is primarily related to facility design services, as

ASSEMBLY BILL 40**SECTION 9102**

1 determined by the secretary of administration, is transferred to the department of
2 administration.

3 (d) *Contracts.* All contracts entered into by the department of agriculture,
4 trade and consumer protection that are primarily related to facility design services,
5 as determined by the secretary of administration, are transferred to the department
6 of administration. The department of administration shall carry out any contractual
7 obligations under such a contract until the contract is modified or rescinded by the
8 department of administration to the extent allowed under the contract.

9 (e) *Pending matters.* Any matter pending with the department of agriculture,
10 trade and consumer protection that is primarily related to facility design services on
11 the effective date of this paragraph is transferred to the department of
12 administration and all materials submitted to and actions taken by the department
13 of agriculture, trade and consumer protection with respect to the pending matter are
14 considered as having been submitted to or taken by the department of
15 administration.

16 **SECTION 9103. Nonstatutory provisions; Arts Board.**

17 **SECTION 9104. Nonstatutory provisions; Building Commission.**

18 **SECTION 9105. Nonstatutory provisions; Child Abuse and Neglect**
19 **Prevention Board.**

20 **SECTION 9106. Nonstatutory provisions; Children and Families.**

21 **SECTION 9107. Nonstatutory provisions; Circuit Courts.**

22 **SECTION 9108. Nonstatutory provisions; Corrections.**

23 **SECTION 9109. Nonstatutory provisions; Court of Appeals.**

24 **SECTION 9110. Nonstatutory provisions; District Attorneys.**

ASSEMBLY BILL 40**SECTION 9111**

1 **SECTION 9111. Nonstatutory provisions; Educational Communications**
2 **Board.**

3 **SECTION 9112. Nonstatutory provisions; Employee Trust Funds.**

4 (1) POSITION AUTHORIZATIONS FOR THE DEPARTMENT OF EMPLOYEE TRUST FUNDS.

5 (a) During the 2013-15 fiscal biennium, the secretary of employee trust funds
6 may request the governor to create or abolish a full-time equivalent position or
7 portion thereof that is funded from revenues deposited in the public employee trust
8 fund if the employee holding the position would perform duties relating to
9 modernizing business processes or integrating information technology systems of
10 the department of employee trust funds. Upon receiving such a request, the governor
11 may approve or modify the request. If the governor proposes to approve or modify
12 the request, the governor shall notify the joint committee on finance in writing of his
13 or her proposed action. If, within 14 working days after the date of the governor's
14 notification, the cochairpersons of the committee do not notify the governor that the
15 committee has scheduled a meeting for the purpose of reviewing the proposed action,
16 the position changes may be made as proposed by the governor. If the cochairpersons
17 notify the governor that the committee has scheduled a meeting for the purpose of
18 reviewing the proposed action, the position changes may be made only upon approval
19 of the committee.

20 (b) If a full-time equivalent position or portion thereof is created under
21 paragraph (a), the appropriation that is used to pay salary and fringe benefit costs
22 for the position is supplemented to cover the salary and fringe benefit costs for the
23 position.

24 (2) SURCHARGE FOR HEALTH INSURANCE FOR USE OF TOBACCO PRODUCTS. During
25 2014 and 2015, the group insurance board, under section 40.03 (6) (cm) of the

ASSEMBLY BILL 40**SECTION 9112**

1 statutes, as created by this act, shall impose a premium surcharge of \$50 a month
2 for health care coverage under sections 40.51 (6) and 40.515 of the statutes, as
3 affected by this act, for eligible employees, as defined in section 40.02 (25) of the
4 statutes, who use tobacco products.

5 **SECTION 9113. Nonstatutory provisions; Employment Relations**
6 **Commission.**

7 **SECTION 9114. Nonstatutory provisions; Financial Institutions.**

8 (1) NOTICE IN DISSOLUTION AND REVOCATION PROCEEDINGS. In addition to posting
9 the notices described in sections 180.1421 (2m) (b), 180.1531 (2m) (b), 181.1421 (2)
10 (b), 181.1531 (2g) (b), 183.09025 (2) (d), and 183.1021 (2g) (b) of the statutes, as
11 affected by this act, the department of financial institutions shall, for 6 months after
12 the effective date of this subsection, publish a monthly class 1 notice under chapter
13 985 of the statutes in the official state newspaper informing the public that notices
14 described in sections 180.1421 (2m) (b), 180.1531 (2m) (b), 181.1421 (2) (b), 181.1531
15 (2g) (b), 183.09025 (2) (d), and 183.1021 (2g) (b) of the statutes, as affected by this act,
16 are posted on the department's Internet site.

17 **SECTION 9115. Nonstatutory provisions; Government Accountability**
18 **Board.**

19 **SECTION 9116. Nonstatutory provisions; Governor.**

20 **SECTION 9117. Nonstatutory provisions; Health and Educational**
21 **Facilities Authority.**

22 **SECTION 9118. Nonstatutory provisions; Health Services.**

23 (1) ELIGIBILITY AND PREMIUMS UNDER THE MEDICAL ASSISTANCE PURCHASE PLAN.

24 (a) *Notification of federal approval.* The department of health services shall
25 request from the federal government approval of the treatment of section 49.472 (3)

ASSEMBLY BILL 40**SECTION 9118**

1 (a) and (f), (3m), (4) (a) (intro.), 1., 1m., 2. (intro.), 2m., and 3. and (b) (by SECTIONS
2 1167 and 1168), and (5) of the statutes by this act, and shall notify the legislative
3 reference bureau when each provision is approved. The legislative reference bureau
4 shall publish each notice in the Wisconsin Administrative Register.

5 (b) *Void provisions.*

6 1. Notwithstanding SECTION 9418 (3) of this act, if, by January 1, 2015, the
7 department of health services has not notified the legislative reference bureau under
8 paragraph (a) that federal approval has been given with respect to the treatment of
9 section 49.472 (4) (b) (by SECTION 1167) of the statutes by this act, that treatment is
10 void.

11 2. Notwithstanding SECTION 9418 (3) and (5) of this act, if, by January 1, 2016,
12 the department of health services has not notified the legislative reference bureau
13 under paragraph (a) that federal approval has been given with respect to the
14 treatment of section 49.472 (3) (a) or (f), (3m), (4) (a) (intro.), 1., 1m., 2. (intro.), 2m.,
15 or 3. or (b) (by SECTION 1168), or (5) of the statutes by this act, that treatment is void.

16 **SECTION 9119. Nonstatutory provisions; Higher Educational Aids**
17 **Board.**

18 **SECTION 9120. Nonstatutory provisions; Historical Society.**

19 **SECTION 9121. Nonstatutory provisions; Housing and Economic**
20 **Development Authority.**

21 **SECTION 9122. Nonstatutory provisions; Insurance.**

22 **SECTION 9123. Nonstatutory provisions; Investment Board.**

23 **SECTION 9124. Nonstatutory provisions; Joint Committee on Finance.**

24 **SECTION 9125. Nonstatutory provisions; Judicial Commission.**

25 **SECTION 9126. Nonstatutory provisions; Justice.**

ASSEMBLY BILL 40**SECTION 9126**

1 (1) BIOLOGICAL SPECIMEN; LEGISLATIVE FINDINGS AND RULES.

2 (a) *Legislative findings.*

3 1. The legislative findings in this paragraph relate exclusively to the treatment
4 in this act of sections 20.455 (2) (jb), 51.20 (13) (cr), 165.76 (1) (am), (as), (av), (aw),
5 (b), (bg), (br), (cr), and (g), (1m), (2m), (2r), (3), and (4), 165.765 (title), (1), (1g), (1m),
6 and (2) (a), (b), and (bm), 165.77 (1) (am), (2) (a) 2. and (b), (2m) (c), (3), (4) (intro.),
7 (a), (am) 1., 2., and 3., and (b), and (7m), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34
8 (15) (a) 1., 2., and 3. and (b), 970.02 (8), 971.17 (1m) (a), 973.047 (1f), (1m), and (2),
9 and 980.063 (1) (b) and (2) of the statutes.

10 2. The legislature finds that the state has a compelling interest in the accurate
11 identification of criminal offenders and that there is a critical and urgent need to
12 provide law enforcement officers and agencies with the latest scientific technology
13 available for accurately and expeditiously identifying, apprehending, arresting, and
14 convicting criminal offenders and exonerating individuals wrongly suspected or
15 accused of a crime. The legislature further finds that deoxyribonucleic acid testing
16 allows a more certain and rapid identification of offenders as well as the exoneration
17 of those wrongfully suspected or accused and that deoxyribonucleic acid data banks
18 are an important tool in criminal investigations and in deterring and detecting
19 recidivist acts. The legislature further finds that deoxyribonucleic acid testing at the
20 earliest stages of criminal and juvenile proceedings will help prevent perpetrators
21 from concealing their identities and will prevent time-consuming and expensive
22 investigations of innocent individuals. The legislature further finds that the degree
23 of intrusion on an individual's privacy interests is minimized by the method of
24 collection of the biological sample, by the policy of using only deoxyribonucleic acid
25 sequences not currently associated with any known physical or medical

ASSEMBLY BILL 40**SECTION 9126**

1 characteristics in the creation of a deoxyribonucleic acid profile, by the limited
2 purposes for which a deoxyribonucleic acid profile may be used under state and
3 federal law, and by the availability of expungement for individuals who are not
4 charged with or convicted of the offenses for which the deoxyribonucleic acid sample
5 was collected.

6 (b) *Rules.* The department of justice may, in rules it promulgates under section
7 165.76 of the statutes, as affected by this act, bring the method to obtain or to submit
8 a biological specimen in conformity with the act of Congress known as the Katie
9 Sepich Enhanced DNA Collection Act of 2012 (HR-6014) to apply for nonsupplanting
10 grant funding under that act.

11 (2) YOUTH DIVERSION GRANT REDUCTIONS.

12 (a) Notwithstanding the amount specified under section 165.987 (1) of the
13 statutes, as affected by this act, the department of justice shall reduce the amount
14 of money allocated under section 165.987 (1) of the statutes, as affected by this act,
15 by \$85,900 in each of fiscal years 2013-14 and 2014-15.

16 (b) Notwithstanding the amount specified under section 165.987 (2) of the
17 statutes, as affected by this act, the department of justice shall reduce the amount
18 of money allocated under section 165.987 (2) of the statutes, as affected by this act,
19 by \$18,400 in each of fiscal years 2013-14 and 2014-15.

20 (c) Notwithstanding the amounts specified under section 165.987 (3) of the
21 statutes, as affected by this act, the department of justice shall reduce the amount
22 of money allocated for each of the 4 contracts that are funded with moneys from the
23 appropriation accounts under section 20.455 (2) (cr) and (kj) of the statutes, as
24 affected by this act, by \$25,650 in each of fiscal years 2013-14 and 2014-15 and shall
25 reduce the amount of money allocated for the contract that is funded only with

ASSEMBLY BILL 40**SECTION 9126**

1 moneys from the appropriation account under section 20.455 (2) (kj) of the statutes,
2 as affected by this act, by \$18,100 in each of fiscal years 2013-14 and 2014-15.

3 **SECTION 9127. Nonstatutory provisions; Legislature.**

4 **SECTION 9128. Nonstatutory provisions; Lieutenant Governor.**

5 **SECTION 9129. Nonstatutory provisions; Local Government.**

6 **SECTION 9130. Nonstatutory provisions; Medical College of Wisconsin.**

7 **SECTION 9131. Nonstatutory provisions; Military Affairs.**

8 **SECTION 9132. Nonstatutory provisions; Natural Resources.**

9 (1) TRANSFER OF FACILITY DESIGN SERVICES.

10 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
11 liabilities of the department of natural resources that are primarily related to facility
12 design services, as determined by the secretary of administration, shall become
13 assets and liabilities of the department of administration.

14 (b) *Positions and employees.*

15 1. On the effective date of this subdivision, 1.0 SEG position in the department
16 of natural resources having primary responsibility for facility design services, as
17 determined by the secretary of administration, is transferred to the department of
18 administration and shall become 1.0 PR-S position in the department of
19 administration.

20 2. The incumbent employee in the position specified in subdivision 1. is
21 transferred on the effective date of this subdivision to the department of
22 administration.

23 3. The employee transferred under subdivision 2. has all the rights and the
24 same status under subchapter V of chapter 111 of the statutes and chapter 230 of the
25 statutes that the employee enjoyed in the department of natural resources

ASSEMBLY BILL 40**SECTION 9132**

1 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
2 if the employee attained permanent status in class immediately before the transfer,
3 the employee is not required to serve a probationary period.

4 (c) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the department of natural resources
6 that is primarily related to facility design services, as determined by the secretary
7 of administration, is transferred to the department of administration.

8 (d) *Contracts.* All contracts entered into by the department of natural resources
9 that are primarily related to facility design services, as determined by the secretary
10 of administration, are transferred to the department of administration. The
11 department of administration shall carry out any contractual obligations under such
12 a contract until the contract is modified or rescinded by the department of
13 administration to the extent allowed under the contract.

14 (e) *Pending matters.* Any matter pending with the department of natural
15 resources that is primarily related to facility design services on the effective date of
16 this paragraph is transferred to the department of administration and all materials
17 submitted to and actions taken by the department of natural resources with respect
18 to the pending matter are considered as having been submitted to or taken by the
19 department of administration.

20 (2) BONUS DEER HUNTING PERMIT FEE RULES. The department of natural resources
21 may use the procedure under section 227.24 of the statutes to promulgate rules
22 under sections 29.040 and 29.181 (4) of the statutes, as created by this act.
23 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules
24 promulgated under this subsection remain in effect until June 30, 2015, or the date
25 on which permanent rules take effect, whichever is sooner. Notwithstanding section

ASSEMBLY BILL 40**SECTION 9132**

1 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide
2 evidence that promulgating a rule under this subsection as an emergency rule is
3 necessary for the preservation of the public peace, health, safety, or welfare and is
4 not required to provide a finding of emergency for a rule promulgated under this
5 subsection.

6 (3) DEER MANAGEMENT ASSISTANCE PROGRAM. The department of natural
7 resources may use the procedure under section 227.24 of the statutes to promulgate
8 rules under section 29.020 of the statutes, as created by this act. Notwithstanding
9 section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this
10 subsection remain in effect until June 30, 2015, or the date on which permanent rules
11 take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a), (2) (b), and
12 (3) of the statutes, the department of natural resources is not required to provide
13 evidence that promulgating rules under this subsection as emergency rules is
14 necessary for the preservation of the public peace, health, safety, or welfare and is
15 not required to provide a finding of emergency for rules promulgated under this
16 subsection.

17 **SECTION 9133. Nonstatutory provisions; Public Defender Board.**

18 **SECTION 9134. Nonstatutory provisions; Public Instruction.**

19 (1) CHARTER SCHOOL OVERSIGHT BOARD. Notwithstanding section 15.375 (1) of the
20 statutes, as created by this act, the initial members appointed to the charter school
21 oversight board under section 15.375 (1) (a) of the statutes, as created by this act,
22 shall be appointed as follows:

23 (a) One member under section 15.375 (1) (a) 1. of the statutes, as created by this
24 act, shall be appointed for a term expiring on May 1, 2016, and one member shall be
25 appointed for a term expiring on May 1, 2017.

ASSEMBLY BILL 40**SECTION 9134**

1 (b) One member under section 15.375 (1) (a) 2. a. of the statutes, as created by
2 this act, shall be appointed for a term expiring on May 1, 2015, and one member shall
3 be appointed for a term expiring on May 1, 2017.

4 (c) The member under section 15.375 (1) (a) 2. b. of the statutes, as created by
5 this act, shall be appointed for a term expiring on May 1, 2016.

6 (d) One member under section 15.375 (1) (a) 2. c. of the statutes, as created by
7 this act, shall be appointed for a term expiring on May 1, 2015, and one member shall
8 be appointed for a term expiring on May 1, 2017.

9 (e) The member under section 15.375 (1) (a) 2. d. of the statutes, as created by
10 this act, shall be appointed for a term expiring on May 1, 2018.

11 (f) One member under section 15.375 (1) (a) 3. of the statutes, as created by this
12 act, shall be appointed for a term expiring on May 1, 2016, and one member shall be
13 appointed for a term expiring on May 1, 2018.

14 (2) STATEWIDE STUDENT DATA SYSTEM. By the first day of the 3rd month beginning
15 after the effective date of this subsection, the agencies specified in section 115.297
16 (1) (a) of the statutes, as affected by this act, shall amend the agreement under
17 section 115.297 (3) of the statutes, or enter into a new agreement under that section,
18 so as to include the department of children and families and the department of
19 workforce development in the agreement.

20 **SECTION 9135. Nonstatutory provisions; Public Lands, Board of**
21 **Commissioners of.**

22 **SECTION 9136. Nonstatutory provisions; Public Service Commission.**

23 **SECTION 9137. Nonstatutory provisions; Revenue.**

24 (1) PRESSURE APPLIED TAX STAMPS. The department of revenue shall study the
25 feasibility of using pressure applied stamps on cigarette packages as an indication

ASSEMBLY BILL 40**SECTION 9137**

1 of the tax paid under section 139.31 of the statutes and shall submit its findings to
2 the governor no later than June 30, 2014.

3 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
4 **Services.**

5 (1) TRANSFER OF REGULATION OF CHARITABLE ORGANIZATIONS, FUND-RAISING
6 COUNSEL, PROFESSIONAL FUND-RAISERS, PROFESSIONAL EMPLOYER ORGANIZATIONS, AND
7 PROFESSIONAL EMPLOYER GROUPS.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
9 liabilities of the department of safety and professional services primarily related to
10 the regulation of charitable organizations, fund-raising counsel, professional
11 fund-raisers, professional employer organizations, and professional employer
12 groups, as determined by the secretary of administration, including any
13 unencumbered moneys from fees the department of safety and professional services
14 has collected from charitable organizations, fund-raising counsel, professional
15 fund-raisers, professional employer organizations, and professional employer
16 groups, shall become the assets and liabilities of the department of financial
17 institutions.

18 (b) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of safety and
20 professional services that is primarily related to the regulation of charitable
21 organizations, fund-raising counsel, professional fund-raisers, professional
22 employer organizations, and professional employer groups, as determined by the
23 secretary of administration, is transferred to the department of financial
24 institutions.

ASSEMBLY BILL 40**SECTION 9138**

1 (c) *Contracts.* All contracts entered into by the department of safety and
2 professional services in effect on the effective date of this paragraph that are
3 primarily related to the regulation of charitable organizations, fund-raising counsel,
4 professional fund-raisers, professional employer organizations, and professional
5 employer groups, as determined by the secretary of administration, remain in effect
6 and are transferred to the department of financial institutions. The department of
7 financial institutions shall carry out any obligations under such a contract until the
8 contract is modified or rescinded by the department of financial institutions to the
9 extent allowed under the contract.

10 (d) *Employee transfers.* On the effective date of this paragraph, all positions,
11 and the incumbent employees who hold those positions, in the department of safety
12 and professional services with duties that are primarily related to the regulation of
13 charitable organizations, fund-raising counsel, professional fund-raisers,
14 professional employer organizations, and professional employer groups, as
15 determined by the secretary of administration, are transferred to the department of
16 financial institutions.

17 (e) *Employee status.* Employees transferred under paragraph (d) have all the
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the department of financial institutions that they enjoyed in the
20 department of safety and professional services immediately before the transfer.
21 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
22 has attained permanent status in class is required to serve a probationary period.

23 (f) *Rules and orders.* All rules promulgated by the department of safety and
24 professional services that relate to the regulation of charitable organizations,
25 fund-raising counsel, professional fund-raisers, professional employer

ASSEMBLY BILL 40**SECTION 9138**

1 organizations, and professional employer groups, that are in effect on the effective
2 date of this paragraph, remain in effect until their specified expiration dates or until
3 amended or repealed by the department of financial institutions. All orders issued
4 by the department of safety and professional services relating to the regulation of
5 charitable organizations, fund-raising counsel, professional fund-raisers,
6 professional employer organizations, and professional employer groups that are in
7 effect on the effective date of this paragraph remain in effect until their specified
8 expiration dates or until modified or rescinded by the department of financial
9 institutions.

10 (g) *Pending matters.* Any matter pending with the department of safety and
11 professional services on the effective date of this paragraph that is primarily related
12 to the regulation of charitable organizations, fund-raising counsel, professional
13 fund-raisers, professional employer organizations, and professional employer
14 groups, as determined by the secretary of administration, is transferred to the
15 department of financial institutions and all materials submitted to or actions taken
16 by the department of safety and professional services with respect to the pending
17 matters are considered as having been submitted to or taken by the department of
18 financial institutions.

19 (h) *Fees.* All fees for initial registrations and renewals of registrations under
20 subchapter IV of chapter 440 of the statutes and under chapter 461 of the statutes
21 that are in effect on the day before the effective date of this paragraph shall remain
22 in effect until modified by the department of financial institutions under section
23 202.08 of the statutes, as created by this act.

24 (2) CONSTRUCTION SITE EROSION CONTROL. Any matter pending with the
25 department of safety and professional services on the effective date of this subsection

ASSEMBLY BILL 40**SECTION 9138**

1 that primarily relates to its erosion control responsibilities under section 101.1206,
2 2011 stats., or section 101.653, 2011 stats., as determined by the secretary of
3 administration, remains the responsibility of the department of safety and
4 professional services.

5 (3) REGULATION OF DANGEROUS MATERIALS.

6 (a) *Assets and liabilities.*

7 1. Except as provided in subdivision 2., on the effective date of this subdivision,
8 the assets and liabilities of the department of safety and professional services that
9 are determined by the secretary of administration to relate to the storage, use, and
10 handling of flammable or combustible liquids or federally regulated hazardous
11 substances under section 101.09, 2011 stats., become the assets and liabilities of the
12 department of agriculture, trade and consumer protection.

13 2. The assets and liabilities that are determined by the secretary of
14 administration to relate to the reviewing of plans subject to section SPS 310.100, Wis.
15 Adm. Code, remain with the department of safety and professional services.

16 (b) *Employee transfer.* All incumbent employees who hold positions in the
17 department of safety and professional services that the secretary of administration
18 determines relate to the storage, use, and handling of flammable or combustible
19 liquids or federally regulated hazardous substances under section 101.09, 2011
20 stats., are transferred to the department of agriculture, trade and consumer
21 protection on the effective date of this subdivision.

22 (c) *Employee status.* Employees transferred under paragraph (b) have all the
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
24 statutes in the department of agriculture, trade and consumer protection that they
25 enjoyed in the department of safety and professional services immediately before the

ASSEMBLY BILL 40**SECTION 9138**

1 transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so
2 transferred who has attained permanent status in class is required to serve a
3 probationary period.

4 (d) *Tangible personal property.*

5 1. Except as provided in subdivision 2., on the effective date of this subdivision,
6 all tangible personal property, including records, of the department of safety and
7 professional services that the secretary of administration determines relate to the
8 storage, use, and handling of flammable or combustible liquids or federally regulated
9 hazardous substances under section 101.09, 2011 stats., is transferred to the
10 department of agriculture, trade and consumer protection.

11 2. The tangible property, including records, that is determined by the secretary
12 of administration to relate to the reviewing of plans subject to section SPS 310.100,
13 Wis. Adm. Code, remains with the department of safety and professional services.

14 (e) *Contracts.*

15 1. Except as provided in subdivision 2., all contracts that were entered into by
16 the department of safety and professional services that the secretary of
17 administration determines to relate to the storage, use, and handling of flammable
18 or combustible liquids or federally regulated hazardous substances under section
19 101.09, 2011 stats., and that are in effect on the effective date of this subdivision
20 remain in effect and are transferred to department of agriculture, trade and
21 consumer protection. The department of agriculture, trade and consumer protection
22 shall carry out any obligations under such a contract until the contract is modified
23 or rescinded by the department of agriculture, trade and consumer protection to the
24 extent allowed under the contract.

ASSEMBLY BILL 40**SECTION 9138**

1 2. Any contract that is determined by the secretary of administration to relate
2 to the reviewing of plans subject to section SPS 310.100, Wis. Adm. Code, remains
3 with the department of safety and professional services.

4 (f) *Rules and orders.*

5 1. Except as provided in subdivision 2., all rules promulgated, and all orders
6 issued, by the department of safety and professional services, that are determined
7 by the secretary of administration to relate to the storage, use, and handling of
8 flammable or combustible liquids or federally regulated hazardous substances under
9 section 101.09, 2011 stats., and that are in effect on the effective date of this
10 subdivision shall remain in effect until their specified expiration date or until
11 amended or repealed by the department of agriculture, trade and consumer
12 protection.

13 2. The rules and orders that are determined by the secretary of administration
14 to relate to reviewing of plans that is subject to section SPS 310.100, Wis. Adm. Code,
15 remain with the department of safety and professional services.

16 (g) *Pending matters.*

17 1. Except as provided in subdivision 2., any matter pending with the
18 department of safety and professional services on the effective date of this
19 subdivision that is determined by the secretary of administration to relate to the
20 storage, use, and handling of flammable or combustible liquids or federally regulated
21 hazardous substances under section 101.09, 2011 stats., is transferred to the
22 department of agriculture, trade and consumer protection, and all materials
23 submitted to or actions taken by the department of safety and professional services
24 with respect to the pending matter are considered as having been submitted to or
25 taken by the department of agriculture, trade and consumer protection.

ASSEMBLY BILL 40**SECTION 9138**

1 2. Any pending matter that is determined by the secretary of administration
2 to relate to the reviewing of plans that is subject to section SPS 310.100, Wis. Adm.
3 Code remains with the department of safety and professional services.

4 (4) PETROLEUM PRODUCT INSPECTION AND STORAGE.

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
6 liabilities of the department of safety and professional services, that are determined
7 by the secretary of administration to relate to the storage and inspection of
8 petroleum products under section 101.142, 2011 stats., and chapter 168, 2011 stats.,
9 become the assets and liabilities of the department of agriculture, trade and
10 consumer protection.

11 (b) *Employee transfer.* All incumbent employees who hold positions in the
12 department of safety and professional services that the secretary of administration
13 determines relate to the storage and inspection of petroleum products under section
14 101.142, 2011 stats., and chapter 168, 2011 stats., are transferred to the department
15 of agriculture, trade and consumer protection on the effective date of this paragraph.

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

23 (d) *Tangible personal property.* On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of safety and
25 professional services that the secretary of administration determines to relate to the

ASSEMBLY BILL 40**SECTION 9138**

1 storage and inspection of petroleum products under section 101.142, 2011 stats., and
2 chapter 168, 2011 stats., is transferred to the department of agriculture, trade and
3 consumer protection.

4 (e) *Contracts.* All contracts that were entered into by the department of safety
5 and professional services that the secretary of administration determines to relate
6 to the storage and inspection of petroleum products under section 101.142, 2011
7 stats., and chapter 168, 2011 stats., and that are in effect on the effective date of this
8 paragraph remain in effect and are transferred to department of agriculture, trade
9 and consumer protection. The department of agriculture, trade and consumer
10 protection shall carry out any obligations under such a contract until the contract is
11 modified or rescinded by the department of agriculture, trade and consumer
12 protection to the extent allowed under the contract.

13 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
14 department of safety and professional services, that are determined by the secretary
15 of administration to relate to the storage and inspection of petroleum products under
16 section 101.142, 2011 stats., and chapter 168, 2011 stats., and that are in effect on
17 the effective date of this paragraph shall remain in effect until their specified
18 expiration date or until amended or repealed by the department of agriculture, trade
19 and consumer protection.

20 (g) *Pending matters.* Any matter pending with the department of safety and
21 professional services on the effective date of this paragraph that is determined by the
22 secretary of administration to relate to the storage and inspection of petroleum
23 products under section 101.142, 2011 stats., and chapter 168, 2011 stats., is
24 transferred to the department of agriculture, trade and consumer protection, and all
25 materials submitted to or actions taken by the department of safety and professional

ASSEMBLY BILL 40**SECTION 9138**

1 services with respect to the pending matter are considered as having been submitted
2 to or taken by the department of agriculture, trade and consumer protection.

3 (5) TRANSFER OF INFORMATION TECHNOLOGY POSITIONS.

4 (a) On the effective date of this paragraph, 10.0 FTE PR positions in the
5 department of safety and professional services having responsibility for information
6 technology, and the incumbent employees holding those positions, identified by the
7 secretary of administration, are transferred to the department of administration.

8 (b) The employees transferred under paragraph (a) have all of the rights and
9 the same status under subchapter V of chapter 111 and chapter 230 of the statutes
10 in the department of administration that those employees enjoyed in the department
11 of safety and professional services immediately before the transfer.
12 Notwithstanding section 230.28 (4) of the statutes, the employees so transferred who
13 have attained permanent status in class may not be required to serve a probationary
14 period.

15 (6) DIESEL TRUCK IDLING REDUCTION GRANTS.

16 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
17 liabilities of the department of safety and professional services that the secretary of
18 administration determines relate to the awarding and administration of diesel truck
19 idling reduction grants under section 101.45 of the statutes, as affected by this act,
20 become the assets and liabilities of the department of administration.

21 (b) *Employee transfers.* All incumbent employees who hold positions in the
22 department of safety and professional services that the secretary of administration
23 determines relate to the awarding and administration of diesel truck idling
24 reduction grants under section 101.45 of the statutes, as affected by this act, are

ASSEMBLY BILL 40**SECTION 9138**

1 transferred on the effective date of this paragraph to the department of
2 administration.

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

9 (d) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of safety and
11 professional services that the secretary of administration determines relate to the
12 awarding and administration of the diesel truck idling reduction grants under
13 section 101.45 of the statutes, as affected by this act, are transferred to the
14 department of administration.

15 (e) *Contracts.* All contracts that were entered into by the department of safety
16 and professional services that the secretary of administration determines relate to
17 the awarding and administration of diesel truck idling reduction grants under
18 section 101.45 of the statutes, as affected by this act, and that are in effect on the
19 effective date of this paragraph remain in effect and are transferred to department
20 of administration. The department of administration shall carry out any obligations
21 under such a contract until the contract is modified or rescinded by the department
22 of administration to the extent allowed under the contract.

23 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
24 department of safety and professional services that the secretary of administration
25 determines relate to the awarding and administration of diesel truck idling

ASSEMBLY BILL 40**SECTION 9138**

1 reduction grants under section 101.45 of the statutes, as affected by this act, and that
2 are in effect on the effective date of this paragraph shall remain in effect until their
3 specified expiration date or until amended or repealed by the department of
4 administration.

5 (g) *Pending matters.* Any matter pending with the department of safety and
6 professional services on the effective date of this paragraph that the secretary of
7 administration determines relates to the awarding and administration of diesel
8 truck idling reduction grants under section 101.45 of the statutes, as affected by this
9 act, is transferred to the department of administration and all materials submitted
10 to or actions taken by the department of safety and professional services with respect
11 to the pending matter are considered as having been submitted to or taken by the
12 department of administration.

13 (7) TRANSFER OF PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

14 (a) *Assets and liabilities.* The assets and liabilities of the department of safety
15 and professional services that the secretary of administration determines to be
16 primarily related to activities under sections 101.143, 101.1435, and 101.144, 2011
17 stats., become the assets and liabilities of the department of natural resources on the
18 effective date of this paragraph.

19 (b) *Employee transfer.* All incumbent employees who hold positions in the
20 department of safety and professional services performing duties that the secretary
21 of administration determines to be primarily related to sections 101.143, 101.1435,
22 and 101.144, 2011 stats., and the full-time equivalent positions held by those
23 employees, are transferred to the department of natural resources on the effective
24 date of this paragraph.

ASSEMBLY BILL 40**SECTION 9138**

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

7 (d) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the department of safety and
9 professional services that the secretary of administration determines to be primarily
10 related to activities under sections 101.143, 101.1435, and 101.144, 2011 stats., is
11 transferred to the department of natural resources.

12 (e) *Contracts.* All contracts that were entered into by the department of safety
13 and professional services that the secretary of administration determines to be
14 primarily related to sections 101.143, 101.1435, and 101.144, 2011 stats., and that
15 are in effect on the effective date of this paragraph remain in effect and are
16 transferred to the department of natural resources. The department of natural
17 resources shall carry out any obligations under such a contract until the contract is
18 modified or rescinded by the department of natural resources to the extent allowed
19 under the contract.

20 (f) *Rules and orders.* All rules promulgated, and all orders issued, by the
21 department of safety and professional services that the secretary of administration
22 determines to be primarily related to sections 101.143, 101.1435, and 101.144, 2011
23 stats., and that are in effect on the effective date of this paragraph, shall remain in
24 effect until their specified expiration date or until amended or repealed by the
25 department of natural resources.

ASSEMBLY BILL 40**SECTION 9138**

1 (g) *Pending matters.* Any matter pending with the department of safety and
2 professional services on the effective date of this paragraph that the secretary of
3 administration determines to be related to section 101.143, 101.1435, or 101.144,
4 2011 stats., is transferred to the department of natural resources, and all materials
5 submitted to or actions taken by the department of safety and professional services
6 with respect to the pending matter are considered as having been submitted to or
7 taken by the department of natural resources.

8 **SECTION 9139. Nonstatutory provisions; Secretary of State.**

9 **SECTION 9140. Nonstatutory provisions; State Employment Relations,**
10 **Office of.**

11 **SECTION 9141. Nonstatutory provisions; State Fair Park Board.**

12 **SECTION 9142. Nonstatutory provisions; Supreme Court.**

13 **SECTION 9143. Nonstatutory provisions; Technical College System.**

14 (1) TRANSFER OF EDUCATIONAL APPROVAL BOARD TO DEPARTMENT OF SAFETY AND
15 PROFESSIONAL SERVICES.

16 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
17 liabilities of the technical college system board primarily related to the functions of
18 the educational approval board, as determined by the secretary of administration,
19 become the assets and liabilities of the department of safety and professional
20 services.

21 (b) *Employee transfers.* All incumbent employees holding positions in the
22 technical college system board performing duties primarily related to the functions
23 of the educational approval board, as determined by the secretary of administration,
24 are transferred on the effective date of this paragraph to the department of safety
25 and professional services.

ASSEMBLY BILL 40**SECTION 9143**

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

7 (d) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the technical college system board
9 that is primarily related to the functions of the educational approval board, as
10 determined by the secretary of administration, is transferred to the department of
11 safety and professional services.

12 (e) *Contracts.* All contracts entered into by the technical college system in effect
13 on the effective date of this paragraph that are primarily related to the functions of
14 the educational approval board, as determined by the secretary of administration,
15 remain in effect and are transferred to the department of safety and professional
16 services. The department of safety and professional services shall carry out any
17 obligations under such a contract until the contract is modified or rescinded by the
18 department of safety and professional services to the extent allowed under the
19 contract.

SECTION 9144. Nonstatutory provisions; Tourism.**SECTION 9145. Nonstatutory provisions; Transportation.**

22 (1) **ENUMERATED MAJOR HIGHWAY PROJECT RECOMMENDATION.** The transportation
23 projects commission shall examine each enumerated major highway project on
24 which no construction has been performed to determine if the project is appropriate
25 for removal from the list of enumerated major highway projects. No later than

ASSEMBLY BILL 40**SECTION 9145**

1 January 1, 2016, the transportation projects commission shall present a
2 recommendation to the legislature specifying any projects that are appropriate for
3 removal from the list of enumerated major highway projects.

4 (2) TRANSFER OF FACILITY DESIGN SERVICES.

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
6 liabilities of the department of transportation that are primarily related to facility
7 design services, as determined by the secretary of administration, shall become
8 assets and liabilities of the department of administration.

9 (b) *Positions and employees.*

10 1. On the effective date of this subdivision, 1.0 SEG position in the department
11 of transportation having primary responsibility for facility design services, as
12 determined by the secretary of administration, is transferred to the department of
13 administration and shall become 1.0 PR-S position in the department of
14 administration.

15 2. The incumbent employee in the position specified in subdivision 1. is
16 transferred on the effective date of this subdivision to the department of
17 administration.

18 3. The employee transferred under subdivision 2. has all the rights and the
19 same status under subchapter V of chapter 111 of the statutes and chapter 230 of the
20 statutes that the employee enjoyed in the department of transportation immediately
21 before the transfer. Notwithstanding section 230.28 (4) of the statutes, if the
22 employee has attained permanent status in class immediately before the transfer,
23 the employee is not required to serve a probationary period.

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

ASSEMBLY BILL 40**SECTION 9145**

1 that is primarily related to facility design services, as determined by the secretary
2 of administration, is transferred to the department of administration.

3 (d) *Contracts.* All contracts entered into by the department of transportation
4 that are primarily related to facility design services, as determined by the secretary
5 of administration, are transferred to the department of administration. The
6 department of administration shall carry out any contractual obligations under such
7 a contract until the contract is modified or rescinded by the department of
8 administration to the extent allowed under the contract.

9 (e) *Pending matters.* Any matter pending with the department of
10 transportation that is primarily related to facility design services on the effective
11 date of this paragraph is transferred to the department of administration and all
12 materials submitted to and actions taken by the department of transportation with
13 respect to the pending matter are considered as having been submitted to or taken
14 by the department of administration.

15 (3) TEMPORARY FUNDING FOR I 94 PROJECT.

16 (a) In this subsection, "I 94 project" means the reconstruction of I 94 in
17 Milwaukee County from 70th Street to 25th Street.

18 (b) Notwithstanding sections 84.013 (1) (a) and 84.0145 (3) of the statutes and
19 section 84.0145 (2) of the statutes, as affected by this act, during the 2013-14 fiscal
20 year, the department of transportation may encumber or expend moneys from the
21 appropriation under section 20.395 (3) (bq) of the statutes for preliminary
22 engineering and design work associated with the I 94 project if a record of decision
23 on the project's environmental impact study is issued during the 2013-14 fiscal year.

24 (c) Notwithstanding sections 84.013 (1) (a) and 84.0145 (3) of the statutes and
25 section 84.0145 (2) of the statutes, as affected by this act, during the 2014-15 fiscal

ASSEMBLY BILL 40**SECTION 9145**

1 year, the department of transportation may encumber or expend moneys from the
2 appropriation under section 20.395 (3) (bq) of the statutes for preliminary
3 engineering and design work associated with the I 94 project if a record of decision
4 on the project's environmental impact study is issued during the 2013-15 fiscal
5 biennium.

6 **SECTION 9146. Nonstatutory provisions; Treasurer.**

7 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**
8 **Hospitals and Clinics Authority.**

9 **SECTION 9148. Nonstatutory provisions; University of Wisconsin**
10 **System.**

11 (1) INCENTIVE GRANTS. Within 90 days after the effective date of this subsection,
12 the Board of Regents of the University of Wisconsin System shall submit to the
13 secretary of administration for his or her approval a plan for the establishment of the
14 incentive grant program under section 36.25 (52) of the statutes, as created by this
15 act. The plan shall include all of the following:

16 (a) Application procedures and procedures and criteria for awarding grants.

17 (b) A plan to establish performance goals and accountability measures for each
18 grant recipient.

19 (c) A plan to track and report program results reported by grant recipients.

20 (d) An acknowledgment that the amounts awarded are not base building.

21 **SECTION 9149. Nonstatutory provisions; Veterans Affairs.**

22 (1) APPOINTMENT OF CERTAIN INDIVIDUALS TO POSITIONS IN CLASSIFIED SERVICE OF
23 STATE CIVIL SERVICE SYSTEM. Notwithstanding section 230.15 (1) of the statutes, on the
24 effective date of this subsection, the incumbent employees holding the unclassified
25 positions specified in section 230.08 (2) (xm), 2011 Wis. Stats., and one of the

ASSEMBLY BILL 40**SECTION 9149**

1 unclassified division administrator positions specified in section 230.08 (2) (e) 13.,
2 2011 Wis. Stats., shall be appointed to comparable positions in the classified service
3 in the department of veterans affairs, as determined by the secretary of veterans
4 affairs. The administrator of the division of merit recruitment and selection in the
5 office of state employment relations shall waive the requirement for competitive
6 examination under section 230.15 (1) of the statutes with respect to the classified
7 positions and shall certify the incumbent employees for appointment to the classified
8 positions. The administrator shall determine the employee's probationary status
9 under section 230.28 of the statutes, except that the employee shall receive credit
10 toward his or her probationary period for the time that the employee had been
11 employed in any unclassified position immediately prior to appointment.

12 (2) EMERGENCY RULES CONCERNING TRIBAL COLLEGE TUITION REIMBURSEMENT
13 PROGRAM. The department of veterans affairs may promulgate emergency rules
14 under section 227.24 of the statutes implementing section 45.205 of the statutes, as
15 created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
16 emergency rules promulgated under this subsection remain in effect until July 1,
17 2014, or the date on which permanent rules take effect, whichever is sooner.
18 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
19 required to provide evidence that promulgating a rule under this subsection as an
20 emergency rule is necessary for the preservation of the public peace, health, safety,
21 or welfare and is not required to provide a finding of emergency for a rule
22 promulgated under this subsection.

23 **SECTION 9150. Nonstatutory provisions; Wisconsin Economic**
24 **Development Corporation.**

25 **SECTION 9151. Nonstatutory provisions; Workforce Development.**

ASSEMBLY BILL 40**SECTION 9151**

1 (1) TRANSFER OF FACILITY DESIGN SERVICES.

2 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
3 liabilities of the department of workforce development that are primarily related to
4 facility design services, as determined by the secretary of administration, shall
5 become assets and liabilities of the department of administration.

6 (b) *Positions and employees.*

7 1. On the effective date of this subdivision, 1.0 PR position in the department
8 of workforce development having primary responsibility for facility design services,
9 as determined by the secretary of administration, is transferred to the department
10 of administration and shall become 1.0 PR-S position in the department of
11 administration.

12 2. The incumbent employee in the position specified in subdivision 1. is
13 transferred on the effective date of this subdivision to the department of
14 administration.

15 3. The employee transferred under subdivision 2. has all the rights and the
16 same status under subchapter V of chapter 111 of the statutes and chapter 230 of the
17 statutes that the employee enjoyed in the department of workforce development
18 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
19 if the employee attained permanent status in class immediately before the transfer,
20 the employee is not required to serve a probationary period.

21 (c) *Tangible personal property.* On the effective date of this paragraph, all
22 tangible personal property, including records, of the department of workforce
23 development that is primarily related to facility design services, as determined by
24 the secretary of administration, is transferred to the department of administration.

ASSEMBLY BILL 40**SECTION 9151**

1 (d) *Contracts.* All contracts entered into by the department of workforce
2 development that are primarily related to facility design services, as determined by
3 the secretary of administration, are transferred to the department of administration.
4 The department of administration shall carry out any contractual obligations under
5 such a contract until the contract is modified or rescinded by the department of
6 administration to the extent allowed under the contract.

7 (e) *Pending matters.* Any matter pending with the department of workforce
8 development that is primarily related to facility design services on the effective date
9 of this paragraph is transferred to the department of administration and all
10 materials submitted to and actions taken by the department of workforce
11 development with respect to the pending matter are considered as having been
12 submitted to or taken by the department of administration.

13 (2) TRANSFER OF DISABLED VETERANS' OUTREACH AND LOCAL VETERANS' EMPLOYMENT
14 REPRESENTATIVE PROGRAMS.

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

16 1. "Approval" means approval by the secretary of the federal department of
17 labor of a plan submitted jointly by the department of workforce development and
18 the department of veterans affairs for transfer of the administration of the disabled
19 veterans' outreach program and the local veterans' employment representative
20 program from the department of workforce development to the department of
21 veterans affairs.

22 2. "Disabled veterans' outreach program" means the disabled veterans'
23 outreach program under 38 USC 4103a.

24 3. "Local veterans' employment representative program" means the local
25 veterans' employment representative program under 38 USC 4104.

ASSEMBLY BILL 40**SECTION 9151**

1 (b) *Approval by secretary of federal department of labor.* The department of
2 workforce development and the department of veterans affairs, jointly, shall prepare
3 a plan for transfer of the administration of the disabled veterans' outreach program
4 and the local veterans' employment representative program from the department of
5 workforce development to the department of veterans affairs and shall submit that
6 plan to the secretary of the federal department of labor for approval. If the secretary
7 of the federal department of labor approves the plan, administration of those
8 programs shall be transferred from the department of workforce development to the
9 department of veterans affairs as provided in paragraphs (c) to (i).

10 (c) *Assets and liabilities.* On the effective date of approval, the assets and
11 liabilities of the department of workforce development that are primarily related to
12 the disabled veterans' outreach program or the local veterans' employment
13 representative program, as determined by the secretary of administration, shall
14 become the assets and liabilities of the department of veterans affairs.

15 (d) *Positions and employees.* On the effective date of approval, all positions and
16 all incumbent employees holding those positions in the department of workforce
17 development performing duties that are primarily related to the disabled veterans'
18 outreach program or the local veterans' employment representative program, as
19 determined by the secretary of administration, are transferred to the department of
20 veterans affairs.

21 (e) *Employee status.* Employees transferred under paragraph (d) have all the
22 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
23 statutes in the department of veterans affairs that they enjoyed in the department
24 of workforce development immediately before the transfer. Notwithstanding section

ASSEMBLY BILL 40**SECTION 9151**

1 230.28 (4) of the statutes, no employee so transferred who has attained permanent
2 status in class is required to serve a probationary period.

3 (f) *Tangible personal property.* On the effective date of approval, all tangible
4 personal property, including records, of the department of workforce development
5 that is primarily related to the disabled veterans' outreach program or the local
6 veterans' employment representative program, as determined by the secretary of
7 administration, is transferred to the department of veterans affairs.

8 (g) *Pending matters.* Any matter pending with the department of workforce
9 development on the effective date of approval that is primarily related to the disabled
10 veterans' outreach program or the local veterans' employment representative
11 program, as determined by the secretary of administration, is transferred to the
12 department of veterans affairs. All materials submitted to or actions taken by the
13 department of workforce development with respect to the pending matter are
14 considered as having been submitted to or taken by the department of veterans
15 affairs.

16 (h) *Contracts.* All contracts entered into by the department of workforce
17 development in effect on the effective date of approval that are primarily related to
18 the disabled veterans' outreach program or the local veterans' employment
19 representative program, as determined by the secretary of administration, remain
20 in effect and are transferred to the department of veterans affairs. The department
21 of veterans affairs shall carry out any obligations under those contracts unless
22 modified or rescinded by the department of veterans affairs to the extent allowed
23 under the contract.

24 (i) *Rules and orders.* All rules promulgated by the department of workforce
25 development in effect on the effective date of approval that are primarily related to

ASSEMBLY BILL 40**SECTION 9151**

1 the disabled veterans' outreach program or the local veterans' employment
2 representative program remain in effect until their specified expiration dates or
3 until amended or repealed by the department of veterans affairs. All orders issued
4 by the department of workforce development in effect on the effective date of
5 approval that are primarily related to the disabled veterans' outreach program or the
6 local veterans' employment representative program remain in effect until their
7 specified expiration dates or until modified or rescinded by the department of
8 veterans affairs.

9 **SECTION 9152. Nonstatutory provisions; Other.**

10 **SECTION 9201. Fiscal changes; Administration.**

11 (1) TRANSFER OF OFFICE OF JUSTICE ASSISTANCE.

12 (a) The unencumbered balance in the appropriation account under section
13 20.505 (6) (gj), 2011 stats., is transferred to the appropriation account under section
14 20.455 (5) (gj) of the statutes.

15 (b) The unencumbered balance in the appropriation account under section
16 20.505 (6) (km), 2011 stats., is transferred to the appropriation account under section
17 20.455 (2) (k) of the statutes.

18 (c) The unencumbered balance in the appropriation account under section
19 20.505 (6) (m), 2011 stats., is transferred to the appropriation accounts under section
20 20.455 (2) (m) and (5) (ma) of the statutes, as determined by the department of
21 administration.

22 (d) The unencumbered balance in the appropriation account under section
23 20.505 (6) (p), 2011 stats., is transferred to the appropriation accounts under section
24 20.455 (2) (n) and (5) (mh) of the statutes, as determined by the department of
25 administration.

ASSEMBLY BILL 40**SECTION 9202**

1 **SECTION 9202. Fiscal changes; Agriculture, Trade and Consumer**
2 **Protection.**

3 (1) TRANSFER FROM AGRICHEMICAL MANAGEMENT FUND TO ENVIRONMENTAL FUND.
4 There is transferred from the agrichemical management fund to the environmental
5 fund \$750,000 in fiscal year 2013-14.

6 **SECTION 9203. Fiscal changes; Arts Board.**

7 **SECTION 9204. Fiscal changes; Building Commission.**

8 **SECTION 9205. Fiscal changes; Child Abuse and Neglect Prevention**
9 **Board.**

10 (1) TRANSFER OF CHILDREN'S TRUST FUND BALANCE. On the effective date of this
11 subsection, the unencumbered balance in the children's trust fund is transferred to
12 the appropriation account under section 20.433 (1) (q) of the statutes, as affected by
13 this act.

14 **SECTION 9206. Fiscal changes; Children and Families.**

15 **SECTION 9207. Fiscal changes; Circuit Courts.**

16 **SECTION 9208. Fiscal changes; Correctional System.**

17 (1) CHILD PORNOGRAPHY SURCHARGE. The unencumbered balance in the
18 appropriation account under section 20.410 (1) (gj), 2011 stats., is transferred to the
19 appropriation account under section 20.455 (5) (gj) of the statutes.

20 **SECTION 9209. Fiscal changes; Court of Appeals.**

21 **SECTION 9210. Fiscal changes; District Attorneys.**

22 **SECTION 9211. Fiscal changes; Educational Communications Board.**

23 **SECTION 9212. Fiscal changes; Employee Trust Funds.**

24 (1) SUPPLEMENTATION OF APPROPRIATIONS. During the 2013-15 fiscal biennium,
25 the secretary of employee trust funds may request the governor to supplement any

ASSEMBLY BILL 40**SECTION 9212**

1 sum certain appropriation from the public employee trust fund for the purpose of
2 modernizing business processes or integrating information technology systems of
3 the department of employee trust funds. Upon receiving such a request, the governor
4 may approve or modify the request. If the governor proposes to approve or modify
5 the request, the governor shall notify the joint committee on finance in writing of his
6 or her proposed action. If, within 14 working days after the date of the governor's
7 notification, the cochairpersons of the committee do not notify the governor that the
8 committee has scheduled a meeting for the purpose of reviewing the proposed action,
9 the supplements proposed by the governor are approved. If the cochairpersons notify
10 the governor that the committee has scheduled a meeting for the purpose of
11 reviewing the proposed action, the supplements may be made only upon approval of
12 the committee.

13 **SECTION 9213. Fiscal changes; Employment Relations Commission.**

14 **SECTION 9214. Fiscal changes; Financial Institutions.**

15 **SECTION 9215. Fiscal changes; Government Accountability Board.**

16 **SECTION 9216. Fiscal changes; Governor.**

17 **SECTION 9217. Fiscal changes; Health and Educational Facilities**
18 **Authority.**

19 **SECTION 9218. Fiscal changes; Health Services.**

20 **SECTION 9219. Fiscal changes; Higher Educational Aids Board.**

21 **SECTION 9220. Fiscal changes; Historical Society.**

22 **SECTION 9221. Fiscal changes; Housing and Economic Development**
23 **Authority.**

24 **SECTION 9222. Fiscal changes; Insurance.**

25 **SECTION 9223. Fiscal changes; Investment Board.**

ASSEMBLY BILL 40**SECTION 9224**

1 **SECTION 9224. Fiscal changes; Joint Committee on Finance.**

2 **SECTION 9225. Fiscal changes; Judicial Commission.**

3 **SECTION 9226. Fiscal changes; Justice.**

4 **SECTION 9227. Fiscal changes; Legislature.**

5 **SECTION 9228. Fiscal changes; Lieutenant Governor.**

6 **SECTION 9229. Fiscal changes; Local Government.**

7 **SECTION 9230. Fiscal changes; Medical College of Wisconsin.**

8 **SECTION 9231. Fiscal changes; Military Affairs.**

9 **SECTION 9232. Fiscal changes; Natural Resources.**

10 **SECTION 9233. Fiscal changes; Public Defender Board.**

11 **SECTION 9234. Fiscal changes; Public Instruction.**

12 **SECTION 9235. Fiscal changes; Public Lands, Board of Commissioners**
13 **of.**

14 **SECTION 9236. Fiscal changes; Public Service Commission.**

15 **SECTION 9237. Fiscal changes; Revenue.**

16 **SECTION 9238. Fiscal changes; Safety and Professional Services.**

17 (1) TESTING OF PETROLEUM PRODUCTS. There is transferred from the
18 appropriation account under section 20.165 (2) (ga) of the statutes, as affected by this
19 act, to the appropriation account under section 20.115 (1) (gc) of the statutes, as
20 created by this act, an amount, as determined by the secretary of administration,
21 that equals the amount of fees that have been credited to the appropriation account
22 under section 20.165 (2) (ga) of the statutes, as affected by this act, under section
23 101.02 (18m) of the statutes, as affected by this act, and that have not been expended
24 or encumbered on or before the effective date of this subsection.

ASSEMBLY BILL 40**SECTION 9238**

1 (2) FEDERAL AID FOR INSPECTIONS OF PETROLEUM PRODUCTS. There is transferred
2 from the appropriation account under section 20.165 (2) (m) of the statutes to the
3 appropriation account under section 20.115 (1) (m) of the statutes an amount, as
4 determined by the secretary of administration, that equals the amount of moneys
5 received from the federal government that have been credited to the appropriation
6 under section 20.165 (2) (m) of the statutes for the state's administrative costs for
7 general program operations relating to regulation under chapter 168 of the statutes,
8 as affected by this act, and that have not been expended or encumbered on or before
9 the effective date of this subsection.

10 (3) TRANSFER FROM PETROLEUM INSPECTION FUND TO TRANSPORTATION FUND. There
11 is transferred from the petroleum inspection fund to the transportation fund
12 \$16,000,000 in each fiscal year of the 2013-15 fiscal biennium.

13 **SECTION 9239. Fiscal changes; Secretary of State.**

14 **SECTION 9240. Fiscal changes; State Employment Relations, Office of.**

15 **SECTION 9241. Fiscal changes; State Fair Park Board.**

16 **SECTION 9242. Fiscal changes; Supreme Court.**

17 **SECTION 9243. Fiscal changes; Technical College System.**

18 **SECTION 9244. Fiscal changes; Tourism.**

19 **SECTION 9245. Fiscal changes; Transportation.**

20 (1) TRANSFER FROM GENERAL FUND TO TRANSPORTATION FUND. There is transferred
21 from the general fund to the transportation fund \$23,000,000 in the 2013-15 fiscal
22 biennium.

23 **SECTION 9246. Fiscal changes; Treasurer.**

24 **SECTION 9247. Fiscal changes; University of Wisconsin Hospitals and**
25 **Clinics Authority.**

ASSEMBLY BILL 40**SECTION 9248**

1 **SECTION 9248. Fiscal changes; University of Wisconsin System.**

2 **SECTION 9249. Fiscal changes; Veterans Affairs.**

3 (1) TRANSFER TO VETERANS TRUST FUND. There is transferred from the general
4 fund to the veterans trust fund \$5,300,000 in fiscal year 2013-14.

5 **SECTION 9250. Fiscal changes; Wisconsin Economic Development**
6 **Corporation.**

7 **SECTION 9251. Fiscal changes; Workforce Development.**

8 **SECTION 9252. Fiscal changes; Other.**

9 (1) LAPSE OF UNENCUMBERED MONEYS FROM STATE AGENCY GENERAL PURPOSE
10 REVENUE AND PROGRAM REVENUE APPROPRIATION ACCOUNTS.

11 (a) Notwithstanding 2011 Wisconsin Act 32, section 9255 (1) (c) and (d), the
12 secretary shall not lapse any money from the agencies specified in those paragraphs
13 during the 2013-15 fiscal biennium, but shall instead lapse to the general fund from
14 the unencumbered balances of general purpose revenue and program revenue
15 appropriations to the following executive branch state agencies, other than sum
16 sufficient appropriations and appropriations of federal revenues, the following
17 amounts in each fiscal year of the 2013-15 fiscal biennium:

18

| 19 | Agency | Amount |
|----|--|---------------|
| 20 | Administration | \$13,430,900 |
| 21 | Agriculture, Trade and Consumer Protection | 1,664,800 |
| 22 | Child Abuse and Neglected Prevention | 228,400 |
| 23 | Children and Families | 592,200 |
| 24 | Corrections | 1,864,100 |
| 25 | District Attorneys | 43,300 |

ASSEMBLY BILL 40**SECTION 9252**

| | | |
|----|--------------------------------------|-----------|
| 1 | Educational Communications Board | 85,500 |
| 2 | Financial Institutions | 2,434,400 |
| 3 | Government Accountability Board | 40,200 |
| 4 | Historical Society | 11,900 |
| 5 | Insurance, Office of Commissioner of | 902,700 |
| 6 | Justice | 2,040,300 |
| 7 | Natural Resources | 3,008,000 |
| 8 | Public Defender Board | 118,700 |
| 9 | Public Instruction | 1,049,300 |
| 10 | Public Service Commission | 98,700 |
| 11 | Revenue | 1,383,400 |
| 12 | Safety and Professional Services | 6,232,000 |
| 13 | Secretary of State | 51,200 |
| 14 | State Fair Park | 6,700 |
| 15 | Tourism | 10,400 |
| 16 | Transportation | 140,900 |
| 17 | Wisconsin Technical College System | 65,100 |
| 18 | Workforce Development | 2,673,000 |

19 (b) The secretary of administration may not lapse moneys under paragraph (a)
20 if the lapse would violate a condition imposed by the federal government on the
21 expenditure of the moneys or if the lapse would violate the federal or state
22 constitution.

23 **SECTION 9301. Initial applicability; Administration.**

24 (1) SINGLE PRIME CONTRACTING. The treatment of sections 13.48 (19) and 16.855
25 (1), (1g), (2) (a) 5. and 6., (9), (9m), (10m) (am) 3., (13), and (14) (a), (am), (b), (bm),
26 (c), and (e) of the statutes, the renumbering and amendment of section 16.855 (19)

ASSEMBLY BILL 40**SECTION 9301**

1 of the statutes, and the creation of section 16.855 (19) (b) of the statutes first apply
2 to bids and proposals that are solicited on the effective date of this subsection.

3 (2) STATE PROCUREMENT.

4 (a) *Contracts for services.* The treatment of sections 16.705 (1r) (intro.) and (9)
5 and 16.75 (1) (a) 1. (with respect to awards or contracts made by a delegated agency)
6 and 2., (b) 1., 2., and 3., and (c), (1m), (2m) (a), (b) 1., 2., and 3., (c), (d), (e), (f), and
7 (g), (3m) (b) 1., 2., and 3., (3t) (c) (intro.), (5), (6) (c) and (d), (8) (a) 1., (9), (10e) (a) and
8 (b), and (10m) of the statutes first applies to bids or proposals solicited on the effective
9 date of this paragraph.

10 (b) *Cost-benefit analyses.* The renumbering and amendment of section 16.705
11 (2) of the statutes and the creation of section 16.705 (2) (b) of the statutes first apply
12 to cost-benefit analyses and continued appropriateness reviews required on the
13 effective date of this paragraph.

14 **SECTION 9302. Initial applicability; Agriculture, Trade and Consumer**
15 **Protection.**

16 **SECTION 9303. Initial applicability; Arts Board.**

17 **SECTION 9304. Initial applicability; Building Commission.**

18 **SECTION 9305. Initial applicability; Child Abuse and Neglect**
19 **Prevention Board.**

20 **SECTION 9306. Initial applicability; Children and Families.**

21 (1) TRIAL EMPLOYMENT MATCH PROGRAM. The treatment of section 49.147 (3) (a),
22 (ac) 1., 2., and 3., (c), and (d) of the statutes first applies to Wisconsin Works
23 participants who are placed in the trial employment match program on the effective
24 date of this subsection.

ASSEMBLY BILL 40**SECTION 9306**

1 (2) CONTESTED CASE HEARINGS ON CHILD ABUSE OR NEGLECT DETERMINATIONS. The
2 treatment of section 48.981 (3) (c) 5m. of the statutes first applies to a notice under
3 section 48.981 (3) (c) 5m. of the statutes of a determination under section 48.981 (3)
4 (c) 4. of the statutes issued on the effective date of this subsection.

5 (3) SUBSIDIZED GUARDIANSHIP AND ADOPTION ASSISTANCE AGREEMENTS. The
6 treatment of sections 48.623 (1) (intro.) and (3) (b), 48.975 (3) (a) 1. and 2. and (4) (a),
7 and 48.977 (3r) of the statutes first applies to a subsidized guardianship agreement
8 or an adoption assistance agreement entered into or amended on the effective date
9 of this subsection.

10 (4) CHILD ABUSE AND NEGLECT PREVENTION BOARD GRANTS. The treatment of
11 section 48.982 (4) (b) (intro.), 1., and 2. of the statutes first applies to grant
12 applications submitted on the effective date of this subsection.

13 (5) FAMILY RESOURCE CENTER GRANTS. The treatment of section 48.982 (6) (a) and
14 (am) of the statutes first applies to grant applications submitted on the effective date
15 of this subsection.

16 **SECTION 9307. Initial applicability; Circuit Courts.**

17 (1) COURT INTERPRETER OUT-OF-STATE TRAVEL FEES. The renumbering and
18 amendment of section 814.67 (1) (c) 2. of the statutes and the creation of section
19 814.67 (1) (c) 2. b. of the statutes first apply to the eligible travel of a court interpreter
20 on the effective date of this subsection.

21 (2) OUT-OF-HOME CARE FOR CHILDREN WITH INDIVIDUALIZED EDUCATION PROGRAMS.
22 The treatment of section 48.385 of the statutes, the renumbering and amendment
23 of sections 48.355 (4), 48.357 (6), and 48.365 (5) of the statutes, and the creation of
24 sections 48.355 (4) (b) 4., 48.357 (6) (a) 4., and 48.365 (5) (b) 4. of the statutes first

ASSEMBLY BILL 40**SECTION 9307**

1 apply to an order of the court assigned to exercise jurisdiction under chapter 48 of
2 the statutes entered on the effective date of this subsection.

3 (3) **OUT-OF-HOME CARE FOR JUVENILES WITH INDIVIDUALIZED EDUCATION PROGRAMS.**
4 The treatment of section 938.355 (4) (a) of the statutes, the renumbering and
5 amendment of sections 938.357 (6) and 938.365 (5) of the statutes, and the creation
6 of sections 938.355 (4) (am) 4., 938.357 (6) (a) 4., and 938.365 (5) (b) 4. of the statutes
7 first apply to an order of the court assigned to exercise jurisdiction under chapter 938
8 of the statutes granted on the effective date of this subsection.

9 **SECTION 9308. Initial applicability; Correctional System.**

10 (1) **GLOBAL POSITIONING SYSTEM MONITORING.** The treatment of section 813.129
11 (1) of the statutes first applies to persons who are subject to a restraining order or
12 injunction on the effective date of this subsection.

13 **SECTION 9309. Initial applicability; Court of Appeals.**

14 **SECTION 9310. Initial applicability; District Attorneys.**

15 **SECTION 9311. Initial applicability; Educational Communications**
16 **Board.**

17 **SECTION 9312. Initial applicability; Employee Trust Funds.**

18 (1) **PARTICIPATION IN WISCONSIN RETIREMENT SYSTEM.** The treatment of section
19 40.26 (1), (1m), (2) (intro.), and (5) (intro.) of the statutes first applies to participating
20 employees under the Wisconsin Retirement System who terminate covered
21 employment under the Wisconsin Retirement System on the effective date of this
22 subsection.

23 **SECTION 9313. Initial applicability; Employment Relations**
24 **Commission.**

ASSEMBLY BILL 40**SECTION 9313**

1 (1) COMPENSATION AND WORK STATUS OF COMMISSIONERS. The treatment of section
2 15.06 (3) (a) 4. and (c) of the statutes first applies to employment relations
3 commissioners appointed to office on the effective date of this subsection.

4 **SECTION 9314. Initial applicability; Financial Institutions.**

5 (1) RENTAL-PURCHASE AGREEMENTS. The treatment of sections 409.109 (4) (n)
6 and 421.202 (11) and chapter 420 of the statutes first applies to rental-purchase
7 agreements, and conduct pursuant to those agreements, that are entered into on the
8 effective date of this subsection.

9 **SECTION 9315. Initial applicability; Government Accountability Board.**

10 **SECTION 9316. Initial applicability; Governor.**

11 **SECTION 9317. Initial applicability; Health and Educational Facilities**
12 **Authority.**

13 **SECTION 9318. Initial applicability; Health Services**

14 (1) ELECTRONIC SUBMISSION OF MEDICAL ASSISTANCE CLAIMS. The amendment of
15 section 49.475 (title) of the statutes and the creation of section 49.475 (2) (bc) of the
16 statutes first apply to claims that are submitted on the effective date of this
17 subsection.

18 (2) ELECTRONIC VERIFICATION OF RESIDENCY FOR MEDICAL ASSISTANCE. The
19 treatment of section 49.84 (7) of the statutes first applies to applications received or
20 continued eligibility reviews commenced on the effective date of this subsection.

21 (3) RECOVERY OF LONG-TERM CARE PAYMENTS. The treatment of section 49.496 (3)
22 (a) 2. am. of the statutes first applies to additional services that are received by an
23 individual who is participating in a long-term care program on the effective date of
24 this subsection.

ASSEMBLY BILL 40**SECTION 9318**

1 (4) **RECOVERY OF CAPITATED PAYMENTS.** The treatment of section 49.496 (3) (ad)
2 of the statutes first applies to capitation payments made for services that are
3 received by an individual who is participating in a managed long-term care program
4 on the effective date of this subsection.

5 (5) **SPECIAL NEEDS AND POOLED TRUSTS.**

6 (a) *Notices.* The treatment of section 701.065 (5) (c) 1. and 2. of the statutes first
7 applies to deaths occurring on the effective date of this paragraph.

8 (b) *Retained amounts.* The treatment of section 701.065 (5) (c) 3. of the statutes
9 first applies to pooled trusts that are created or modified on the effective date of this
10 paragraph.

11 (6) **RECOVERY OF PUBLIC ASSISTANCE FROM PROPERTY OF A DECEDENT.** The
12 treatment of sections 46.27 (7g) (a) 5. and (c) 2m., 3. (intro.), 5. a. and b., and 6m.,
13 49.496 (1) (a), (af), (bw), and (cm) and (3) (a) (intro.), (aj), (am) (intro.), (c) 1. and 2.,
14 and (dm), 49.682 (1) (e) and (2) (bm), (c) (intro.), (e) 1. and 2., and (fm), 49.848 (5),
15 49.849 (1) (d), (2) (c), (3) (a) and (c), (4) (c), (4m), (5c), (5m), and (5r), 49.85 (title), (2)
16 (a) (intro.) and 4., and (3) (a) 1., 701.065 (5) (b), 766.55 (2) (bm), and 867.035 (1) (a)
17 (intro.), 1., and 4., (2), (2m) (a) and (b), and (3) of the statutes, the renumbering and
18 amendment of section 867.03 (2g) of the statutes, and the creation of section 867.03
19 (2g) (b) of the statutes first apply to the recovery of public assistance, as defined in
20 section 49.849 (1) (e) of the statutes, as created by this act, provided to individuals
21 who die on the effective date of this subsection.

22 (7) **MEDICAL ASSISTANCE DIVESTMENT; APPLICANTS.** The treatment of sections
23 49.453 (2) (a) (intro.) and (b) (intro.), (3) (a) (intro.), (4c) (c), and (8) (a) 1., 49.455 (5)
24 (e), 49.47 (4) (b) 2w., and 224.42 (1) (a) of the statutes, the renumbering and
25 amendment of sections 49.45 (4m) (a) 3. and 49.455 (8) (d) of the statutes, and the

ASSEMBLY BILL 40**SECTION 9318**

1 creation of sections 49.45 (4m) (a) 3. a. to f. and 49.455 (8) (d) 2. of the statutes first
2 apply to determinations of initial eligibility for Medical Assistance for individuals
3 who apply for Medical Assistance on the effective date of this subsection.

4 (8) **MEDICAL ASSISTANCE DIVESTMENT; RECIPIENTS.** The treatment of sections
5 49.453 (3) (ag) and 49.455 (5) (d) of the statutes first applies to a transfer of assets
6 made by a recipient of Medical Assistance or a spouse of a recipient of Medical
7 Assistance on the effective date of this subsection.

8 (9) **FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM CONTRACTS.** The treatment
9 of section 49.79 (9) (a) 1. of the statutes first applies to a contract to administer the
10 food stamp employment and training program under section 49.79 (9) of the statutes
11 on the effective date of this subsection.

12 (10) **ELIGIBILITY FOR THE MEDICAL ASSISTANCE PURCHASE PLAN.** The treatment of
13 section 49.472 (3) (a) and (f) and (3m) of the statutes first applies to individuals who
14 apply for the Medical Assistance purchase plan, or whose continued eligibility for the
15 Medical Assistance purchase plan is reviewed, on January 1, 2014, or on the day after
16 the applicable publication of the notice of approval in the Wisconsin Administrative
17 Register under SECTION 9118 (1) (a) of this act, whichever is later.

18 (11) **ELIGIBILITY FOR CERTAIN MEDICAL ASSISTANCE PROGRAMS.**

19 (a) *Family care.* The treatment of section 46.286 (1m) of the statutes first
20 applies to individuals who apply for the family care benefit, or whose continued
21 eligibility for the family care benefit is reviewed, on the effective date of this
22 paragraph.

23 (b) *Medical Assistance.* The treatment of sections 49.46 (1) (em), 49.47 (4) (b)
24 (intro.), and 49.472 (3) (b) of the statutes first applies to individuals who apply for
25 Medical Assistance or the Medical Assistance purchase plan, or whose continued

ASSEMBLY BILL 40**SECTION 9318**

1 eligibility for Medical Assistance or the Medical Assistance purchase plan is
2 reviewed, on the effective date of this paragraph.

3 (c) *Medicare buy-in.* The treatment of section 49.468 (1) (d), (1m) (b), and (2)
4 (b) of the statutes first applies to individuals who apply for the expanded medicare
5 buy-in program, or whose continued eligibility for the expanded medicare buy-in
6 program is reviewed, on the effective date of this paragraph.

7 (12) PREMIUMS FOR THE MEDICAL ASSISTANCE PURCHASE PLAN.

8 (a) The treatment of section 49.472 (4) (a) (intro.), 1., 1m., 2. (intro.), 2m., and
9 3. and (b) (by SECTION 1167) and (5) of the statutes first applies to premiums for the
10 Medical Assistance purchase plan that are payable on January 1, 2014, or on the day
11 after the applicable publication of the notice of approval in the Wisconsin
12 Administrative Register under SECTION 9118 (1) (a) of this act, whichever is later.

13 (b) The treatment of section 49.472 (4) (b) (by SECTION 1168) of the statutes first
14 applies to premiums for the Medical Assistance purchase plan that are payable on
15 January 1, 2015, or on the day after publication of the notice of approval of the
16 treatment of section 49.472 (4) (b) (by SECTION 1168) of the statutes in the Wisconsin
17 Administrative Register under SECTION 9118 (1) (a) of this act, whichever is later.

18 (13) COMPREHENSIVE COMMUNITY SERVICES FUNDING. The renumbering of section
19 49.45 (30e) (c) of the statutes and the creation of section 49.45 (30e) (c) 2. of the
20 statutes first apply to psychosocial services provided under the Medical Assistance
21 program under a community-based psychosocial service program on the effective
22 date of this subsection.

23 (14) MODIFIED ADJUSTED GROSS INCOME. The treatment of sections 49.46 (1) (a)
24 15., 49.47 (4) (a) 1., and 49.471 (1) (f) and (7) (a), (b) 1. and 3., and (e) of the statutes

ASSEMBLY BILL 40**SECTION 9318**

1 and the repeal of section 49.471 (7) (c) of the statutes first apply to redeterminations
2 of eligibility for recipients of Medical Assistance on the later of the following:

3 (a) April 1, 2014.

4 (b) The actual date of the redetermination of eligibility.

5 **SECTION 9319. Initial applicability; Higher Educational Aids Board.**

6 **SECTION 9320. Initial applicability; Historical Society.**

7 **SECTION 9321. Initial applicability; Housing and Economic**
8 **Development Authority.**

9 **SECTION 9322. Initial applicability; Insurance.**

10 **SECTION 9323. Initial applicability; Investment Board.**

11 **SECTION 9324. Initial applicability; Joint Committee on Finance.**

12 **SECTION 9325. Initial applicability; Judicial Commission.**

13 **SECTION 9326. Initial applicability; Justice.**

14 (1) DEOXYRIBONUCLEIC ACID SPECIMEN SUBMISSIONS AND SURCHARGES.

15 (a) The treatment of sections 165.76 (1) (am) and 938.34 (15) (a) 1. and 3. of the
16 statutes first applies to delinquency adjudications that occur on the effective date of
17 this paragraph.

18 (b) The treatment of section 165.77 (4) (intro.), (a), (am) 1., 2., and 3., and (b)
19 of the statutes first applies to requests for expungement received on the effective date
20 of this paragraph.

21 (c) The treatment of section 165.84 (7) of the statutes first applies to individuals
22 arrested or taken into custody on the effective date of this paragraph.

23 (d) The treatment of sections 938.21 (1m) and 938.30 (2m) of the statutes first
24 applies to hearings commenced on the effective date of this paragraph.

ASSEMBLY BILL 40**SECTION 9326**

1 (e) The treatment of section 970.02 (8) of the statutes first applies to offenses
2 charged on the effective date of this paragraph.

3 (f) The treatment of section 971.17 (1m) (a) of the statutes first applies to
4 findings made on the effective date of this paragraph.

5 (g) The treatment of section 973.046 (1g) of the statutes, the renumbering and
6 amendment of section 973.046 (1r) of the statutes, and the creation of section 973.046
7 (1r) (a) and (b) of the statutes first apply to sentences imposed or probations
8 placements made on the effective date of this paragraph.

9 (h) The treatment of section 973.047 (1f) of the statutes first applies to
10 sentences imposed or probations placements made on the effective date of this
11 paragraph.

12 **SECTION 9327. Initial applicability; Legislature.**

13 **SECTION 9328. Initial applicability; Lieutenant Governor.**

14 **SECTION 9329. Initial applicability; Local Government.**

15 **SECTION 9330. Initial applicability; Medical College of Wisconsin.**

16 **SECTION 9331. Initial applicability; Military Affairs.**

17 (1) **WORKER'S COMPENSATION FOR EMERGENCY MANAGEMENT PROGRAM VOLUNTEERS.**
18 The treatment of section 20.465 (3) (am) of the statutes, the renumbering and
19 amendment of section 323.40 (3) (a) of the statutes, and the creation of section 323.40
20 (3) (a) 2. of the statutes first apply to a claim for worker's compensation for an injury
21 incurred by an emergency management program volunteer on the effective date of
22 this subsection.

23 (2) **PAYMENTS TO CERTAIN STATE VETERANS ORGANIZATIONS.** The treatment of
24 section 45.41 (2) (a), (b), (c), and (d) of the statutes first applies to an application for
25 payment that the department of veterans affairs receives from a state veterans

ASSEMBLY BILL 40**SECTION 9331**

1 organization under section 45.41 (2) of the statutes on the effective date of this
2 subsection.

3 **SECTION 9332. Initial applicability; Natural Resources.**

4 (1) AIDS ON CERTAIN LANDS. The treatment of section 70.114 (1) (f), (3), and (4)
5 (a) and (c) of the statutes first applies to payments made in 2014.

6 (2) ENVIRONMENTAL REPAIR FEE. The treatment of section 25.46 (7) of the statutes
7 first applies to fees paid on the effective date of this subsection.

8 **SECTION 9333. Initial applicability; Public Defender Board.**

9 **SECTION 9334. Initial applicability; Public Instruction.**

10 (1) CHARTER SCHOOL CONTRACTS. The treatment of section 118.40 (2m) (a) and
11 (3) (a), (b), and (i) of the statutes first applies to contracts entered into, modified,
12 extended, or renewed on the effective date of this subsection.

13 (2) GRANTS FOR NATIONAL TEACHER CERTIFICATION OR MASTER EDUCATOR LICENSURE.
14 The treatment of section 115.42 (1) (a) 5. and (2) (a) 5. of the statutes first applies to
15 persons first awarded a grant under section 115.42 (1) (a) of the statutes, as affected
16 by this bill, in the 2014-15 school year.

17 (3) CHARTER SCHOOL CONTRACTS. The treatment of section 118.40 (2r) (b) 2. and
18 (c), (3) (e) and (g), and (4) (d) of the statutes first applies to a contract for the
19 establishment of a charter school that is entered into, renewed, or modified on the
20 effective date of this subsection.

21 (4) CONSOLIDATION AID. The treatment of sections 121.07 (6) (e) 1. and (7) (e) 1.
22 and 121.105 (3) of the statutes first applies to a school district that is eligible to
23 receive additional aid as the result of sections 121.07 (6) (e) 1. and (7) (e) 1. and
24 121.105 (3) of the statutes on the effective date of this subsection.

ASSEMBLY BILL 40**SECTION 9335**

1 **SECTION 9335. Initial applicability; Public Lands, Board of**
2 **Commissioners of.**

3 **SECTION 9336. Initial applicability; Public Service Commission.**

4 **SECTION 9337. Initial applicability; Revenue.**

5 (1) **RELYING ON PAST AUDITS.** The treatment of section 73.16 (1) (a) and (ab) and
6 (3) of the statutes first applies to audit determinations issued on January 1, 2014,
7 regardless of when a prior audit determination was made.

8 (2) **COMPUTER AID PAYMENTS.** The treatment of section 79.095 (2) (a) and (4) of
9 the statutes first applies to reports that are due in 2014.

10 (3) **INTEREST INCOME EXEMPTION.** The treatment of sections 71.05 (1) (c) 11., 71.26
11 (1m) (L), and 71.45 (1t) (L) of the statutes first applies to taxable years beginning on
12 January 1, 2013.

13 (4) **ENTERPRISE ZONE JOBS CREDIT.** The treatment of sections 71.07 (3w) (b) 1. a.
14 and b., 2., and 3. and (bm) 2., 71.28 (3w) (b) 1. a. and b., 2., and 3. and (bm) 2., 71.47
15 (3w) (b) 1. a. and b., 2., and 3. and (bm) 2., and 238.16 (3) (a) and (4) (b) 1. a. of the
16 statutes first applies to taxable years beginning on January 1, 2013.

17 (5) **NEGLIGENTLY OR FRAUDULENTLY FILED INCOME TAX RETURNS.** The treatment of
18 section 71.83 (1) (a) 11. and (b) 7. and (2) (b) 1. of the statutes first applies to an income
19 tax return that is filed on the effective date of this subsection.

20 (6) **FRAUDULENT OR RECKLESS CLAIMS FOR TAX CREDITS.** The treatment of section
21 71.83 (5) of the statutes first applies to a fraudulent or reckless claim that is filed with
22 the department of revenue on the effective date of this subsection.

23 (7) **INCOME TAX CHECKOFF, AMERICAN RED CROSS, BADGER CHAPTER.** The
24 treatment of sections 20.435 (1) (gd) and 71.10 (5k) (i) of the statutes first applies to
25 taxable years beginning on January 1 of the year in which this subsection takes

ASSEMBLY BILL 40**SECTION 9337**

1 effect, except that if this subsection takes effect after July 31 the treatment of
2 sections 20.435 (1) (gd) and 71.10 (5k) (i) of the statutes first applies to taxable years
3 beginning on January 1 of the year following the year in which this subsection takes
4 effect.

5 (8) LUMP SUM CONTRACTS. The treatment of sections 77.51 (11d) and 77.54 (60)
6 of the statutes first applies to contracts entered into on the effective date of this
7 subsection.

8 (9) QUALIFIED RESEARCH SALES TAX EXEMPTIONS. The treatment of section 77.54
9 (57) (a) 1f., 1m., 4., and 5. and (b) 1. and 2., and (57d) of the statutes first applies
10 retroactively to sales made on January 1, 2012.

11 (10) BIOGAS ENERGY SYSTEMS. The treatment of section 70.111 (18) of the statutes
12 first applies to the property tax assessments as of January 1, 2014.

13 (11) HEALTH INSURANCE PREMIUM SUBTRACTION; PREMIUM ASSISTANCE CREDITS. The
14 treatment of section 71.05 (6) (b) 19. a., 35. a., 38. a., and 42. a. of the statutes first
15 applies to taxable years beginning after December 31, 2013.

16 (12) CAPITAL GAINS DEFERRALS, EXCLUSIONS.

17 (a) The treatment of section 71.05 (25) (title), (a) 2., 3., and 4., and (b) (intro.),
18 1., and 2. of the statutes first applies, retroactively, to taxable years beginning after
19 December 31, 2010.

20 (b) The treatment of section 71.05 (26) (title), (a) 4., (b) (intro.), (bm), (c), (d),
21 and (f) of the statutes first applies to taxable years beginning after December 31,
22 2013.

23 (13) EXPENDITURE RESTRAINT PROGRAM. The treatment of section 79.05 (6) (a) and
24 (b) of the statutes first applies to payments made in 2014.

ASSEMBLY BILL 40**SECTION 9337**

1 (14) SCHOOL LEVY CREDIT; LOTTERY FUND. The treatment of sections 20.835 (3)
2 (b) and (qb), 73.03 (66), and 79.10 (4) of the statutes first applies to payments made
3 in 2013.

4 (15) VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. The treatment of
5 section 71.07 (6e) (a) 2. d. of the statutes act first applies to taxable years beginning
6 on January 1, 2014.

7 **SECTION 9338. Initial applicability; Safety and Professional Services.**

8 **SECTION 9339. Initial applicability; Secretary of State.**

9 **SECTION 9340. Initial applicability; State Employment Relations, Office**
10 **of.**

11 **SECTION 9341. Initial applicability; State Fair Park Board.**

12 **SECTION 9342. Initial applicability; Supreme Court.**

13 **SECTION 9343. Initial applicability; Technical College System.**

14 (1) LEVY RATE LIMIT. The treatment of section 38.16 (1) and (3) (e) of the statutes
15 first applies to the tax levy imposed in 2013.

16 (2) FEE REMISSION. The treatment of section 38.24 (7) (b) (intro.) and (8) (b) of
17 the statutes first applies in the first semester beginning after the effective date of this
18 subsection.

19 **SECTION 9344. Initial applicability; Tourism.**

20 **SECTION 9345. Initial applicability; Transportation.**

21 (1) INTRASTATE MOTOR CARRIERS. The treatment of sections 194.03 (title), (1), (2),
22 and (6) and 194.20 (title) and (1) of the statutes first applies to motor carrier
23 operations occurring on, and fees and taxes assessed on, the effective date of this
24 subsection.

ASSEMBLY BILL 40**SECTION 9345**

1 (2) PENALTIES FOR VIOLATING WEIGHT LIMITATIONS. The treatment of section
2 348.21 (3) (b) 1. b., c., d., and e. and 2. b., c., d., and e. and (3g) (a) (intro.) and (b) (intro.)
3 of the statutes first applies to violations committed on the effective date of this
4 subsection, but does not preclude the counting of other violations as prior violations
5 for purposes of sentencing a person.

6 (3) DISASTER AIDS.

7 (a) The treatment of sections 20.395 (1) (fs), 83.015 (2) (b), and 86.34 (title), (1),
8 (1g), (2), (2m), and (6) of the statutes first applies to disasters, as defined in section
9 86.34 (1g) (b) 1. of the statutes, as created by this act, that occur on the effective date
10 of this subsection.

11 (b) The treatment of sections 20.395 (1) (fs), 83.015 (2) (b), and 86.34 (title), (1),
12 (1g), (2), (2m), and (6) of the statutes first applies to disasters, as defined in section
13 86.34 (1g) (b) 2. of the statutes, as created by this act, that occur on July 1, 2011.

14 **SECTION 9346. Initial applicability; Treasurer.**

15 **SECTION 9347. Initial applicability; University of Wisconsin Hospitals**
16 **and Clinics Authority.**

17 **SECTION 9348. Initial applicability; University of Wisconsin System.**

18 (1) FEE REMISSION. The treatment of section 36.27 (3n) (b) (intro.) and (3p) (b)
19 of the statutes first applies in the first semester beginning after the effective date of
20 this subsection.

21 **SECTION 9349. Initial applicability; Veterans Affairs.**

22 (1) MEMBERSHIP IN VETERANS HOMES. The treatment of sections 45.02 (2) (intro.)
23 and 45.51 (2) (b) 1., (5) (intro.) and (f), (6) (intro.) and (b), and (6m) of the statutes first
24 applies to applications that are received by a veterans home on the effective date of
25 this subsection.

ASSEMBLY BILL 40**SECTION 9349**

1 (2) MEMORIALS. The treatment of section 45.70 (1), (1b) (title) and (b) and (2)
2 (a) and (b) of the statutes first applies to proposals that are presented to the board
3 of veterans affairs of the effective date of this subsection.

4 **SECTION 9350. Initial applicability; Wisconsin Economic Development**
5 **Corporation.**

6 (1) CHANGES TO ENTERPRISE ZONE CERTIFICATIONS. The treatment of section
7 238.399 (5) (c) 2. (intro.) and a. and (6) (d) of the statutes first applies to taxable years
8 beginning on January 1, 2013.

9 (2) CHANGES TO ENTERPRISE ZONE CERTIFICATIONS. The treatment of section
10 238.399 (5) (d) 1. of the statutes first applies to taxable years beginning on January
11 1, 2013.

12 (3) JOBS TAX CREDIT PROGRAM; AMOUNT OF TAX BENEFITS. The treatment of section
13 238.16 (4) (b) 1. (intro.) of the statutes first applies to taxable years beginning on
14 January 1, 2013.

15 (4) DEFINITION OF "FULL-TIME" UNDER CERTAIN TAX CREDIT PROGRAMS. The
16 renumbering and amendment of sections 238.16 (1) (c), 238.30 (2m) (b), and 238.399
17 (1) (am) 2. of the statutes, the amendment of sections 71.07 (2dx) (a) 4., 71.28 (1dx)
18 (a) 4., 71.47 (1dx) (a) 4., and 76.636 (1) (d) of the statutes, and the creation of sections
19 238.16 (1) (c) 2., 238.30 (2m) (b) 1., 238.30 (2m) (b) 2., 238.399 (1) (am) 2. a., and
20 238.399 (1) (am) 2. b. of the statutes first apply to taxable years beginning on January
21 1, 2013.

22 (5) JOBS TAX CREDIT PROGRAM; NET EMPLOYMENT INCREASE. The treatment of
23 section 238.16 (3) (intro.) of the statutes first applies to taxable years beginning on
24 January 1, 2013.

25 **SECTION 9351. Initial applicability; Workforce Development.**

ASSEMBLY BILL 40**SECTION 9351**

1 (1) REGISTRATION FOR WORK AND WORK SEARCH REQUIREMENTS. The treatment of
2 section 108.04 (2) (a) 2. and 3. (intro.) of the statutes first applies with respect to
3 weeks of unemployment beginning after the effective date of this subsection.

4 **SECTION 9352. Initial applicability; Other.**

5 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
6 SECTIONS 9401 to 9452 of this act, this act takes effect on July 1, 2013, or on the day
7 after publication, whichever is later.

8 **SECTION 9401. Effective dates; Administration.**

9 (1) SINGLE PRIME CONTRACTING. The treatment of sections 13.48 (19) and 16.855
10 (1), (1g), (2) (a) 5. and 6., (9), (9m), (10m) (am) 3., (13), and (14) (a), (am), (b), (bm),
11 (c), and (e) of the statutes, the renumbering and amendment of section 16.855 (19)
12 of the statutes, the creation of section 16.855 (19) (b) of the statutes, and SECTION
13 9301 (1) of this act take effect on January 1, 2014.

14 **SECTION 9402. Effective dates; Agriculture, Trade and Consumer**
15 **Protection.**

16 **SECTION 9403. Effective dates; Arts Board.**

17 **SECTION 9404. Effective dates; Building Commission.**

18 **SECTION 9405. Effective dates; Child Abuse and Neglect Prevention**
19 **Board.**

20 **SECTION 9406. Effective dates; Children and Families.**

21 (1) CHANGES TO WISCONSIN WORKS PROGRAMS. The treatment of sections 49.141
22 (1) (n), 49.143 (2) (a) 2., 3., 4., 5., and 6. and (2r), 49.147 (1m) (b), (2) (am) 2., (3) (title),
23 (a), (ac) 1., 2., and 3., (am), (c), and (d), (3m), (4) (a) and (b), (4m), and (5) (a) 3., 49.148
24 (1) (a) and (d), 49.161 (1) (title), 49.173, 49.26 (1) (g) (intro.) and (h) 1s. b., 49.36 (2),
25 71.07 (2dj) (am) 4h. and (2dx) (a) 5. and (b) 2., 3., 4., and 5., 71.28 (1dj) (am) 4h. and

ASSEMBLY BILL 40**SECTION 9406**

1 (1dx) (a) 5. and (b) 2., 3., 4., and 5., 71.47 (1dj) (am) 4h. and (1dx) (a) 5. and (b) 2., 3.,
2 4., and 5., 76.636 (1) (e) 3. and (2) (b), (c), (d), and (e), 102.07 (17m), 227.01 (13) (im),
3 and 238.30 (4m) of the statutes and SECTION 9306 (1) of this act take effect on October
4 1, 2013, or on the effective date of this subsection, whichever is later.

5 (2) CONTESTED CASE HEARINGS ON CHILD ABUSE OR NEGLECT DETERMINATIONS. The
6 treatment of section 48.981 (3) (c) 5m. of the statutes and SECTION 9306 (2) of this act
7 take effect on January 1, 2015.

8 (3) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes
9 effect on January 1, 2014, or on the day after publication, whichever is later.

10 (4) CHILD CARE PAYMENT RATE. The treatment of section 49.155 (6) (e) 3. d. (by
11 SECTION 1006) of the statutes takes effect on January 1, 2014.

12 **SECTION 9407. Effective dates; Circuit Courts.**

13 **SECTION 9408. Effective dates; Corrections.**

14 **SECTION 9409. Effective dates; Court of Appeals.**

15 **SECTION 9410. Effective dates; District Attorneys.**

16 **SECTION 9411. Effective dates; Educational Communications Board.**

17 **SECTION 9412. Effective dates; Employee Trust Funds.**

18 **SECTION 9413. Effective dates; Employment Relations Commission.**

19 **SECTION 9414. Effective dates; Financial Institutions.**

20 (1) RENTAL-PURCHASE AGREEMENTS. The treatment of sections 409.109 (4) (n)
21 and 421.202 (11) and chapter 420 of the statutes and SECTION 9314 (1) of this act take
22 effect on the 90th day after publication.

23 **SECTION 9415. Effective dates; Government Accountability Board.**

24 **SECTION 9416. Effective dates; Governor.**

ASSEMBLY BILL 40**SECTION 9417****1 SECTION 9417. Effective dates; Health and Educational Facilities****2 Authority.****3 SECTION 9418. Effective dates; Health Services.**

4 (1) ELECTRONIC VERIFICATION OF RESIDENCY FOR MEDICAL ASSISTANCE. The
5 treatment of section 49.84 (7) of the statutes and SECTION 9318 (2) of this act take
6 effect on January 1, 2014.

7 (2) MEDICAL ASSISTANCE ESTATE RECOVERY. The treatment of sections 20.435 (4)
8 (im) and (in) and (7) (im), 46.27 (7g) (a) 1m., 4., and 5., (c) 1., 2m., 3. (intro.), 5. a. and
9 b., 6. (intro.), and 6m., and (g), 46.286 (7), 46.287 (2) (a) 1. k., 49.496 (1) (a), (af), (bk),
10 (bw), and (cm), (3) (a) (intro.) and 2. a., am., b., and c., (ad), (aj), (am) (intro.), (c) 1.
11 and 2., (d) (intro.), and (dm), and (6m), 49.4962, 49.682 (1) (am), (d), and (e), (2) (a),
12 (bm), (c) (intro.), (e) 1. and 2., (f) (intro.), and (fm), (3), and (5), 49.848, 49.849, 49.85
13 (title), (2) (a) (intro.) and 4., and (3) (a) 1., 59.43 (1) (w), 632.697, 700.24, 701.065 (1)
14 (b) 1. and (5), 705.04 (2g), 766.55 (2) (bm), 859.02 (2) (a), 859.07 (2) (a) 3., 867.01 (3)
15 (am) 4. and (d), 867.02 (2) (am) 6., 867.03 (1g) (c) and (1m) (a) and (b), 867.035 (title),
16 (1) (a) (intro.), 1., 2., 3., and 4., and (bm), (2), (2m) (a) and (b), (3), (4), (4m), and (5),
17 and 893.33 (4r) of the statutes, the renumbering and amendment of section 867.03
18 (2g) of the statutes, the creation of section 867.03 (2g) (b) of the statutes, and SECTION
19 9318 (3), (4), (5), and (6) of this act take effect on October 1, 2013, or on the 90th day
20 after publication, whichever is later.

21 (3) ELIGIBILITY AND PREMIUMS FOR THE MEDICAL ASSISTANCE PURCHASE PLAN. The
22 treatment of section 49.472 (3) (a) and (f), (3m), (4) (a) (intro.), 1., 1m., 2. (intro.), 2m.,
23 and 3. and (b) (by SECTION 1167), and (5) of the statutes takes effect on January 1,
24 2014, or on the day after the applicable publication of the notice of approval in the

ASSEMBLY BILL 40**SECTION 9418**

1 Wisconsin Administrative Register under SECTION 9118 (1) (a) of this act, whichever
2 is later.

3 (4) ELIGIBILITY FOR CERTAIN MEDICAL ASSISTANCE PROGRAMS. The treatment of
4 sections 46.286 (1m), 46.46 (1) (em), 49.468 (1) (d), (1m) (b), and (2) (b), 49.47 (4) (b)
5 (intro.), and 49.472 (3) (b) of the statutes and SECTION 9318 (11) of this act take effect
6 on January 1, 2014.

7 (5) TERMINATION OF DEPARTMENT POLICIES. The treatment of section 49.472 (4)
8 (b) (by SECTION 1168) of the statutes takes effect on January 1, 2015, or on the day
9 after publication of the notice of approval of the treatment of section 49.472 (4) (b)
10 (by SECTION 1168) of the statutes in the Wisconsin Administrative Register under
11 SECTION 9118 (1) (a) of this act, whichever is later.

12 (6) COMPREHENSIVE COMMUNITY SERVICES FUNDING. The renumbering of section
13 49.45 (30e) (c) of the statutes and the creation of section 49.45 (30e) (c) 2. of the
14 statutes and SECTION 9318 (13) of this act take effect on July 1, 2014.

15 (7) PATIENT PROTECTION AND AFFORDABLE CARE ACT CHANGES. The treatment of
16 sections 49.45 (23) (a) (by SECTION 1046), (b) (by SECTION 1048), and (e), 49.46 (1) (a)
17 15. and (am) 1. a., 49.47 (4) (a) 1., (am) 1., and (c) 1. and 3., 49.471 (1) (f) and (k) 5.
18 d., (4) (a) 1., 4. a., b., and c., and 5. and (b) 1., 1m., 2., 3., 4., (5) (b) 1. and (c) 1. and
19 2., (7) (a), (b) 1., 2., and 3., and (e), (8) (d) 1. b., (9) (a) 2. b., and (10) (b) 1. (by SECTION
20 1143) and 4. b., and 49.84 (6) (c) 1. d. of the statutes, the repeal of section 49.471 (7)
21 (c) and (10) (b) 1m. of the statutes, and SECTION 9318 (14) of this act take effect on
22 January 1, 2014.

23 (8) RECONCILIATION WITH 2011 WISCONSIN ACT 32. The repeal and recreation of
24 section 49.45 (23) (a) and (b) of the statutes takes effect on January 1, 2015.

ASSEMBLY BILL 40**SECTION 9418**

1 (9) BADGERCARE PLUS BENCHMARK ELIGIBILITY; BADGER RX GOLD; BADGERCARE
2 BASIC. The treatment of sections 20.435 (4) (a), (bm), (hm), (jw), and (jz), 49.471 (4)
3 (c), (10) (b) 5. (by SECTION 1152), and (11) (a), 49.67, 146.45, 227.01 (13) (ur), and
4 227.42 (7) of the statutes takes effect on January 1, 2014.

5 **SECTION 9419. Effective dates; Higher Educational Aids Board.**

6 **SECTION 9420. Effective dates; Historical Society.**

7 **SECTION 9421. Effective dates; Housing and Economic Development**
8 **Authority.**

9 **SECTION 9422. Effective dates; Insurance.**

10 **SECTION 9423. Effective dates; Investment Board.**

11 **SECTION 9424. Effective dates; Joint Committee on Finance.**

12 **SECTION 9425. Effective dates; Judicial Commission.**

13 **SECTION 9426. Effective dates; Justice.**

14 (1) DEOXYRIBONUCLEIC ACID SPECIMEN SUBMISSIONS AND SURCHARGES. The
15 treatment of sections 20.455 (2) (jb), 51.20 (13) (cr), 165.76 (1) (am), (as), (av), (aw),
16 (b), (bg), (br), (cr), and (g), (1m), (2m), (2r), and (3), 165.765 (title), (1), (1g), (1m), and
17 (2) (a), (b), and (bm), 165.77 (1) (am), (2) (a) 2. and (b), (2m) (c), (3), (4) (intro.), (a),
18 (am) 1., 2., and 3., and (b), and (7m), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15)
19 (a) 1., 2., and 3. and (b), 970.02 (8), 971.17 (1m) (a), 973.047 (1f), (1m), and (2), and
20 980.063 (1) (b) and (2) of the statutes, the renumbering and amendment of section
21 165.76 (4) of the statutes, the creation of section 165.76 (4) (a), (b), (c), and (d) of the
22 statutes, and SECTIONS 9126 (1) and 9326 (1) (a), (b), (c), (d), (e), (f), and (h) of this act
23 take effect on the first day of the 15th month beginning after publication.

ASSEMBLY BILL 40**SECTION 9426**

1 (2) GLOBAL POSITIONING SYSTEM MONITORING. The treatment of sections 20.455
2 (5) (br), 165.94 (1), 813.12 (8) (a), 813.125 (7), and 813.129 (1), (5), and (6) of the
3 statutes and SECTION 9308 (1) of this act take effect on January 1, 2014.

4 **SECTION 9427. Effective dates; Legislature.**

5 **SECTION 9428. Effective dates; Lieutenant Governor.**

6 **SECTION 9429. Effective dates; Local Government.**

7 **SECTION 9430. Effective dates; Medical College of Wisconsin.**

8 **SECTION 9431. Effective dates; Military Affairs.**

9 **SECTION 9432. Effective dates; Natural Resources.**

10 **SECTION 9433. Effective dates; Public Defender Board.**

11 **SECTION 9434. Effective dates; Public Instruction.**

12 (1) REPEAL OF PER PUPIL ADJUSTMENT AID. The treatment of section 20.255 (2) (ap)
13 of the statutes takes effect on July 1, 2013.

14 (2) REPEAL OF AMERICAN RECOVERY AND REINVESTMENT ACT APPROPRIATIONS. The
15 treatment of section 20.255 (2) (n) and (p) of the statutes takes effect on July 1, 2014.

16 (3) CHARTER SCHOOL GOVERNING BOARD. The treatment of section 118.40 (4) (ag)
17 of the statutes takes effect on September 1, 2013.

18 **SECTION 9435. Effective dates; Public Lands, Board of Commissioners**
19 **of.**

20 **SECTION 9436. Effective dates; Public Service Commission.**

21 **SECTION 9437. Effective dates; Revenue.**

22 (1) LOTTERY PAYMENTS. The renumbering and amendment of section 565.30 (1)
23 of the statutes and the creation of section 565.30 (1) (b), (c), and (d) of the statutes
24 take effect on the first day of the 4th month beginning after publication.

ASSEMBLY BILL 40**SECTION 9437**

1 (2) **SUBMITTING SALES TAX COLLECTIONS.** The treatment of section 77.58 (1) (a) of
2 the statutes takes effect on January 1, 2014.

3 (3) **SINGLE-OWNER ENTITIES.** The treatment of sections 66.0615 (1m) (f) 2., 77.982
4 (2), 77.991 (2), and 77.9951 (2) of the statutes takes effect on the first day of the 2nd
5 month beginning after publication.

6 (4) **REFUND SETOFFS.** The treatment of section 71.93 (8) (b) 6. of the statutes, the
7 renumbering and amendment of section 71.93 (3) (a) of the statutes, and the creation
8 of section 71.93 (3) (a) 1. to 9. of the statutes take effect on the first day of the 6th
9 month beginning after publication.

10 (5) **OFFSET COSTS.** The treatment of section 73.03 (52) (a) of the statutes takes
11 effect on the first day of the 6th month beginning after publication.

12 (6) **LEVY RECEIPT NOTICE.** The treatment of section 71.91 (6) (f) 1. and 2. of the
13 statutes takes effect on July 1, 2014.

14 (7) **MOTOR VEHICLE FUEL; AIRPORT HYDRANT SYSTEM.** The treatment of section
15 78.07 (1), (1a), and (3) of the statutes takes effect on the first day of the 3rd month
16 beginning after publication.

17 (8) **ROLL-YOUR-OWN CIGARETTE MACHINE.** The treatment of sections 139.30 (7),
18 167.35 (1) (f) 4., and 995.10 (1) (i) 1. d. of the statutes takes effect on the first day of
19 the 3rd month beginning after publication.

20 (9) **CLAIMING SALES TAX REFUNDS.** The treatment of section 77.59 (4) (a) of the
21 statutes takes effect on the first day of the first month beginning after publication.

22 (10) **LUMP SUM CONTRACTS.** The treatment of sections 77.51 (11d) and 77.54 (60)
23 of the statutes and SECTION 9337 (8) of this act take effect on the first day of the 3rd
24 month beginning after publication.

ASSEMBLY BILL 40**SECTION 9437**

1 (11) QUALIFIED RESEARCH SALES TAX EXEMPTIONS. The treatment of section 77.54
2 (57) (a) 1f., 1m., 4., and 5. and (b) 1. and 2. and (57d) of the statutes takes effect
3 retroactively on January 1, 2012.

4 (12) ADVERTISING AND PROMOTIONAL DIRECT MAIL EXEMPTION. The treatment of
5 section 77.52 (2) (a) 11. of the statutes takes effect on July 1, 2013.

SECTION 9438. Effective dates; Safety and Professional Services.

7 (1) REGULATION OF CHARITABLE ORGANIZATIONS, FUND-RAISING COUNSEL,
8 PROFESSIONAL FUND-RAISERS, PROFESSIONAL EMPLOYER ORGANIZATIONS, AND
9 PROFESSIONAL EMPLOYER GROUPS. The amendment of sections 54.15 (8) (a) 3., 73.0301
10 (1) (d) 6., 108.02 (21e) (intro.), 125.06 (11), 134.73 (1) (a) and (c), 165.825, 181.0203
11 (3), 196.208 (5p) (a) 1., 321.60 (1) (a) 12., 440.03 (7m), 440.05 (intro.), and 635.02 (7)
12 (b) 3. of the statutes, the repeal of sections 440.03 (13) (b) 29., 57m., and 58., 440.08
13 (2) (a) 23m., 35m., 63p., and 63t., 440.475, 461.02 (3) and (5) (b) and (c), and 461.05
14 of the statutes, the renumbering of chapter 461 (title), subchapter IV (title) of chapter
15 440, and sections 440.41 (intro.), (1), (2) (intro.) and (a), (4), (8), (9) (intro.), (a), and
16 (d) 1., 2., and 3., and (10), 461.02 (title), (5) (title) and (d), and (9) of the statutes, the
17 renumbering and amendment of sections 440.41 (2) (b), (3), (5), (6), (7), and (9) (b),
18 (c), and (d) (intro.), 440.42, 440.43, 440.44, 440.45, 440.455, 440.46, 440.47, 440.48,
19 461.01, 461.02 (1), (2), (4), (5) (a) and (e), (6), (7), and (8), 461.03, 461.04, 461.06, and
20 461.10 of the statutes, the creation of chapter 202 and sections 45.44 (1) (a) 11m.,
21 46.90 (5m) (br) 5g., 49.857 (1) (d) 14m., and 55.043 (4) (b) 5g. of the statutes, and
22 SECTION 9138 (1) of this act take effect on October 1, 2013, or on the first day of the
23 4th month beginning after publication, whichever is later.

24 **SECTION 9439. Effective dates; Secretary of State.**

25 **SECTION 9440. Effective dates; State Employment Relations, Office of.**

ASSEMBLY BILL 40**SECTION 9441**

1 **SECTION 9441. Effective dates; State Fair Park Board.**

2 **SECTION 9442. Effective dates; Supreme Court.**

3 **SECTION 9443. Effective dates; Technical College System.**

4 (1) CONSOLIDATED GRANTS. The treatment of sections 20.292 (1) (b), (c), (ce), (ch),
5 (dc), (dd), (de), (dm), (e), (ef), (eg), (eh), (em), (fc), (fg), (fm), and (fp), 38.04 (13) (a) 1.,
6 (20), (28), and (32), 38.26 (3) (c), 38.27 (2) (c), 38.272 (3), 38.28 (1m) (a) 1., (2) (c) and
7 (g), (3), (4), and (6), 38.29 (1) and (2) (c), 38.32 (2), 38.33 (1) (intro.), 38.38, 38.40 (4m)
8 (a), and 38.41 (3) (a) of the statutes takes effect on July 1, 2014.

9 **SECTION 9444. Effective dates; Tourism.**

10 **SECTION 9445. Effective dates; Transportation.**

11 (1) INTRASTATE MOTOR CARRIERS. The treatment of sections 194.03 (title), (1), (2),
12 and (6) and 194.20 (title) and (1) of the statutes and SECTION 9345 (1) of this act take
13 effect on January 1, 2014, or on the day after publication, whichever is later.

14 (2) MASS TRANSIT OPERATING AIDS.

15 (a) The treatment of section 85.20 (4m) (a) 6. e., 7. a. (by SECTION 1575), and 8.
16 a. (by SECTION 1578) and (4s) of the statutes takes effect on July 1, 2014.

17 (b) The treatment of sections 20.395 (1) (hr), (hs), (ht), (hu), and (hw) and 85.20
18 (4m) (a) 6. cm. (by SECTION 1570) and d. (by SECTION 1572) of the statutes takes effect
19 on July 1, 2015.

20 (3) TEMPORARY FUNDING FOR I94 PROJECT. The treatment of section 20.395 (3) (bq)
21 (by SECTION 318) of the statutes takes effect on July 1, 2015.

22 **SECTION 9446. Effective dates; Treasurer.**

23 **SECTION 9447. Effective dates; University of Wisconsin Hospitals and**
24 **Clinics Authority.**

25 **SECTION 9448. Effective dates; University of Wisconsin System.**

