

1977 Senate Bill 77

Date published: June 29, 1977  
Vetoed overruled published: July 9, 1977

**CHAPTER 29, Laws of 1977**  
**(Vetoed in Part)**

AN ACT to amend and revise chapter 20 of the statutes, and to make diverse other changes in the statutes, relating to state finances and appropriations, constituting the executive budget bill of the 1977 legislature, and making appropriations.

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

SECTION 1. 1.12 of the statutes is created to read:

**1.12 Alleviation of energy shortages.** All agencies of the state shall, to the fullest extent possible, investigate and consider the conservation of energy resources as an important factor when making any major decision which would significantly affect energy usage.

SECTION 2. 5.05 (5) of the statutes is amended to read:

5.05 (5) In lieu of the report otherwise required under s. 15.04 (4), the board shall compile and submit to the governor and the legislature each ~~October an annual~~ April of the odd-numbered years a biennial report for the ~~fiscal year~~ previous 2 calendar

years ending on June 30 December 31 of the previous year which shall include the information under s. 11.21 (7).

SECTION 3. 7.08 (1) (b) of the statutes is amended to read:

7.08 (1) (b) Prepare and provide upon request the necessary blanks and ballot bags to make the canvass, returns, statements and tally sheet statements for all state, congressional, legislative and county elections whether general, special or judicial, and all other materials as it deems necessary. The blanks shall contain the necessary certificates of the inspectors and canvassers with notes explaining their use and statutory basis. Blanks for use at the September primary shall be forwarded to the county clerks upon request not later than the 2nd Friday in August. Blanks for the general election shall be forwarded to the county clerks upon request not later than the 2nd Friday in October. The board is required to furnish only the standard form tally sheet statement to any city or county. The board shall maintain a supply of standard forms and materials required under this paragraph for distribution to county clerks upon their request. All forms and materials provided under this paragraph shall be furnished for a charge not to exceed the cost of preparation.

SECTION 4. 7.51 (1) (b) of the statutes is amended to read:

7.51 (1) (b) Immediately after the polls close, where voting machines are used, they shall open the registering or recording compartments and canvass, record, announce and return on the ~~provided~~ return sheets and certificates ~~furnished~~. In recording the votes registered on any counter which, before the opening of the polls, did not register 000, the inspectors shall upon the return sheets subtract the number registered before the polls opened from the number registered when the polls closed. The difference between the 2 numbers shall be the correct vote for the candidate whose name was represented by the counter, except if the number registered on the counter when the polls closed is smaller than the number registered thereon when the polls opened, the number 1,000 shall be added to the number registered when the polls closed, before the subtraction is made.

SECTION 5. 7.51 (3) (a) of the statutes is amended to read:

7.51 (3) (a) The inspectors shall place together all ballots counted by them, except those marked "Objected to", and secure them together so that they cannot be untied or tampered with without breaking the seal. The secured ballots together with any ballots marked "Defective" or "Objected to", shall then be secured by the inspectors in the container provided in such a manner that the containers cannot be opened without breaking the seals or locks, or destroying the container. The ballots returned to the county clerk shall be delivered in the canvas bag provided or a bag similar to that provided at the same time as the other election materials under sub. s. 7.08 (1) (b).

~~SECTION 6d. 8.50 (2) (a) of the statutes is amended to read:~~

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~~8.50 (2) (a) The date for the special election shall be not less than 55 nor more than 70 days from the date of the order except when the special election is held on the day of the general election and except when the special election is held pursuant to ss. 60.175 (3), 61.46 (3) (g), 62.13 (4m) (g), 63.07 (3) (g), 70.62 (4) (g) and under s. 121.93.~~

SECTION 6m. 13.10 (2) (a) and (b) of the statutes are amended to read:

13.10 (2) (a) Any bill making an appropriation and any bill increasing or decreasing existing appropriations or state or general local government fiscal liability or revenues shall, before any vote is taken thereon by either house of the legislature if the bill is not referred to a standing committee, or before any public hearing is held before any standing committee or, if no public hearing is held, before any vote is taken by the committee, incorporate as ~~a note~~ a reliable estimate of the anticipated change in appropriation authority or state or general local government fiscal liability or revenues

under the bill, including to the extent possible a projection of such changes in future biennia. Except as otherwise provided by joint rules of the legislature, such estimates shall be made by the department or agency administering the appropriation or collecting the revenue. Fiscal ~~notes estimates~~ on bills which will be referred to the joint survey committee on tax exemptions or the joint survey committee on retirement systems shall be prepared by the appropriate committee. When a fiscal ~~note estimate~~ is prepared after the bill has been introduced, it shall be printed and distributed as are amendments.

(b) Executive budget bills introduced under s. 16.47 (1) are exempt from the fiscal ~~note estimate~~ requirement under par. (a) but shall, if they contain provisions affecting a public retirement fund or providing a tax exemption, be analyzed as to those provisions by the respective joint survey committee.

~~SECTION 6m. 13.123 (2) of the statutes is repealed.~~

Vetoed  
in Part

SECTION 6n. 13.125 of the statutes is amended to read:

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

SECTION 6p. 13.20 (1) (c) of the statutes is amended to read:

13.20 (1) (c) Each house shall by resolution establish a staffing pattern setting forth the staff positions in that house. The resolutions shall specify the number and type of positions under the classified service considered permanent positions or considered limited-term employment positions, and the number and type of positions to be filled outside the classified service. A fiscal ~~note estimate~~ under s. 13.10 (2) is required for each such resolution. At the commencement of each regular biennial legislative session, the staffing pattern in effect at the conclusion of the preceding regular legislative session shall continue until superseded by resolution.

SECTION 7. 13.48 (1) of the statutes is amended to read:

13.48 (1) **POLICY.** The legislature finds and determines that it is necessary to improve the adequacy of the public building facilities that are required by the various state agencies including the educational institutions, for the proper performance of their duties and functions, and that it is in the interest of economy, efficiency and the public welfare that such improvement be accomplished by means of a long-range public building program, with funds to be provided by successive legislatures. The long-range program shall include the necessary lands, new buildings, and all facilities and equipment required and also the remodeling, reconstruction, maintenance and reequipping of existing buildings and facilities, as determined by the building commission. The long-range program shall also recognize the importance of historic properties as defined in s. 44.22 and may include a program of preservation and restoration of those historic properties under the control of the state.

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

~~13.48 (19) (title) LEASE, LEASE PURCHASE OR ACQUISITION OF EXISTING FACILITIES. Whenever the building commission determines that the use of innovative types of design and construction processes will make better use of the resources and technology available in the building industry, the commission may waive any or all of s. 16.855 if such action is in the best interest of the state and if the waiver is accomplished through formal action of the commission. The commission may authorize the lease, lease purchase or acquisition of such facilities constructed in the manner authorized by the commission. The commission may also authorize the lease, lease purchase or~~

Vetoed  
in Part

Vetoed in Part ~~acquisition of existing facilities in lieu of state construction of any project enumerated in the authorized state building program.~~

SECTION 8r. 13.48 (22) and (23) of the statutes are created to read:

13.48 (22) The building commission may lease or resell lands acquired in the capitol planning area for public or private redevelopment and may set such conditions of sale or lease as it deems necessary to ensure development compatible with the needs of the community and the state.

(23) The building commission may lease space constructed as a part of a state office building for commercial use, including without limitation because of enumeration, retail, service and office uses. In doing so the commission shall consider the cost and fair market value of the space as well as the desirability of the proposed use. Such leases may be negotiated or awarded by competitive bid procedures. All such leases of state-constructed space shall provide for payments in lieu of property taxes.

SECTION 9. 13.55 (3) of the statutes is amended to read:

13.55 (3) NATIONAL CONFERENCE. Each commissioner ~~shall~~ may attend the annual meeting of the conference of commissioners on uniform state laws; and shall examine subjects on which uniformity of legislation is desirable; ascertain the best methods to effect uniformity; ~~co-operate~~ cooperate with commissioners in other states in the preparation of uniform acts; and prepare bills adapting such uniform acts to the Wisconsin statutes, for introduction in the legislature.

SECTION 9m. 13.56 (1) of the statutes is amended to read:

13.56 (1) CREATION. There is created a ~~legislative~~ joint committee for review of administrative rules, consisting of 4 5 senators and 5 representatives to the assembly appointed as are the members of standing committees in ~~the~~ their respective houses. ~~The 2 major from the majority and minority political parties shall be represented in the membership from in each house. The committee shall have In making the appointments, each house shall designate a cochairperson from each house selected from the majority party in each house.~~ The committee shall meet at the call of one of its ~~chairpersons or upon a call signed by 2 of its members or signed by 5 members of the legislature cochairpersons.~~

SECTION 10. 13.63 (1) of the statutes is amended to read:

13.63 (1) LICENSES; FEES; ELIGIBILITY. Any adult of good moral character who is a U. S. citizen and otherwise qualified under ss. 13.61 to 13.71 shall be licensed as a lobbyist as ~~herein~~ provided in this section. The secretary of state shall provide for the form of application for license. Such application may be obtained in the office of the secretary of state and filed ~~therein in the office~~. Upon approval of such application and payment of the license fee of ~~\$10~~ \$15 to the secretary of state, a license shall be issued which entitles the licensee to practice lobbying on behalf of one principal. A lobbyist shall pay an additional ~~\$10~~ \$15 fee for each additional principal ~~he~~ the lobbyist represents. Each license shall expire on December 31 of each even-numbered year. No application ~~shall~~ may be disapproved without affording the applicant a hearing which shall be held and decision entered within 10 days of the date of filing of the application. Denial of a license may be reviewed under ch. 227.

SECTION 11. 13.67 (2) of the statutes is amended to read:

13.67 (2) Beginning with the 3rd Tuesday following the beginning of any regular or special session of the legislature and on every Tuesday thereafter for the duration of such session, the secretary of state shall from his or her records report to each house of the legislature the names of lobbyists registered under s. 13.64 who were not previously reported, the names of the persons whom they represent as such lobbyist and the subjects of legislation in which they are interested. Such reports shall be

incorporated into the journal of the senate and a copy filed in the office of the chief clerk of the assembly. ~~The secretary of state shall also forward to each house a copy of each statement required to be filed under sub. (1). Such copy shall be open to public inspection but shall not be incorporated in the journal unless the house so orders.~~ Any expenditures made or obligations incurred by any lobbyist in behalf of or for the entertainment of any state official or employe concerning pending or proposed legislative matters shall be reported according to this section.

SECTION 12. 13.92 (1) (b) 3. a and d and (e) 3 of the statutes are amended to read:

13.92 (1) (b) 3. a. Promptly after the passage of any bill, any joint resolution amending the constitution, or any other resolution determined by the chief clerks to require enrollment and, in the case of a bill, before it is presented to the governor for approval, the chief clerk of the house in which the measure originated shall deliver the jacket to the bureau which shall enroll the proposal and return the jacket and the required number of copies, including a camera-ready copy for newspaper publication, to the chief clerk. The camera-ready original of the enrolled proposal shall be retained in the bureau, ~~and shall by it be forwarded to the contract printer as provided in subd. 3. d.~~

~~d. In the case of an enrolled bill, and no~~ No later than the day before its the publication of any law in the official state paper, the secretary of state shall inform the bureau of the act number and the date on which the act will be published. The bureau shall enter the act number and date of publication on ~~the a~~ a camera-ready original of the enrolled proposal copy and immediately deliver it to the contract printer for reproduction.

(e) 3. Printing of session laws under s. 35.15 and newspaper publication of laws under s. 985.04.

SECTION 12m. 13.94 (intro.) and (1) (b) of the statutes are amended to read:

**13.94 Legislative audit bureau.** (intro.) There is created a bureau to be known as the "Legislative Audit Bureau", headed by a chief known as the "State Auditor". The state auditor, the deputy state auditor and the legislative audit directors shall be outside the classified service. The bureau shall be strictly nonpartisan. Subject to s. 16.30 (4) (a) and (f), the state auditor or designated employes shall at all times with or without notice have access to all departments and to any books, records or other documents maintained by such the departments and relating to their expenditures, revenues, operations and structure except as provided in sub. (4). In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

(1) (b) Audit the records of every state department, board, commission, independent agency or authority at least once each 5 years and audit the records of other departments as defined in sub. (4) when the state auditor deems it advisable or when he or she is so directed and, in conjunction therewith, reconcile the records of the department audited with those of the department of administration. Within 30 days after completion of any such audit, the bureau shall file with the joint legislative audit committee, the appropriate standing committees of the legislature, the joint committee on legislative organization, the governor, the department of administration, the legislative reference bureau, the joint committee on finance, the legislative fiscal bureau and the department audited, a detailed report thereof, including its recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures.

SECTION 13. 13.94 (1) (dd) of the statutes is created to read:

13.94 (1) (dd) At least once every 2 years, conduct a financial audit of the department of employe trust funds, to include financial statements and an evaluation of accounting controls and accounting records maintained by the department for individual participants and employers. Within 30 days after completion of such audit the bureau shall file with the governor, the legislative reference bureau, the department of administration and the department of employe trust funds a detailed report thereof, including specific instances, if any, of illegal or improper transactions.

SECTION 13e. 13.94 (1) (g) of the statutes is amended to read:

13.94 (1) (g) Require each state department, board, commission, independent agency or authority to file with the bureau on or before September 1 of each year a report on all receivables due the state as of the preceding June 30 which were occasioned by activities of the reporting ~~department. Said unit.~~ The report may also be required of other departments as defined in sub. (4). The report shall show the aggregate amount of such receivables according to fiscal year of origin and collections thereon during the fiscal year preceding the report. The state auditor may require any department to file with the bureau a detailed list of the receivables comprising the aggregate amounts shown on the ~~above indicated~~ reports prescribed by this paragraph.

SECTION 13m. 13.94 (3) (f) of the statutes is created to read:

13.94 (3) (f) Appoint, outside the classified service, a deputy state auditor and 4 legislative audit directors.

SECTION 13r. 13.94 (4) of the statutes is renumbered 13.94 (4) (a) and amended to read:

13.94 (4) (a) In this section, "department" means every state department, board, commission or independent agency; ~~and includes the Wisconsin health facilities authority, the Wisconsin housing finance authority and the Wisconsin solid waste recycling authority~~; every provider of medical assistance under ch. 49; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law.

Partial  
Veto  
Overruled

SECTION 13w. 13.94 (4) (b) of the statutes is created to read:

13.94 (4) (b) *In performing audits of providers of medical assistance under ch. 49 and corporations, institutions, associations, or other organizations, the legislative audit bureau shall audit only the records and operations of such providers and organizations which pertain to the receipt, disbursement or other handling of appropriations made by state law.*

Partial  
Veto  
Overruled

SECTION 14. 14.011 (1) of the statutes is repealed.

SECTION 15. 14.013 of the statutes is repealed.

SECTION 16. 14.017 (1) of the statutes is renumbered 15.467 (3), and 15.467 (3) (intro.), as renumbered, is amended to read:

15.467 (3) (intro.) COUNCIL ON HIGHWAY SAFETY. There is created in the executive office ~~department of transportation~~ a council on highway safety. ~~Section 15.09 applies to the council.~~ The council shall consist of 15 members, as follows.

Vetoed  
in Part

SECTION 16m. 14.06 of the statutes is amended to read:

**14.06 Review of certain rules by governor.** After August 7, 1951, any Any general code covering a particular subject adopted by the department of agriculture, trade and consumer protection or by the department of health and social services shall be submitted to the governor 30 days in advance of the proposed effective date. If any taxpayer complains in writing to the governor, the governor may suspend the effective date of such code until such time as the proposed code is approved by the legislature. If the governor does so suspend the code, ~~he~~ the governor shall send the proposed code with his or her certificate of suspension to the secretary of state for transmittal to the

legislature at its next session. If the governor finds an emergency exists, ~~he~~ the governor may waive the 30-day period ~~herein~~ provided in this section, and the code shall go into effect at a date designated by ~~him~~ the governor. This section shall not affect requirements of other statutes as to notice, hearing, publication and filing of copies of codes.

~~SECTION 17. 14.21 of the statutes is repealed.~~

Vetoed  
in Part

SECTION 17g. 14.25 (7) and (8) of the statutes are renumbered 14.25 (8) and (9).

SECTION 17r. 14.25 (7) of the statutes is created to read:

14.25 (7) Review and make recommendations to the governor on program proposals for federal or state highway safety funds for emergency medical vehicles or services.

SECTION 18. 14.38 (10) of the statutes is amended to read:

14.38 (10) (a) Publish the laws as provided by ~~s. ss. 35.15 and~~ 985.04 (2) and to publish.

(b) Publish in the official state paper, on the first Tuesday of ~~each of the 3 months August, September and October~~ immediately preceding any general election, such proposed constitutional amendments as were approved for the first time by the legislature preceding the election.

SECTION 19. 14.38 (13) of the statutes is repealed.

SECTION 20. 14.83 of the statutes is repealed.

SECTION 21. 14.88 of the statutes is repealed.

SECTION 22. 15.01 (4) of the statutes is amended to read:

15.01 (4) "Commission" means a ~~3-man~~ 3-member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the tax appeals commission which shall consist of 5 members. A Wisconsin group created for participation in a continuing interstate body shall be known as a "commission," but is not a commission for purposes of s. 15.06.

SECTION 23. 15.02 (1) of the statutes is amended to read:

15.02 (1) SEPARATE CONSTITUTIONAL OFFICES. The governor, lieutenant governor, secretary of state and state treasurer each head a staff to be termed the "office" of the respective constitutional officer, ~~but the office of the governor shall be known as the "executive office".~~

SECTION 23p. 15.06 (2) of the statutes is amended to read:

15.06 (2) SELECTION OF OFFICERS. At the time of making new nominations to commissions other than to the labor and industry review commission, the governor shall designate a member or nominee of each commission to serve as the commission's chairman for a 2-year term expiring on March 1 of the odd-numbered year. Commencing March 1, 1979, and thereafter, the labor and industry review commission shall elect one of its members to serve as the commission's chairman for a 2-year term expiring on March 1 of the odd-numbered year. Each commission may annually elect such other officers from among its members as its work requires. Any officer may be reappointed or reelected ~~to succeed himself.~~

SECTION 24. 15.07 (1) (b) 6 of the statutes is created to read:

15.07 (1) (b) 6. Agricultural lands preservation board.

~~SECTION 25. 15.07 (2) (b) of the statutes is repealed.~~

Vetoed  
in Part

SECTION 26. 15.07 (5) (o) of the statutes is repealed.

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SECTION 27. 15.09 (6) of the statutes is renumbered 15.09 (6) (a) and amended to read:

15.09 (6) (a) ~~Members~~ Except as provided in par. (b), members of a council shall not be compensated for their services, but members of councils created by statute shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties, such reimbursement in the case of an elective or appointive officer or employe of this state who represents ~~his~~ an agency as a member of a council to be paid by the agency which pays his or her salary.

SECTION 28. 15.09 (6) (b) of the statutes is created to read:

15.09 (6) (b) Members of the council on Indian education shall be paid a per diem of \$25 per day for each day they are actually and necessarily engaged in the performance of their duties.

SECTION 29. 15.099 of the statutes is amended to read:

**15.099 Program responsibilities; effect of omissions.** Sections 14.011, 14.311, 14.361, 14.561, 15.101, 15.131, 15.151, 15.161, 15.191, 15.221, 15.251, 15.281, 15.311, 15.341, 15.371, 15.401, 15.431, 15.461, 15.491, 15.551, 15.571, 15.581, 15.591, 15.611, 15.621, 15.671, 15.701, 15.731, 15.761, 15.781, 15.791, 15.821, 15.851, 15.911 and 15.941 are intended to set forth the program responsibilities of the several units of the executive branch. No statutory power, duty or function specified elsewhere for a unit ~~shall~~ may be deemed impliedly repealed for the sole reason that reference to it has been omitted in these sections.

SECTION 30. 15.107 (4) of the statutes is amended to read:

15.107 (4) (title) **COORDINATING COUNCIL FOR POPULATION INFORMATION.** There is created in the department of administration a ~~council on population estimates~~ coordinating council for population information consisting of municipal and county representatives and other persons knowledgeable of ~~population estimating techniques~~ demographic and statistical techniques or persons active in the use or study of demographic-related information.

SECTION 31. 15.107 (5) of the statutes is created to read:

15.107 (5) **CITIZENS ENVIRONMENTAL COUNCIL.** There is created a citizens environmental council consisting of 7 citizen members appointed to serve staggered 3-year terms.

SECTION 31m. 15.13 of the statutes is amended to read:

**15.13 (title) Department of agriculture, trade and consumer protection; creation.** There is created a department of agriculture, trade and consumer protection under the direction and supervision of the board of agriculture, trade and consumer protection. The board shall consist of ~~7~~ 6 members ~~who shall be experienced in farming with an agricultural background and one member who is a consumer representative~~, appointed for staggered 6-year terms. Appointments to the board shall be made without regard to party affiliation, residence or interest in any special organized group.

SECTION 32. 15.131 (3) of the statutes is created to read:

15.131 (3) **AGRICULTURAL LANDS PRESERVATION BOARD.** The agricultural lands preservation board shall have the program responsibilities specified for the board under ch. 91.

SECTION 32d. 15.135 (1) of the statutes is amended to read:

15.135 (1) **STATE FAIR PARK BOARD.** There is created a state fair park board which is attached to the department of agriculture, trade and consumer protection under s. 15.03. The board shall consist of ~~the secretary of agriculture, trade and consumer~~

Vetoed  
in Part



~~protection or his or her designee and~~ 3 members appointed to serve at the pleasure of the governor. Vetoed  
in Part

SECTION 33. 15.135 (3) of the statutes is created to read:

15.135 (3) AGRICULTURAL LANDS PRESERVATION BOARD. There is created an agricultural lands preservation board which is attached to the department of agriculture, trade and consumer protection under s. 15.03. The board shall consist of the secretaries of administration, of agriculture, trade and consumer protection and of local affairs and development or their designees, ~~the executive secretary of the board of soil and water conservation districts and 2 public members appointed for 4-year terms, who shall be owners of eligible farmland, as defined in s. 91.01 (6). If a public member ceases to be an owner of eligible farmland under s. 91.01 (6), that person's position on the board shall be deemed vacant until a successor is appointed.~~ Vetoed  
in Part The secretary of agriculture, trade and consumer protection, or the designee of the secretary, shall be chairperson of the board.

SECTION 35m. 15.165 (2) of the statutes is amended to read:

15.165 (2) GROUP INSURANCE BOARD. There is created a group insurance board which is attached to the division of municipal and state government under s. 15.03. The board shall consist of the governor ~~and~~, the attorney general ~~and the secretary of administration~~ or their designees, the commissioner of insurance ~~and the director of the personnel function in the department of administration~~, and 3 persons appointed for 2-year terms, of whom one shall be an insured member of the Wisconsin state employees ~~association union~~ and one shall be an insured state-employed member of the state teachers retirement system.

SECTION 36. 15.197 (4) (e), (f) and (h) of the statutes are repealed.

SECTION 40. 15.197 (8) of the statutes is repealed.

SECTION 41. 15.197 (11) of the statutes is repealed.

SECTION 42. 15.197 (11n) (intro.) of the statutes is amended to read:

15.197 (11n) (intro.) COUNCIL ON DEVELOPMENTAL DISABILITIES. There is created a council, ~~appointed for staggered 4-year terms~~, on developmental disabilities ~~to~~. Section 15.03 applies to the council's attachment to the department of health and social services. Members shall be appointed in the following manner for staggered 4-year terms:

SECTION 42c. 15.197 (11n) (a) (intro.) and 1 of the statutes are amended to read:

15.197 (11n) (a) (intro.) Agencies of the state providing direct services to the ~~mentally retarded and those with other developmental disabilities~~ developmentally disabled shall be represented by members of the council, to be designated by:

1. The ~~chairman, department~~ secretary of industry, labor and human relations.

SECTION 42g. 15.197 (11n) (b) (intro.) of the statutes is amended to read:

15.197 (11n) (b) (intro.) Public and private nonprofit agencies of the state's political subdivisions providing direct services to the ~~mentally retarded and those with other developmental disabilities~~ developmentally disabled shall be represented by members of the council to be appointed by the governor with due consideration given to:

SECTION 42k. 15.197 (11n) (c) (intro.) of the statutes is repealed.

SECTION 42p. 15.197 (11n) (c) 1 to 4 of the statutes are renumbered 15.197 (11n) (d) 1 to 4.

SECTION 42t. 15.197 (11n) (c) of the statutes is created to read:

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15.197 (11n) (c) Representatives of nongovernmental agencies and groups concerned with services to persons with developmental disabilities shall be represented by members of the council to be appointed by the governor.

SECTION 42x. 15.197 (11n) (d) (intro.) of the statutes is created to read:

15.197 (11n) (d) (intro.) At least one-third of the membership shall consist of persons with developmental disabilities, or their parents or guardians, who are not officers of any entity, or employes of any state agency or of any other entity, which receives funds or provides services under federal developmental disabilities funds. These members shall be appointed by the governor, with consideration given to:

SECTION 43. 15.197 (12) of the statutes is amended to read:

15.197 (12) RADIATION PROTECTION COUNCIL. There is created in the department of health and social services a radiation protection council consisting of 9 members appointed for staggered 3-year terms. Five members shall be appointed by the department of health and social services. Four members shall be appointed by the secretary of industry, labor and human relations ~~commission~~.

SECTION 44. 15.22 of the statutes is amended to read:

**15.22 Department of industry, labor and human relations; creation.** There is created a department of industry, labor and human relations under the direction and supervision of the secretary of industry, labor and human relations ~~commission~~.

SECTION 45. 15.221 (2) of the statutes is created to read:

15.221 (2) LABOR AND INDUSTRY REVIEW COMMISSION. The labor and industry review commission shall have the program responsibilities specified for the commission under ss. 101.04, 101.22 (4p), 102.18, 108.09 (6) and (7), 108.10 (2) and (3) and 111.36 (3m).

SECTION 46. 15.225 of the statutes is created to read:

**15.225 Same; attached boards and commission.** (1) LABOR AND INDUSTRY REVIEW COMMISSION. There is created a labor and industry review commission which is attached to the department of industry, labor and human relations under s. 15.03, except the budget of the labor and industry review commission shall be transmitted by the department to the governor without change or modification by the department, unless agreed to by the labor and industry review commission.

SECTION 47. 15.227 (1) to (4), (5) (a) and (6) of the statutes are amended to read:

15.227 (1) EQUAL RIGHTS COUNCIL. There is created in the department of industry, labor and human relations an equal rights council consisting of not to exceed 35 members appointed for staggered 3-year terms. Members shall be appointed from the entire state and shall be representative of all races, creeds, groups, organizations and fields of endeavor. The equal rights council shall advise the secretary of industry, labor and human relations ~~commission~~ and the division of equal rights.

(2) COUNCIL ON LIQUEFIED PETROLEUM GAS. The secretary of industry, labor and human relations ~~commission~~ shall appoint a council on liquefied petroleum gas.

(3) COUNCIL ON UNEMPLOYMENT COMPENSATION. There is created in the department of industry, labor and human relations a council on unemployment compensation appointed by the ~~industry, labor and human relations~~ industry review commission to consist of an employe of the department of industry, labor and human relations who shall serve as ~~chairman~~ chairperson and of one or more representatives of employers and an equal number of representatives of employes.

(4) COUNCIL ON WORKER'S COMPENSATION. There is created in the department of industry, labor and human relations a council on worker's ~~relations~~ industry ~~compensation~~ appointed by the ~~industry, labor and human relations~~ industry

review commission to consist of a member or designated employe of the department of industry, labor and human relations commission or the labor and industry review commission as ~~chairman~~ chairperson, 5 representatives of employers and 5 representatives of employes. The commission shall also appoint 3 representatives of casualty insurance companies as nonvoting members of the council.

(5) (a) ~~An industry~~ A labor and human relations industry review commissioner, designated by the commission, who shall serve as ~~chairman~~ chairperson of the council.

(6) DWELLING CODE COUNCIL. There is created in the department of industry, labor and human relations, a dwelling code council, consisting of 15 members appointed for staggered 3-year terms. Four members shall be representatives of building trade labor organizations; 4 members shall be certified building inspectors employed by local units of government; 2 members shall be representatives of building contractors actively engaged in on-site construction of one- and 2-family housing; 2 members shall be representatives of manufacturers or installers of manufactured one- and 2-family housing; one member shall be an architect, engineer or designer actively engaged in the design or evaluation of one- and 2-family housing; and 2 members shall represent the public. An employe of the department designated by the secretary of industry, labor and human relations commission shall serve as nonvoting secretary of the council. The council shall meet at least twice a year. Ten members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council ~~shall be~~ is required.

SECTION 47s. 15.227 (9) to (14) of the statutes are created to read:

15.227 (9) CONSTRUCTION WAGE RATE COUNCIL. There is created in the department of industry, labor and human relations a construction wage rate council appointed by the labor and industry review commission.

(10) FIRE PREVENTION COUNCIL. There is created in the department of industry, labor and human relations a fire prevention council appointed by the labor and industry review commission.

(11) SELF-INSURERS COUNCIL. There is created in the department of industry, labor and human relations a self-insurers council appointed by the labor and industry review commission.

(12) VICTIMS OF CRIME COUNCIL. There is created in the department of industry, labor and human relations a victims of crime council appointed by the labor and industry review commission.

(13) WISCONSIN APPRENTICESHIP COUNCIL. There is created in the department of industry, labor and human relations a Wisconsin apprenticeship council appointed by the labor and industry review commission.

(14) LABOR STANDARDS COUNCIL. There is created in the department of industry, labor and human relations a labor standards council appointed by the labor and industry review commission.

SECTION 48. 15.255 (1) (a) 5 of the statutes is repealed and recreated to read:

15.255 (1) (a) 5. The secretary of transportation or the secretary's designee.

SECTION 49. 15.283 (3) of the statutes is repealed.

SECTION 51. 15.347 (1) of the statutes is repealed.

SECTION 52. 15.347 (2) of the statutes is repealed.

SECTION 52d. 15.347 (11) of the statutes is created to read:

15.347 (11) MOTORCYCLE RECREATION COUNCIL. There is created in the department of natural resources a motorcycle recreation council consisting of 7

members, appointed by the natural resources board for staggered 3-year terms, who are knowledgeable in off-the-road sporting and recreational needs of the motorcyclist.

SECTION 52m. 15.377 (4) of the statutes is amended to read:

15.377 (4) (title) COUNCIL ON EXCEPTIONAL EDUCATION. There is created in the department of public instruction a council on ~~special~~ exceptional education consisting of 15 members appointed by the state superintendent for 3-year terms. No more than 7 members of the council may be persons who do not have children with exceptional educational needs and who are representatives of the state, school districts, county handicapped children's education boards or cooperative educational service agencies. At least 5 members of the council shall be parents or guardians of a child with exceptional educational needs, at least one member of the council shall be a school board member, at least one member shall be a certified teacher of regular education as defined in s. 115.76 (9) and at least one member shall be a certified teacher of special education.

SECTION 53. 15.40 (2) (b) of the statutes is renumbered 15.40 (3) (c) and amended to read:

15.40 (3) (c) ~~Within the limitations prescribed by law, control~~ Control the allocation, disbursement and budgeting of the funds ~~it receives~~ received by the division of nurses and the examining boards in connection with ~~its~~ their licensing, certifying and related activities.

SECTION 54. 15.40 (3) (c) of the statutes is repealed.

SECTION 55. 15.40 (3) (d) of the statutes is repealed.

SECTION 58. 15.405 (2) (intro.) and (a) of the statutes are amended to read:

15.405 (2) EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. (intro.) There is created an examining board of architects, professional engineers, designers and land surveyors in the department of regulation and licensing. Any professional member appointed to the examining board shall have engaged in the practice of the profession of architecture, professional engineering, the design of engineering systems or land surveying, for at least 10 years and shall have been in responsible charge of architectural, professional engineering, designing of engineering systems or land surveying work for at least 5 years. The examining board shall consist of 16 members: 3 architects, 3 professional engineers, 3 designers and 3 land surveyors, and 4 public members. The 3 architects, the 3 professional engineers, 3 designers and the 3 land surveyors shall be appointed by the ~~industry, labor and human relations~~ industry review commission for staggered 3-year terms. Public members shall be appointed by the governor for staggered 3-year terms. No appointed member may serve more than 2 consecutive terms.

(a) In operation, the examining board shall be divided into an architect section, an engineer section, a designer section and a land surveyor section. Each section shall consist of the 3 members of the named profession appointed to the examining board by the ~~industry, labor and human relations~~ industry review commission and ~~1~~ one public member appointed to the section by the governor. The board shall elect its own officers, and shall meet at least twice annually.

SECTION 59. 15.461 of the statutes is repealed and recreated to read:

**15.461 Same; program responsibilities.** The department of transportation shall have the program responsibilities specified for the department under chs. 84 to 86, 110, 114, 190 to 195, 218 and 340 to 349, subch. IV of ch. 121, and ss. 32.05, 32.18, 59.965, 59.968, 60.29 (20) (e), 66.94 (30), 67.13 (2), 83.015 (3), 83.02, 103.50, 144.42 (3), 146.07 (2), 182.33 (1), 182.48 and 236.12. In addition:

(1) TRANSPORTATION COMMISSION. The transportation commission shall have the program responsibilities specified for the commission under chs. 189 to 195 and 197,

and ss. 26.20 (3) and (10), 30.33, 59.968 (4), 66.064, 66.065 (5) and (6), 66.07 (2) to (5), 66.94 (30), 67.04 (2) (g) and (5) (i), 84.05, 84.13 (1), 84.30 (18), 84.31 (6) (a), 86.16 (5), 86.301 (5), 86.32, 88.66 (2), 88.87 (4), 88.88 (2), 114.134 (4) (b) and (d), 114.135 (9), 114.20 (9m), 175.05 (4), 218.01 (2) (bd) 2, (3) (b), (c), (g) and (h), (3c) (c) and (d), (5) (b) and (9), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and (b), 342.26, 343.33, 343.69, 344.02 (1) to (3), 344.03 and 348.25 (9).

(2) RUSTIC ROADS BOARD. The rustic roads board shall have the program responsibilities specified for the board under s. 83.42.

SECTION 60. 15.463 of the statutes is repealed.

SECTION 61. 15.465 (title) of the statutes is amended to read:

**15.465 (title) Same; attached board and commission.**

SECTION 62. 15.465 (1) of the statutes is renumbered 15.465 (2) and amended to read:

15.465 (2) RUSTIC ROADS BOARD. There is created a rustic roads board in the department of transportation. The rustic roads board shall consist of ~~11~~ the following members: ~~the chairman of the highway commission or his designee, the chairman of the senate committee on transportation, the chairman of the assembly committee on highways, chairpersons of the senate and assembly standing committees having jurisdiction over transportation matters as determined by the speaker of the assembly and the president pro tempore of the senate~~ and 8 members appointed by the secretary of transportation for staggered 4-year terms of whom at least 4 members shall be selected from a list of nominees submitted by the Wisconsin county boards association.

SECTION 63. 15.465 (1) of the statutes is created to read:

15.465 (1) TRANSPORTATION COMMISSION. There is created a transportation commission which is attached to the department of transportation for limited administrative purposes under s. 15.03, provided that all budgetary, personnel, and related operational requests by the transportation commission shall be processed and properly forwarded by the department of transportation without change except as requested and concurred in by the transportation commission, and provided that s. 85.02 does not apply to the transportation commission. No member of the commission may have a financial interest in a railroad, motor carrier or other transportation enterprise. If any member voluntarily becomes so interested, the office shall become vacant. If a member involuntarily becomes so interested, the member shall dispose of such interest within a reasonable time; failing to do so, his or her office shall become vacant. No commissioner may serve on or under any committee of a political party. Each commissioner shall hold office until a successor is appointed and qualified.

SECTION 64. 15.701 of the statutes is amended to read:

**15.701 Same; program responsibilities.** The historical society shall have the program responsibilities specified for the historical society under ch. 44 and ss. 16.61, 19.21 (5), 19.23, 27.01 (2) (d), 27.012, 35.85 (12), 35.86, 59.716 and 220.08 (17). In addition:

SECTION 65. 15.701 (1) and (2) of the statutes are created to read:

15.701 (1) HISTORIC PRESERVATION NEGOTIATING BOARD. The historic preservation negotiating board shall have the program responsibilities specified for the board under s. 44.22.

(2) HISTORIC PRESERVATION REVIEW BOARD. The historic preservation review board shall have the program responsibilities specified for the board under s. 44.22.

SECTION 66. 15.705 of the statutes is created to read:

**15.705 Same; attached boards.** (1) HISTORIC PRESERVATION NEGOTIATING BOARD. There is created a historic preservation negotiating board attached to the state historical society under s. 15.03. The board shall consist of 6 members, including:

(a) The chief officer of any department, office or independent agency of the executive branch, appointed to serve at the pleasure of the governor but only so long as such member holds the same office held at the time of appointment.

(b) Two elected officials, one each from 2 units of local government, appointed to serve at the pleasure of the governor but only for so long as such member holds the same office held at the time of appointment. Members appointed under this paragraph shall have demonstrated an active interest in and have knowledge of matters relating to historic preservation;

(c) Two public members who have actively demonstrated an interest in historical preservation, appointed for staggered 4-year terms; and

(d) The state historic preservation officer, who shall be an ex officio and nonvoting member.

(2) HISTORIC PRESERVATION REVIEW BOARD. There is created a historic preservation review board attached to the historical society under s. 15.03, consisting of 15 members appointed for staggered 3-year terms. At least 9 members shall be persons with professional qualifications in the fields of architecture, archeology, art history and history and up to 6 members may be persons qualified in related fields including, but not limited to, landscape architecture, urban and regional planning, law or real estate.

SECTION 67. 15.78 and 15.781 of the statutes are created to read:

**15.78 Public defender board.** There is created a public defender board consisting of 9 members appointed for staggered 3-year terms. No member may be, or be employed on the staff of, a judicial or law enforcement officer, district attorney, corporation counsel or the state public defender. At least 5 members shall be members of the state bar of Wisconsin.

**15.781 Same; program responsibilities.** The public defender board shall have the program responsibilities specified for the board under ch. 977.

SECTION 68. 15.791 of the statutes is amended to read:

**15.791 Same; program responsibilities.** The public service commission shall have the program responsibilities specified for the commission under chs. 184 and ~~190~~ 196 to 198 and ss. ~~25.40 (1) (b), 26.20, 30.21 (2) (b), 30.33, 31.02 (5), 31.095, 32.02 (13), 32.03 (3), 32.07 (4), 32.075, 35.28, 35.29 (2), 35.84, 59.965 (5) (g) and (h), 59.968 (4), 60.30 to 60.315, 62.16 (2) (b), 66.03 (4), 66.06 to 66.072, 66.076, 66.077, 66.24 (6), 66.30 (3n), 66.94 (30), 66.941 (4) (g), 71.18 (2), 84.05, 84.13 (1), 88.66 (2), 88.87 (4), 88.88 (2), 103.37 (4), 146.07, 146.085, 182.0135, 182.017, 182.0175, 182.018, 182.36, 195.285, 346.45, 347.43 and 499.11.~~

SECTION 69. 15.91 of the statutes is amended to read:

**15.91 Board of regents of the university of Wisconsin system; creation.** There is created a board of regents of the university of Wisconsin system consisting of the state superintendent of public instruction, the president, or by his or her designation the vice president, of the board of vocational, technical and adult education and 14 citizen members appointed for staggered 7-year terms.

SECTION 70. 15.94 (2) of the statutes is amended to read:

15.94 (2) ~~A member or designee~~ The secretary of the industry, labor and human relations ~~commission, selected by the commission or the secretary's designee.~~

SECTION 71. 15.94 (2m) of the statutes is amended to read:

15.94 (2m) The president, or by his or her designation the vice president, of the board of regents of the university of Wisconsin system.

SECTION 72. 15.947 (1) of the statutes is amended to read:

15.947 (1) COUNCIL ON FIRE SERVICE TRAINING PROGRAMS. There is created in the board of vocational, technical and adult education a council on fire service training programs consisting of a representative of the division of emergency government designated by the administrator thereof; a representative of the department of industry, labor and human relations designated by the secretary of industry, labor and human relations ~~commissioner~~; a representative of the commissioner of insurance designated by him the commissioner; and 4 bona fide members of volunteer fire departments and 2 bona fide members of paid fire departments appointed for staggered 6-year terms.

SECTION 72m. 16.08 (2) (fe) of the statutes is created to read:

16.08 (2) (fe) The state auditor, deputy state auditor and legislative audit directors.

SECTION 72p. 16.086 (3) (ad) of the statutes is created to read:

16.086 (3) (ad) *Timing of proposed changes.* Notwithstanding any other statute, the director may delay timing for announcement of any recommended changes in the compensation plan under this section until after some or all of the collective bargaining agreements under subch. V of ch. 111 for that biennium are negotiated. Any such action taken under this paragraph is not appealable under s. 16.05 (1) (f).

SECTION 73. 16.33 (3) (a) and (b) of the statutes are amended to read:

16.33 (3) (a) Unencumbered appropriated funds are available or ~~joint committee on finance~~ funds have been so provided by the joint committee on finance acting under s. 13.101;

(b) Training costs estimated to exceed \$500, excluding the compensation of participants, have been included in the budget and approved by the legislature or the joint committee on finance acting under s. 13.101, and such costs will be encumbered for training purposes on the records of the department;

SECTION 74. 16.42 (1) (a), (b) and (d) of the statutes are amended to read:

16.42 (1) (a) A clear statement of the purpose or goal for each program or subprogram;

(b) Clear statements of specific objectives to be accomplished ~~by specific dates and, as appropriate, the performance measures to be used to assess progress toward achievement of these objectives~~;

(d) A statement of legislation required to implement proposed ~~program~~ programmatic and financial plans; and

SECTION 75. 16.42 (1) (e) of the statutes is repealed.

SECTION 76. 16.42 (1) (f) of the statutes is renumbered 16.42 (1) (e) and amended to read:

16.42 (1) (e) All fiscal or other information relating to such departments that the secretary or the governor requires on forms prescribed by the secretary. This information may include information required under s. 16.421 (1) (c) for selected departmental activities.

SECTION 77. 16.42 (3) of the statutes is repealed.

SECTION 78. 16.421 of the statutes is created to read:

**16.421 Performance assessment.** (1) All departments other than the legislature and the courts, no later than 60 days subsequent to the passage of the biennial budget

and in the form and content prescribed by the department, the legislative fiscal bureau and the legislative audit bureau shall prepare and forward to the department a biennial performance assessment plan. This plan shall include, but need not be limited to, the following information:

(a) A listing of selected departmental activities which are to be assessed during the biennium;

(b) The criteria used for selecting the activities;

(c) A plan for assessing each of the selected activities which includes at least the following items;

1. A statement of the specific objectives of each activity;
2. An identification of the performance measures to be used to assess progress toward and achievement of the objectives of each activity;
3. The resources budgeted to carry out each activity; and
4. A synopsis of the assessment design, including reporting requirements and implementation schedules.

(d) Identification of departmental resources allocated to perform the assessments.

(2) The plans of all departments shall include among those activities selected for assessment any that may be specifically required under s. 16.42 (1) (e).

(3) All departments shall provide such reports regarding implementation of their performance assessment plan as the department may require. All departments shall provide a summary of the results of the previous biennial performance assessment of each selected activity to the department and to the joint committee on finance at the time of submittal of their biennial performance assessment plan to the department.

(4) When required by the legislation creating a new activity:

(a) The administrator in charge of the new activity shall, within 60 days from the effective date of the new activity, prepare the information required under sub. (1) (c);

(b) The administrator in charge of the new activity shall submit such information to the legislative audit bureau, the legislative fiscal bureau and the department. The legislative audit bureau shall furnish one copy of such information to the chairperson of each standing committee, other than the joint committee on finance, which held a public hearing on the bill creating the new activity and except in the case of the biennial budget or budget review bill, shall furnish one copy to the principal author of that bill. The legislative fiscal bureau shall furnish one copy of such information to each cochairperson of the joint committee on finance.

(c) If the administrator fails to submit the information required under par. (a), the department shall withhold funds for the activity until such time as the required information is provided and shall report such failure to the joint committee on finance.

SECTION 79. 16.43 of the statutes is amended to read:

**16.43 Budget compiled.** The secretary shall compile and submit to the governor or the governor-elect, not later than November 20 of each even-numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof.

SECTION 80. 16.50 (3) of the statutes is amended to read:

16.50 (3) **LIMITATION ON INCREASE OF FORCE AND SALARIES.** No department, except the legislature or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate submitted to the secretary as provided in sub. (1) and which is approved by the secretary or the governor. No additional positions above the number authorized through the biennial



budget, budget review process or other legislative act may be granted without the approval of the joint committee on finance acting under s. 13.101, except for positions created from funds received under s. 16.54 or 20.001 (2) (b). The secretary shall submit a quarterly report to the joint committee on finance of any additional positions created under s. 16.54 or 20.001 (2) (b). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as published in a collective bargaining agreement under subch. V of ch. 111.

SECTION 81. 16.50 (6) of the statutes is created to read:

16.50 (6) **PROPORTIONAL SPENDING.** If the secretary determines that expenditures of general purpose or segregated fund revenues are utilized to match revenues received under s. 16.54 or 20.001 (2) (b) for the purposes of combined program expenditure, the secretary may require that disbursements of the general purpose revenue be in direct proportion to the amount of program revenue available or as specified in ch. 20 or as condition of a grant or contract. If the secretary makes such a determination, the agency shall incorporate the necessary adjustments into the quarterly expenditure plans provided for in sub. (1).

SECTION 81m. 16.52 (10) of the statutes is created to read:

16.52 (10) **DEPARTMENT OF PUBLIC INSTRUCTION.** The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the appropriation under s. 20.255 (1) (f).

SECTION 82. 16.53 (1) (d) 1 of the statutes is amended to read:

16.53 (1) (d) 1. The secretary ~~of administration~~, with the approval of the joint committee on employment relations, shall fix the time and frequency for payment of salaries due elective and appointive officers and employes of the state government. As determined under this subdivision such salaries shall be paid either monthly, semimonthly or for each 2-week period, and fringe benefit costs for benefits under chs. 102 and 108 which are paid on an actual basis may be collected on an estimated or premium basis, credited to appropriate appropriations, and paid from the appropriations on an actual basis.

SECTION 82m. 16.543 of the statutes is created to read:

**16.543 Procedure in the event of reduced federal revenue sharing funds.** (1) If the state is to receive less federal revenue sharing funds in any year than the amount anticipated, the governor shall submit to the joint committee on finance, for its approval, a recommendation to adjust the appropriations under ch. 20 to account for such reduction of federal revenue sharing funds. Upon receipt of such recommendation the committee shall meet and consider the recommendation in accordance with the procedures specified under s. 13.101 (6). Any recommendation approved under this section shall be implemented by the department under s. 16.50 (2).

(2) If the status of federal revenue sharing funds in any year is not known by the last working day in October, the governor, with the approval of the joint committee on finance, may extend the date of certification provided in s. 120.12 (3) to November 15 for that year.

SECTION 83. 16.62 (3) of the statutes is amended to read:

16.62 (3) The department may establish user charges for records storage and retrieval services, with any moneys collected to be credited to the appropriation under s. 20.505 (1) (i) or (L). Such charges shall be structured to encourage efficient utilization of the services.

SECTION 84. 16.70 (3) of the statutes is amended to read:

Vetoed  
in Part 16.70 (3) ~~The words “permanent~~ “Permanent personal property” include furniture and furnishings, typewriters, calculating, numbering and adding machines, apparatus, library and other books, motor vehicles, machinery and equipment, and means any and all property which in the opinion of the secretary will ~~cost \$100 or more and have a life of more than one year~~ 2 years.

SECTION 85. 16.765 (1), (2) (a), (3) to (7) (intro.), (8) and (9) of the statutes are amended to read:

16.765 (1) Contracting agencies of the state shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employe or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. ~~51.434 (1)~~ 51.01 (5) or national origin, and obligating the contractor to take affirmative action to ensure equal employment opportunities ~~for persons with physical disabilities~~.

(2) (a) In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employe or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. ~~51.434 (1)~~ 51.01 (5) or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities for persons with disabilities. The contractor agrees to post in conspicuous places, available for employes and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

(3) Subsections (1) and (2) shall not apply to contracts to meet special requirements or emergencies, if approved by the ~~administrator of the division of equal rights of the department of industry, labor and human relations~~.

(4) The contracting agencies of the state shall take appropriate action to revise the standard government contract forms ~~in accordance with~~ under this section.

(5) The head of each contracting agency of the state shall be primarily responsible for obtaining compliance by any contractor with the nondiscrimination and affirmative action provisions prescribed by this section, according to procedures recommended by the ~~division of equal rights of the department of industry, labor and human relations. This division.~~ The department shall make recommendations to the contracting agencies for improving and making more effective the nondiscrimination and affirmative action provisions of such contracts. ~~All contracting agencies of the state are directed to cooperate with the division of equal rights, and, to the extent permitted by law, to furnish the division such information and assistance as it may require in the performance of its functions under this section. The division of equal rights~~ The department shall establish promulgate such rules as may be necessary for the performance of its functions under this section, ~~and shall make annual reports on its progress to the governor.~~

(6) ~~The division of equal rights of the department of industry, labor and human relations may receive complaints of alleged violations of the nondiscrimination provisions of such contracts. Complaints received shall be transmitted by the division to the appropriate contracting agencies to be processed in accordance with the agencies' procedure for handling such complaints. Each contracting agency shall report to the division the action taken with respect to all complaints received by the agency, including those transmitted by the division. The division shall review and analyze the reports submitted to it by the contracting agencies~~ The department shall investigate and determine whether a violation of this section has occurred. The

department may delegate this authority to the contracting agency for processing in accordance with the department's procedures.

(7) (intro.) When a violation of this section has been determined by the department of ~~industry, labor and human relations~~ following investigation by the ~~division of equal rights~~ the state agency shall be so advised and thereafter said state or the contracting agency, the contracting agency shall:

(8) If further violations of this section are committed during the term of the contract, the ~~state~~ contracting agency involved may permit the violating party to complete the contract, after complying with this section, but thereafter the contracting agency shall request the ~~division of equal rights~~ department to place the name of the party on the ineligible list for state contracts, or the ~~state~~ contracting agency may terminate the contract without liability for the uncompleted portion or any materials or services purchased or paid for by the contracting party for use in completing the contract.

(9) The names of parties who have had contracts terminated under this section shall be placed on an ineligible list for state contracts, maintained by the ~~division of equal rights~~ department. No state contract shall may be approved and let to any party on such list of ineligible contractors. The ~~division of equal rights~~ department may remove the name of any party from the ineligible list of contractors ~~when, following investigation, the division of equal rights~~ if the department determines that the contractor's employment practices comply with this section and provide adequate safeguards for its observance.

SECTION 86. 16.765 (10) of the statutes is repealed and recreated to read:

16.765 (10) The department shall refer any individual complaints of discrimination which are subject to investigation under ss. 111.31 to 111.37 to the department of industry, labor and human relations.

SECTION 87. 16.82 (5) of the statutes is created to read:

16.82 (5) Shall promote and encourage among departments and their employees alternate means of transportation for state employees including but not limited to mass transit, car pooling and van pooling; and may provide contract group transportation from designated pickup points to work sites and return in the absence of convenient and public scheduled transportation. The group transportation shall be provided for a fee which recovers the full cost of maintenance, operation, insurance and depreciation. An employee shall be deemed not to be in the course of employment while utilizing the group transportation.

~~SECTION 87a. 16.855 (1) of the statutes is amended to read:~~

~~16.855 (1) The department shall let by contract to the lowest qualified responsible bidder all construction work when the estimated construction cost of the project exceeds \$30,000, except as provided in s. 13.48 (19). In the absence of compelling reasons to the contrary, preference shall be given to Wisconsin-based firms.~~

Vetoed  
in Part

SECTION 88. 16.865 (7) of the statutes is repealed.

SECTION 89. Subchapter VI (title) of chapter 16 of the statutes is amended to read:

CHAPTER 16

SUBCHAPTER VI

STATE PLANNING AND ENERGY

SECTION 90. 16.95 (intro.) of the statutes is amended to read:

**16.95 Powers and duties.** (intro.) The department shall, through a system of comprehensive long-range planning, promote the development and the maximum wise use of the energy, natural and human resources of the state. It shall:

SECTION 91. 16.95 (12) of the statutes is created to read:

16.95 (12) Prepare and maintain contingency plans for responding to critical energy shortages so that when the shortages occur they can be dealt with quickly and effectively.

SECTION 92. 16.955 of the statutes is created to read:

**16.955 Energy administration.** (1) **INFORMATION.** Upon declaration of an energy emergency by the governor, the department may issue general or special orders, as defined in s. 101.01 (1) (f), or emergency rules under ch. 227 to compel disclosure of information required for purposes of this section. Any person, or agent of the person, who produces, imports or sells, coal or other forms of fuel, other than electricity, natural gas or wood, who is subject to an emergency rule or general or special order of the department within reasonable time limits specified in the order shall file or furnish such reports, information, data, copies of extracts of originals as the department deems necessary relating to existing and future energy supplies, including but not limited to record of sales in years for 1970 and thereafter, storage capacity, supplies on hand and anticipated supplies, and anticipated demand. To the extent that the reports and data requested by the department are presently available from other state or federal agencies, the department shall coordinate its data reporting requirements with the agencies to avoid duplication of reporting. In this subsection, "energy emergency" has the meaning given under s. 115.01 (21).

(2) **INFORMATION TO BE CONFIDENTIAL.** All information furnished under sub. (1) shall be considered a confidential trade secret and may be compiled or published only for purposes of general statistical comparison. The information may be disclosed to agencies of the state or of the federal government, under the same or similar rules of confidentiality.

(3) **PENALTIES AND JUDICIAL RELIEF.** (a) Any person, or agent of a person, who produces, imports or sells, coal or other forms of fuel, other than electricity, natural gas or wood, who fails to provide information requested by the department at the time and in the manner specified by the department shall forfeit an amount not to exceed \$1,000. Each day the violation of this section continues from the day notice has been received constitutes a separate offense.

(b) Upon request of the department, the attorney general or the district attorney of the proper county may aid in any investigation, enforce any request of the department for information under this section or seek forfeitures for violations of this section.

(c) Upon request of the department, the attorney general or the district attorney of the proper county may apply to any court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating this section.

(d) The remedies under this section shall not be exclusive.

(4) **HEARINGS; EVIDENCE; WITNESS FEES.** (a) The department or any of its authorized agents may, in relation to any matter arising under this section, conduct hearings, administer oaths, issue subpoenas and take testimony.

(b) The witnesses subpoenaed by the department or its agent and officers who serve subpoenas shall be entitled to the fees allowed in courts of record. The fees shall be audited and paid by the state in the same manner as other expenses of the department are audited and paid. No witness subpoenaed at the instance of any party

other than the department is entitled to payment of fees by the state, unless the department certifies that the testimony of the witness was material.

(c) Any person who unlawfully fails to attend as a witness or refuses to testify may be compelled to do so as provided in s. 885.12.

(d) A record of all hearings shall be kept by the department. All hearings shall be public.

SECTION 93. 16.96 (2) (e) of the statutes is amended to read:

16.96 (2) (e) The coordinating council on for population estimates information shall advise the secretary of administration in making concerning the conduct of the demographic services center including the preparation of population determinations under this section, the coordination of demographic data development and use and the search for maximum utility and reliability of population information developed for public purposes.

SECTION 94. 16.96 (3) of the statutes is amended to read:

16.96 (3) ~~Cooperate~~ Establish a demographic services center to develop and administer such systems needed to carry out the functions required under subs. (1) and (2) to maintain a current repository of appropriate published and computer retrievable federal census information and cooperate with other state agencies and with regional planning agencies so that the department's population estimates and projections and published reports will be useful for the many planning and other purposes for which they are required. The department may enter into agreement agreements with state and local agencies or regional planning agencies for their assistance in the preparation of population estimates and, projections and forecasts.

SECTION 95. 16.96 (4) of the statutes is created to read:

16.96 (4) Coordinate population information development and use. In performing these coordination functions, the department shall consult with and study recommendations of the coordinating council for population information.

SECTION 96. 16.97 (1) (e) of the statutes is repealed.

SECTION 97. 16.97 (2) of the statutes is amended to read:

16.97 (2) Acquisition of any data processing equipment containing a central processing unit which was not considered in the regular budgeting process and which is to be financed from general purpose or segregated revenues of the state must have prior approval from the joint committee on finance acting under s. 13.101. Any additional equipment to be acquired from program revenues need not have prior approval but must be reported to the joint committee on finance.

SECTION 98. 16.97 (3) of the statutes is created to read:

16.97 (3) The department may license or authorize state agencies to license computer programs to the federal government, other states and municipalities. For the purpose of this section "municipality" has the meaning designated in ss. 59.001 (3) and 66.29 (1) (b) and "computer programs" are the processes for the treatment and verbalization of data and are not subject to s. 19.21 (2) as distinguished from the data themselves, which are public records. Annual license fees may be up to 25% of the program development cost and shall be credited to the agency leasing the program.

SECTION 99. 16.98 (3) of the statutes is amended to read:

16.98 (3) All proceeds from the sale of land, buildings, supplies and equipment received under this section shall be credited to the appropriation under s. 20.505 (1) (i) or (L). Such proceeds may be used for the purchase of lands and buildings or for construction or improvement of buildings for the purpose of storing and handling excess and surplus property.

SECTION 100. 17.026 (2) of the statutes is amended to read:

17.026 (2) The supreme court shall establish the procedure to be used in determining whether a temporary vacancy exists, including provisions for convening by voluntary and involuntary petition and for determining that a temporary vacancy no longer exists. When a temporary vacancy is found to exist, the incumbent judge shall continue to receive the salary and other benefits to which entitled, and the person appointed to serve temporarily shall for the period of temporary service receive salary and other benefits computed at the rate of the incumbent judge's salary, as specified in s. 20.923 (2) (a) 2 or 3, and benefits; to be vouchered against the appropriation under s. 20.625 (1). The person appointed shall not receive county supplements paid as provided in ss. 252.016 (2), 252.071 and 253.07 (2).

SECTION 101. 17.27 (3) of the statutes is created to read:

17.27 (3) DISTRICT BOARD OF VOCATIONAL, TECHNICAL AND ADULT EDUCATION. Vacancies in the membership of any district board of vocational, technical and adult education shall be filled in the manner prescribed in ss. 38.08 (2) and 38.10.

SECTION 102. Chapter 18 (title) of the statutes is amended to read:

CHAPTER 18

PUBLIC STATE DEBT; REVENUE OBLIGATIONS

SECTION 103. Subchapter I (title) of chapter 18 of the statutes is created to read:

CHAPTER 18

SUBCHAPTER I

STATE DEBT

(to precede s. 18.01)

SECTION 104. Subchapter II of chapter 18 of the statutes is created to read:

CHAPTER 18

SUBCHAPTER II

REVENUE OBLIGATIONS

**18.51 Provisions applicable.** The following sections apply to this subchapter, except that all references to "public debt" or "debt" are deemed to refer to a "revenue obligation": 18.02, 18.03, 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

**18.52 Definitions.** In this subchapter, unless the context requires otherwise:

(1) "Authorizing resolution" means any resolution adopted by the commission under this subchapter which authorizes the contracting of a revenue obligation.

(2) "Commission" means the state building commission.

(3) "Evidence of revenue obligation" means a written promise to pay a revenue obligation.

(4) "Public debt" means every voluntary, unconditional undertaking by the state to repay a certain amount of borrowed money:

(a) Out of the state treasury, except a loan or advance by any state agency or fund to any other state agency or fund; or

(b) For which any existing asset of the state is pledged, except the pledge of an outstanding evidence of indebtedness without recourse.

(5) "Revenue obligation" means every undertaking by the state to repay a certain amount of borrowed money which is:

(a) Created for the purpose of purchasing, acquiring, leasing, constructing, extending, expanding, adding to, improving, conducting, controlling, operating or managing a revenue-producing enterprise or program;

(b) Payable solely from and secured solely by the property or income or both of the enterprise or program; and

(c) Not public debt under s. 18.01 (4).

(6) "Revenue-producing enterprise" or "program" means every state enterprise or program deemed by the legislature to be likely to produce sufficient net income to pay when due the principal and interest of revenue obligations to be issued in connection therewith.

**18.53 Purposes of revenue obligations and amounts.** (1) The commission may authorize money to be borrowed and evidences of revenue obligation to be issued therefor in an amount sufficient to fund or refund, as provided in s. 18.60, the whole or any part of:

(a) Any revenue obligation issued under this subchapter.

(b) Any public debt or indebtedness described in s. 18.04.

(2) The commission may authorize money to be borrowed and evidences of revenue obligation to be issued therefor, in an amount sufficient, as provided in s. 18.59:

(a) To anticipate the sale of revenue-obligation bonds.

(b) To renew the whole or any part of any revenue-bond anticipation notes then outstanding.

(3) The commission shall authorize money to be borrowed and evidences of revenue obligation to be issued therefor up to the amounts specified by the legislature to purchase, acquire, lease, construct, extend, expand, add to, improve, conduct, control, operate or manage such revenue-producing enterprises or programs as are specified by the legislature as the funds are required. The requirements for funds shall be established by the state department or agency head carrying out program responsibilities for which the revenue obligations have been authorized by the legislature.

(4) Each purpose specified in sub. (3) shall include the expenses of issuance of the revenue obligations.

**18.54 Limitations on revenue obligations.** (1) The amount of evidences of revenue obligation issued or outstanding for the purposes specified in s. 18.53 (1) and (2) are subject only to the limits provided in this subchapter.

(2) The amount of evidences of revenue obligation issued or outstanding for purposes specified by the legislature under s. 18.53 (3) are subject only to the limits provided in the enacting legislation.

**18.55 Procedures.** (1) **AUTHORIZING RESOLUTION.** No money may be borrowed under this subchapter nor any evidence of revenue obligation issued by the state except pursuant to an authorizing resolution. Each authorizing resolution shall state each purpose of the revenue obligation it authorizes, which need not be more specific but shall not be more general than those purposes provided in or pursuant to law, and the maximum principal amount of revenue obligations authorized for each such purpose.

(2) **BOND ANTICIPATION NOTES.** Revenue-obligation bond anticipation notes may be sold at public or private sale or, in the case of renewal notes, exchanged privately for and in payment and discharge of any of the outstanding notes being renewed, as provided in the authorizing resolution.

(3) **REVENUE-OBLIGATION BONDS.** Revenue-obligation bonds may be sold at either public or private sale. The commission may provide in the authorizing resolution for refunding bonds that they be exchanged privately in payment and discharge of any of the outstanding bonds or notes being refunded. All revenue-obligation bonds sold at public sale shall be noticed as provided in the authorizing resolution. Any or all bids received at public sale may be rejected.

(4) **MINIMUM ISSUANCE PRICE.** No refunding bond or renewal bond anticipation note shall be sold for less than 100% of par value plus accrued interest to the date of delivery. No other revenue obligation shall be sold for less than 95% of par value plus accrued interest to the date of delivery. No revenue bond exchanged or given in fulfillment of a contractual obligation shall be issued at less than 100% of the par value.

(5) **EXERCISE OF AUTHORITY.** Money may be borrowed and evidences of revenue obligation issued therefor pursuant to one or more authorizing resolutions, unless otherwise provided in the resolution or in this subchapter, at any time and from time to time, for any combination of purposes, in any specific amounts, at any rates of interest, for any term, payable at any intervals, at any place, in any manner and having any other terms or conditions deemed necessary or useful. Unless sooner exercised or unless a shorter period is provided in the resolution, every authorizing resolution, except as provided in s. 18.59 (1), shall expire one year after the date of its adoption.

**18.56 Revenue bonds.** (1) The commission may authorize, for any of the purposes described in s. 18.53 (3), the issuance of revenue-obligation bonds. The bonds shall bear interest payable semiannually (except that the first interest payment may be due not exceeding 18 months after the date of the bonds) and shall mature at such times not exceeding 50 years from the date thereof as the commission shall determine. The bonds shall be payable only out of the redemption fund provided under sub. (5) and each bond shall contain on its face a statement to that effect. Any such bonds may contain a provision authorizing redemption, in whole or in part, at stipulated prices, at the option of the commission and shall provide the method of redeeming the bonds. The state and a contracting party may provide in any contract for purchasing or acquiring a revenue-producing enterprise or program, that payment shall be made in such bonds.

(2) There shall be a mortgage lien upon or security interest in the income and property of each revenue-producing enterprise or program to the holders of the related bonds and to the holders of the coupons of the bonds. The revenue-producing enterprise or program shall remain subject to the lien until provision for payment in full of the principal and interest of the bonds has been made. Any holder of such bonds or attached coupons may either at law or in equity protect and enforce the lien and compel performance of all duties required by this section. If there is any default in the payment of the principal or interest of any of such bonds, any court having jurisdiction of the action may appoint a receiver to administer the revenue-producing enterprise or program on behalf of the state and the bondholders, with power to charge and collect rates sufficient to provide for the payment of the operating expenses and also to pay any bonds or obligations outstanding against the revenue-producing enterprise or program, and to apply the income and revenues thereof in conformity with this subchapter and the authorizing resolution, or the court may declare the whole amount of the bonds due and payable, if such relief is requested, and may order and direct the sale of the revenue-producing enterprise or program. Under any sale so ordered, the purchaser shall be vested with an indeterminate permit to maintain and operate the revenue-producing enterprise or program. The legislature may provide for additions, extensions and improvements to a revenue-producing enterprise or program to be financed by additional issues of bonds as provided by this section. Such additional issues of bonds shall be subordinate to all prior related issues of bonds which may have been made under this section, unless the legislature, in the statute



authorizing the initial issue of bonds, permits the issue of additional bonds on a parity therewith.

(3) As accurately as possible in advance, the commission and the state department or agency carrying out program responsibilities for which bonds are to be issued shall determine, and the commission shall fix in the authorizing resolution for such bonds: the proportion of the revenues of the revenue-producing enterprise or program which shall be necessary for the reasonable and proper operation and maintenance thereof; the proportion of the revenues which shall be set aside as a proper and adequate replacement and reserve fund; and the proportion of the revenues which shall be set aside and applied to the payment of the principal and interest of the bonds, and shall provide that the revenues be set aside in separate funds. At any time after one year's operation, the state department or agency and the commission may recompute the proportion of the revenues which shall be assignable under this subsection based upon the experience of operation or upon the basis of further financing.

(4) The proportion set aside to the replacement and reserve fund shall be available and shall be used, whenever necessary, to restore any deficiency in the redemption fund for the payment of the principal and interest due on bonds and for the creation and maintenance of any reserves established by the authorizing resolution to secure such payments. At any time when the redemption fund is sufficient for said purposes, moneys in the replacement and reserve fund may, subject to available appropriations, be expended either in the revenue-producing enterprise or program or in new constructions, extensions or additions. Any accumulations of the replacement and reserve fund may be invested as provided in this subchapter, and if invested, the income from the investment shall be carried in the replacement and reserve fund.

(5) The proportion which shall be set aside for the payment of the principal and interest of such bonds shall from month to month as they accrue and are received, be set apart and paid into a separate fund in the treasury to be identified as "the ... redemption fund". Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the revenue obligations giving rise to it and premium, if any, due upon refunding of any such obligations. Moneys in the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only as provided in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

(6) If any surplus is accumulated in any of the redemption funds, subject to any contract rights vested in holders of revenue obligations secured thereby, it shall be paid over to the treasury.

(7) The reasonable cost and value of any service rendered to the state by a revenue-producing enterprise or program shall be charged against the state and shall be paid for by it in periodic instalments, subject to available appropriations.

(8) The rates for all services rendered by a revenue-producing enterprise or program to the state or to other consumers, shall be reasonable and just, taking into account and consideration the value of the services, the cost of maintaining and operating the same, the proper and necessary allowance for depreciation replacement and reserve, and a sufficient and adequate return upon the capital invested.

(9) The commission may provide in the authorizing resolution for bonds or by subsequent action all things necessary to carry into effect this section. Any authorizing resolution shall constitute a contract with the holder of any bonds issued pursuant to such resolution. Any authorizing resolution may contain such provisions or covenants, without limiting the generality of the power to adopt the resolution, as is

deemed necessary or desirable for the security of bondholders or the marketability of the bonds, including but not limited to provisions as to:

- (a) The sufficiency of the rates or charges to be made for services.
- (b) The maintenance and operation of the enterprise or program.
- (c) Improvements or additions to and sale or alienation of the revenue-producing enterprise or program.
- (d) Insurance against loss.
- (e) Employment of consulting engineers and accountants.
- (f) Records and accounts.
- (g) Operating and construction budgets.
- (h) Establishment of reserve or other funds.
- (i) Issuance of additional bonds.
- (j) Deposit of the proceeds of the sale of the bonds or revenues of the revenue-producing enterprise or program in trust, including the appointment of depositories or trustees.

(10) The authorizing resolution may set apart bonds the par value of which are equal to the principal amount of any secured obligation or charge subject to which a revenue-producing enterprise or program is to be purchased or acquired, and shall set aside in a sinking fund from the income of the revenue-producing enterprise or program, a sum sufficient to comply with the requirements of the instrument creating the security, or if the instrument does not make any provision therefor, the resolution shall fix and determine the amount which shall be set aside into such fund from month to month for interest on the secured obligation or charge, and a fixed amount or proportion not exceeding a stated sum, which shall be not less than one percent of the principal, to be set aside into the fund to pay the principal of the secured obligation or charge. Any balance in the fund after satisfying the secured obligations or charge, shall be transferred to the redemption fund. Bonds set aside for the secured obligation or charge may, from time to time, be issued to an amount sufficient with the amount then in the sinking fund, to pay and retire the secured obligation or charge or any portion thereof. The bonds may be issued in exchange for or satisfaction of the secured obligation or charge, or may be sold in the manner provided in this subchapter, and the proceeds applied in payment of the same at maturity or before maturity by agreement with the holder. The commission and the owners of any revenue-producing enterprise or program acquired or purchased may, upon such terms and conditions as are satisfactory, contract that bonds to provide for the discharge of the secured obligation or charge, or for the whole purchase price shall be deposited with a trustee or depository and released from the deposit from time to time on such terms and conditions as are necessary to secure the payment of the secured obligation or charge.

**18.57 Enterprise and program capital funds.** (1) A separate and distinct fund shall be established in the state treasury with respect to each revenue-producing enterprise or program the income from which is to be applied to the payment of any revenue obligation. All moneys resulting from the issuance of evidences of revenue obligation shall be credited to the appropriate fund or applied for refunding or note renewal purposes, except that moneys which represent premium or accrued interest received on the issuance of evidences shall be credited to the appropriate redemption fund.

(2) Moneys in such funds may be expended, pursuant to appropriations, only for the purposes and in the amounts for which borrowed, for the payment of principal of related revenue obligations and for expenses incurred in issuing such obligations.

(3) Moneys in such funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only as provided in s. 25.17 (3) (dg). All such investments shall be the exclusive property of such fund and all earnings on or income from investments shall be credited to such fund and shall become available for any of the purposes under sub. (2) and for the payment of interest on related revenue obligations.

(4) If, after all outstanding related revenue obligations have been paid or payment provided for, moneys remain in any such fund, they shall be paid over to the treasury and the fund shall be closed.

**18.58 Other fiscal and administrative regulations.** (1) MANAGEMENT OF FUNDS AND RECORDS. All funds established under this subchapter shall be managed as provided by law for other state funds, subject to any contract rights vested in holders of evidences of revenue obligation secured by such fund. The department of administration shall maintain full and correct records of each fund. The legislative audit bureau shall audit each fund as of January 1 of each year reconciling all transactions and showing the fair market value of all property on hand. All records and audits shall be public documents.

(2) INSURANCE. The commission may procure insurance on any issue of revenue obligations.

(3) EXTINGUISHMENT OF DEBT. Interest shall cease to accrue on a revenue obligation on the date that the obligation becomes due for payment if payment is made or duly provided for, but the obligation and accrued interest shall continue to be a binding obligation according to its terms until 6 years overdue for payment, or such longer period as may be required by federal law. At that time, unless demand for its payment has been made, it shall be extinguished and shall be deemed no longer outstanding.

(4) SUBSTANTIVE COVENANTS. Notwithstanding any other provision of this subchapter, the state department or agency head carrying out program responsibilities for which a revenue obligation has been authorized by the legislature shall have the authority to formulate covenants respecting the operation of the related enterprise or program. The department or agency head shall consult with the commission with respect to the effect of any proposed covenants on the sale of the proposed revenue obligation. Nothing in this subsection shall be construed to expand the powers of any state department or agency.

**18.59 Bond anticipation notes.** (1) Whenever the commission has adopted an authorizing resolution for revenue-obligation bonds for any one or more of the purposes described in s. 18.53 (3), it may, prior to the issuance of the bonds and in anticipation of their sale, adopt an authorizing resolution for revenue-obligation bond anticipation notes. The authorizing resolution shall recite that all conditions precedent to the issuance of revenue-obligation bonds required by law or by the resolution authorizing the bonds have been complied with and that the notes are issued for the purposes for which the bonds were authorized or to renew notes issued for such purposes. The authorizing resolution shall pledge to the payment of the principal of the notes the proceeds of the sale of the bonds. Upon the adoption of the authorizing resolution, the authorizing resolution for the bonds shall be irrevocable until the notes have been paid.

(2) All original revenue-obligation bond anticipation notes, or any renewal, shall mature within 5 years from the date of issue of the original notes. The notes shall be named revenue-bond anticipation notes and shall recite on their face that they are payable solely from the proceeds of revenue-obligation bonds to be issued under this subchapter. The aggregate amount of such notes outstanding including interest to accrue shall not exceed the aggregate principal amount of the bonds in anticipation of the sale of which they are issued. The rate of interest borne by the notes shall not

exceed any maximum rate of interest authorized to be borne by the bonds. No lien shall be created or attached with respect to any property of the state as a consequence of the issuance of such notes except as provided in sub. (4).

(3) No original revenue-obligation bond anticipation notes shall be issued until the state department or agency head carrying out program responsibilities for which the revenue obligation bonds have been authorized has certified to the commission that contracts are to be let and that the proceeds of the notes will be required for the payment of the contracts.

(4) Upon the issuance of revenue-obligation bond anticipation notes, there shall be paid into the funds or accounts respectively provided for the payment of the principal and interest of the revenue-obligation bonds in anticipation of the sale of which the notes are issued, from the portion of the income of the enterprise or program allocated to the payment of principal and interest, the same amount at the same times as would have been required to be paid for the payment of the principal and interest of the bonds if the bonds, in an equal principal amount and at the same rate of interest, maturing in annual instalments over 50 years, had been issued instead of the notes. Such moneys or any part thereof may, by the authorizing resolution for the notes, be pledged for the payment of the principal and interest of the notes.

(5) All funds derived from the sale of revenue-obligation bonds or renewal notes issued subsequent to the issuance of revenue-obligation bond anticipation notes which the notes were issued in anticipation of the sale shall constitute a trust fund, and the fund shall be expended first for the payment of principal and interest of the notes, and then may be expended for other purposes set forth in the authorizing resolution for the bonds or renewal notes.

(6) The commission may authorize the issuance of renewal revenue-obligation bond anticipation notes to provide funds for the payment of the principal and interest of any such notes then outstanding. All of the provisions of this section shall apply to the renewal notes.

**18.60 Refunding bonds.** (1) The commission may authorize, for any one or more of the purposes described in s. 18.53 (1), the issuance of revenue-obligation refunding bonds. Refunding bonds may be issued, subject to any contract rights vested in holders of bonds or notes being refinanced, to refinance more than one issue of bonds or notes notwithstanding that the bonds or notes may have been issued at different times for different purposes and may be secured by the property or income of more than one enterprise or program or may be public debt or building-corporation indebtedness. The principal amount of refunding bonds shall not exceed the sum of: the principal amount of the bonds or notes being refinanced; applicable redemption premiums; unpaid interest on the bonds or notes to the date of delivery or exchange of the refunding bonds; in the event the proceeds are to be deposited in trust as provided in sub. (3), interest to accrue on the bonds or notes from the date of delivery to the date of maturity or to the redemption date selected by the commission, whichever is earlier; and the expenses incurred in the issuance of the refunding bonds and the payment of the bonds or notes. A determination by the commission that a refinancing is advantageous or that any of the amounts provided in the preceding sentence should be included in the refinancing shall be conclusive.

(2) If the commission determines to exchange refunding bonds, they may be exchanged privately for and in payment and discharge of any of the outstanding bonds or notes being refinanced. Refunding bonds may be exchanged for a like or greater principal amount of the bonds or notes being exchanged therefor except that the principal amount of the refunding bonds may exceed the principal amount of the bonds or notes being exchanged therefor only to the extent determined by the commission to be necessary or advisable to pay redemption premiums and unpaid interest to the date of exchange not otherwise provided for. The holders of the bonds or notes being

refunded who elect to exchange need not pay accrued interest on the refunding bonds if and to the extent that interest is accrued and unpaid on the bonds or notes being refunded and to be surrendered. If any of the bonds or notes to be refinanced are to be called for redemption, the commission shall determine which redemption dates shall be used, if more than one date is applicable and shall, prior to the issuance of the refunding bonds, provide for notice of redemption to be given in the manner and at the times required by the proceedings authorizing the outstanding bonds or notes.

(3) The principal proceeds from the sale of any refunding bonds shall be applied either to the immediate payment and retirement of the bonds or notes being refinanced or, if the bonds or notes have not matured and are not presently redeemable, to the creation of a trust for and shall be pledged to the payment of the bonds or notes being refinanced. If a trust is created, a separate deposit shall be made for each issue of bonds or notes being refinanced. Each deposit shall be with the state treasurer or a bank or trust company that is then a member of the federal deposit insurance corporation. If the total amount of any deposit, including money other than sale proceeds but legally available for such purpose, is less than the principal amount of the bonds or notes being refinanced and for the payment of which the deposit has been created and pledged, together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption, then the application of the sale proceeds shall be legally sufficient only if the money deposited is invested in securities issued by the United States or one of its agencies, or securities fully guaranteed by the United States, and only if the principal amount of the securities at maturity and the income therefrom to maturity will be sufficient and available, without the need for any further investment or reinvestment, to pay at maturity or upon redemption the principal amount of the bonds or notes being refinanced together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption. The income from the principal proceeds of the securities shall be applied solely to the payment of the principal of and interest and redemption premiums on the bonds or notes being refinanced, but provision may be made for the pledging and disposition of any surplus. Nothing in this subsection shall be construed as a limitation on the duration of any deposit in trust for the retirement of bonds or notes being refinanced, but which have not matured and which are not presently redeemable. Nothing in this subsection shall be construed to prohibit reinvestment of the income of a trust if the reinvestments will mature at such times that sufficient cash will be available to pay interest, applicable premiums and principal on the bonds or notes being refinanced.

(4) The commission may in addition to the other powers conferred by this subchapter, include a provision in any authorizing resolution for refunding bonds pledging all or any part of the income of any enterprise or program originally financed from the proceeds of any of the bonds or notes being refinanced, or pledging all or any part of the surplus income derived from the investment of any trust created under sub. (3), or both.

(5) All provisions of s. 18.56 not inconsistent with the express provisions of this section shall apply to refunding bonds except that the maximum permissible term shall be 50 years from the date of original issue of the oldest note or bond issue being refunded.

**18.61 Undertakings of state.** (1) The state shall not be generally liable on revenue obligations and revenue obligations shall not be a debt of the state for any purpose whatsoever. All evidences of revenue obligation shall contain on their face a statement to that effect.

(2) The state pledges and agrees with the holders of any evidences of revenue obligation that the state will not limit or alter its powers to fulfill the terms of any agreements made with the holders or in any way impair the rights and remedies of the

holders until the revenue obligations, together with interest including interest on any unpaid instalments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of the holders, are fully met and discharged. The commission may include this pledge and agreement of the state in any agreement with the holders of notes or bonds and in any evidence of revenue obligation.

(3) (a) If the state fails to pay any revenue obligation in accordance with its terms, and default continues for a period of 30 days or if the state fails or refuses to comply with this subchapter or defaults in any agreement made with the holders of any issue of revenue obligations, the holders of 25% in aggregate principal amount of the revenue obligations of the issue then outstanding by instrument filed in the office of the register of deeds of Dane county and approved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the notes or bonds for the purposes specifically provided in the instrument.

(b) The trustee may, and upon written request of the holders of 25% in aggregate principal amount of the revenue obligations of the issue then outstanding shall, in the trustee's own name:

1. By action or proceeding, enforce all rights of all holders of the issue of revenue obligations, including the right to require the state to collect enterprise or program income adequate to carry out any agreement as to, or pledge of, such income and to require the state to carry out any other agreements with the holders of the revenue obligations and to perform its duties under this subchapter;

2. Bring suit upon the revenue obligation;

3. By action, require the state to account as if it were the trustee of an express trust for the holders of the revenue obligations;

4. By action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the revenue obligations; and

5. Declare all the revenue obligations due and payable, and if all defaults shall be made good, the aggregate principal amount of the revenue obligations of the issue then outstanding, to annul the declaration and its consequences.

(c) The trustee shall have all of the powers necessary or appropriate for the exercise of any functions specifically set forth in this subchapter or incident to the general representation of the holders of revenue obligations in the enforcement and protection of their rights.

(d) Before declaring the principal of revenue obligations due and payable, the trustee shall first give 30 days' notice in writing to the governor and the attorney general.

(e) Any action or proceeding by the trustee against the state may be commenced by delivering a copy of the summons and of the complaint to the attorney general or leaving them at the attorney general's office with an assistant or clerk. The place of trial of such an action shall be as provided in s. 801.50 (9). Sections 16.53 and 285.01 shall not apply to such claims. If there is final judgment against the state in such action, it shall be paid as provided in s. 285.04, together with interest at the rate of 10% per year from the date payment was judged to have been due until the date of payment of the judgment.

(4) Any public officer or public employe, as defined in s. 939.22 (30), and the surety on the person's official bond, or any other person participating in any direct or indirect impairment of any fund established under this subchapter, shall be liable in any action brought by the attorney general in the name of the state, or by any taxpayer of the state, or by the holder of any evidence of revenue obligation payable in

whole or in part, directly or indirectly, out of such fund, to restore to the fund all diversions from the fund.

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

**18.62 Revenue obligations as legal investments.** Any other provision of law to the contrary notwithstanding, the state, the investment board, all public officers, municipal corporations, political subdivisions and public bodies, all banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations and other persons carrying on a banking or insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any revenue obligations issued under this subchapter. Such revenue obligations shall be authorized security for all public deposits.

**18.63 Validation of revenue obligations.** (1) Notwithstanding any defects, irregularities, lack of power or failure to comply with any statute or any act of the commission, all revenue obligations issued or attempted to be issued after the effective date of this act (1977) are declared to be valid; all instruments given after the effective date of this act (1977) to evidence the obligation are declared to be binding, legal, valid, enforceable and incontestable in accordance with their terms; and all proceedings taken and certifications and determinations made after the effective date of this act (1977) to authorize, issue, sell, execute, deliver or enter into the obligation or instruments are validated, ratified, approved and confirmed.

(2) A determination, legislative, judicial or administrative, for any reason, that the state may not spend the proceeds of revenue obligations or that it has spent the proceeds for a purpose other than the stated purpose for which the revenue obligations were issued or for a purpose for which the state may not spend money, shall not affect the validity of the revenue obligations nor the evidence of revenue obligation therefor.

SECTION 105. 19.42 (8) of the statutes is amended to read:

19.42 (8) "State public official" means all persons appointed by the governor with the advice and consent of the senate, ~~except trustees of any private higher educational institution receiving state appropriations~~, and all persons identified under s. 20.923, except officers and employes of the judiciary, trustees and employes of the investment board and, teaching personnel of the university of Wisconsin system, nonprofessional legislative employes, and trustees of any private higher educational institution receiving state appropriations.

SECTION 105m. 19.45 (11) (intro.) and (a) of the statutes are amended to read:

19.45 (11) (intro.) The legislature recognizes that all state public officials and employes should be guided by a code of ethics and thus:

(a) The director of the bureau of personnel shall adopt rules to implement a code of ethics consistent with this subchapter for classified and unclassified state employes ~~not included in s. 20.923, except other than state public officials and~~ university of Wisconsin system teaching personnel.

SECTION 106. 20.001 (2) (c) of the statutes is renumbered 20.001 (2) (g).

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SECTION 107. 20.001 (2) (c) of the statutes is created to read:

20.001 (2) (c) *Program revenue-service*. "Program revenue-service" consists of moneys transferred between or within state agencies for the purpose of reimbursement for services rendered or materials purchased. These moneys are shown as expenditures in the appropriations of those agencies or activities receiving the service or material and also shown as program revenue in the appropriations of the agency or program providing the service or material.

SECTION 108. 20.001 (2) (f) of the statutes is amended to read:

20.001 (2) (f) *Bond revenues*. "Bond revenues", indicated by the abbreviation "BR" in s. 20.005, consist of all moneys resulting from the contracting of public debt or revenue-obligations in accordance with ch. 18.

SECTION 108m. 20.002 (2) of the statutes is amended to read:

20.002 (2) ACCRUED TAX RECEIPTS. Solely for purposes of relating annual taxes to estimated expenses, amounts withheld in the last quarter of the fiscal year pursuant to s. 71.20 but not required to be deposited until July 31 following the close of the fiscal year and taxes imposed by subch. III of ch. 77 in the last quarter of the fiscal year but not payable until July 31 following the close of the fiscal year shall be deemed accrued tax receipts as of the close of the fiscal year but no revenue shall be deemed accrued tax receipts unless deposited on or before July 31.

SECTION 109. 20.002 (10) of the statutes is amended to read:

20.002 (10) EXCESS STATE MATCHING FUNDS. All appropriations made to match or secure federal funds are subject to the specific provision that if such funds are in excess of the amounts required to match federal funds, the state departments or agencies responsible for the administration of such programs shall promptly notify the federal aid management service of the department of administration which shall promptly notify the governor and the joint committee on finance of such excess matching funds. Either the governor or the board committee may then order that such funds be placed in unallotted reserve until approved for release by the governor and the joint committee on finance acting under s. 13.101.

SECTION 110. 20.003 (3) of the statutes is amended to read:

20.003 (3) NUMBERING SYSTEM. (a) In the schedule of s. 20.005 and in the text in ss. 20.100 to 20.899, all state agencies shall be arranged alphabetically within functional areas. Each functional area is assigned a subchapter and each agency shall be assigned a section within that subchapter. Each subsection constitutes a program of such agency, and each paragraph constitutes an appropriation. All appropriations under s. 20.835 are from local tax revenues. All other appropriations are identified according to their source of funds, as defined in s. 20.001, by the paragraph letters assigned, so that appropriations from general purpose revenues shall be shown as pars. (a) to (fz), appropriations from program revenues shall be shown as pars. (g) to (jz) and (L) to (pz), appropriations from program revenue service shall be shown as pars. (k) to (kz) and appropriations from segregated revenues shall be shown as pars. (q) to (zz). To the extent feasible, federal program revenues shall be assigned paragraph letters (m) to (pz) and federal segregated revenues shall be assigned paragraph letters (x) to (zz).

(b) Bill draftsmen The legislative reference bureau shall adhere to such standard numbering system and format when creating, repealing or amending the appropriation statutes. To the extent feasible, federal program revenues shall be assigned paragraph letters (m) to (pz) and federal segregated revenues shall be assigned paragraph letters (x) to (zz).

SECTION 111. 20.005 of the statutes, as it affects 1977-79 appropriations, is repealed and recreated to read:



**20.005 State budget.** (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds from July 1, 1977, to June 30, 1979, is summarized as follows: [See Figure 20.005 (1), which is printed as an appendix and is made part of this enactment]

(2) APPROPRIATIONS. The following tabulation lists all appropriations authorized from annual and biennial appropriations and anticipated expenditures from sum sufficient and continuing appropriations for the programs and other purposes indicated. All appropriations are authorized from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both years in the schedule unless otherwise indicated. In the schedule, appropriations which vary from the standard appropriation type definitions are indicated by an asterisk (\*). The variation is specifically stated in the corresponding section in ss. 20.100 to 20.899. [See Figure 20.005 (2), which is printed as an appendix and is made part of this enactment]

SECTION 112. 20.115 (2) (title) of the statutes is amended to read:

20.115 (2) (title) ANIMAL AND PLANT HEALTH SERVICES.

SECTION 113. 20.115 (3) (j) of the statutes is amended to read:

20.115 (3) (j) *Grain regulation.* ~~Ninety-eight per cent percent~~ of all moneys received under ch. 126, ~~but any unencumbered balance in excess of \$200,000 as of June 30 of any year shall revert to the general fund.~~

SECTION 114. 20.115 (4) (title) of the statutes is amended to read:

20.115 (4) (title) AGRICULTURAL ASSISTANCE.

SECTION 115g. 20.115 (4) (h), (i) and (j) of the statutes are renumbered 20.115 (5) (h), (i) and (j), and 20.115 (5) (h) (title), (i) and (j) (title), as renumbered, are amended to read:

20.115 (5) (h) (title) *State fair operations.*

(i) (title) *State fair capital improvement.* The surplus of receipts transferred from par. (h), to be used for the acquisition of land, the payment of construction costs, including architectural and engineering services, furnishings and equipment, and temporary financing necessary to provide facilities for exposition purposes. Expenditures under this paragraph shall be approved by the joint committee on finance acting under s. 13.101.

(j) (title) *State fair principal repayment and interest.*

SECTION 115r. 20.115 (5) (title) of the statutes is created to read:

20.115 (5) (title) STATE FAIR PARK.

SECTION 115v. 20.115 (6) of the statutes is created to read:

20.115 (6) PRESERVATION OF FARMLAND. (a) *General program operations.* The amounts in the schedule for general program operations under ch. 91.

(b) *Preliminary mapping.* The amounts in the schedule to carry out the preliminary mapping function under s. 91.05.

SECTION 116. 20.135 (2) (b) and (q) of the statutes are amended to read:

20.135 (2) (b) (title) *Marketing.* ~~The Biennially, the~~ amounts in the schedule for the execution of the functions under ss. 560.23 (4) and 560.29. Of the amounts under this paragraph ~~less not more~~ than 50% shall be set aside to be used to match funds allocated under s. 560.29 by private or public organizations, including regional tourism development corporations, for the promotion of tourism in cooperation with the state.

(q) (title) *Marketing*. From the ~~highway transportation~~ fund, the amounts in the schedule for the execution of functions under ss. 560.23 (4) and 560.29. Of the amounts appropriated under this paragraph, ~~less not more~~ than 50% shall be set aside to be used to match funds allocated under s. 560.29 by private or public organizations, including regional tourism development corporations, for the promotion of tourism in cooperation with the state.

SECTION 117. 20.145 (2) of the statutes is created to read:

20.145 (2) HEALTH CARE LIABILITY. (u) *Administration*. From the patients compensation fund under s. 655.27 (3), the amounts in the schedule for administration.

(v) *Patients compensation fund, operations and benefits*. After deducting the amounts appropriated under par. (u), the balances of the moneys paid into the patients compensation fund under s. 655.27 (3) to carry out the responsibilities of the commissioner of insurance under s. 655.27.

(w) *Benefits — future medical expenses*. The balance of moneys in the future medical expenses fund to carry out the purpose of s. 655.015.

SECTION 118. 20.145 (3) (a) of the statutes is repealed.

SECTION 119. 20.145 (3) (v) of the statutes is amended to read:

20.145 (3) (v) *Operations and benefits*. After deducting the amounts appropriated under par. (u), the balance of moneys in the state property insurance fund, for the payment of insurance losses, payments to the investment board ~~pursuant to~~ under s. 20.536, payments to the general fund ~~pursuant to~~ under s. 601.93 (4), loss adjustment expenses ~~and~~, fire rating bureau dues ~~and the cost to purchase reinsurance under s. 604.04 (6).~~

SECTION 120. 20.145 (7) of the statutes is repealed.

SECTION 121. 20.155 (1) (a) of the statutes is repealed.

SECTION 122. 20.155 (1) (g) of the statutes is amended to read:

20.155 (1) (g) (title) *Utility regulation*. All moneys received by the commission under s. 184.10 (3), 196.85 or 196.855 for the regulation of utilities ~~and railroad transportation~~. Receipts from the sale of miscellaneous printed reports and other copied material, the cost of which was originally paid under this paragraph, shall be credited herein.

SECTION 123. 20.155 (1) (u) of the statutes is repealed.

SECTION 124. 20.165 (1) of the statutes is repealed.

SECTION 125. 20.165 (2) of the statutes is repealed and recreated to read:

20.165 (2) PROFESSIONAL REGULATION. (g) *General program operations*. Ninety percent of all moneys received under chs. 156, 158, 159 and 440 to 459, except s. 440.07, for the licensing, rule-making and regulatory functions of the department.

Vetoed in Part ~~Any unencumbered balance in excess of \$100,000 of the appropriation made under this paragraph shall revert at the end of each fiscal biennium to the general fund.~~

(h) *Scholarship programs*. All moneys collected under s. 440.07 for the educational and scholarship programs in the respective professions for which collected.

SECTION 126. 20.165 (3) (k) of the statutes is repealed.

SECTION 127. 20.185 (1) (m) of the statutes is created to read:

20.185 (1) (m) *Federal aid*. All moneys received from the federal government as authorized by the governor under s. 16.54 for the purposes for which made and received.

SECTION 129. 20.215 (1) (b) of the statutes is created to read:

20.215 (1) (b) *State aid for the arts.* The amounts in the schedule for grants-in-aid or contract payments to groups, individuals, organizations and institutions by the arts board under s. 44.53 (1) (f) and (2) (a). No grantee may receive any funds distributed as grants-in-aid under this paragraph unless the grantee provides at least 10% of the estimated total cost of the project, either in the form of moneys or in-kind contributions of equivalent value, to be funded under this paragraph.

SECTION 129m. 20.225 (1) (a) of the statutes is amended to read:

20.225 (1) (a) *General program operations.* The amounts in the schedule to carry out its functions other than programming under ss. 39.11 and 39.13. ~~From the amounts appropriated by this paragraph during the 1971-73 biennium, the board shall allocate not to exceed \$50,000 for the purchase of contractual services from commercial television stations to provide educational television network coverage to the areas of Dodge, Fond du Lac, Green Lake, Marquette, Adams, Waushara and Sauk counties which are not covered by the state network.~~

SECTION 130. 20.225 (1) (d) (title) of the statutes is amended to read:

20.225 (1) (d) (title) *State agency educational television and radio programming.*

SECTION 131. 20.225 (1) (f) of the statutes is created to read:

20.225 (1) (f) *Programming.* The amounts in the schedule for programming under s. 39.11.

SECTION 134. 20.235 (1) (ff) (title) of the statutes is amended to read:

20.235 (1) (ff) (title) *Student loan interest, loans sold or conveyed.*

SECTION 135. 20.235 (1) (ga) of the statutes is created to read:

20.235 (1) (ga) *Centralized collections, fees.* All moneys received from institutions, lenders, agencies and secondary market purchasers for or related to the collection or administration of student loan programs to be used for general program operations.

SECTION 136. 20.235 (1) (gm) (title) of the statutes is amended to read:

20.235 (1) (gm) (title) *Medical loan collections.*

SECTION 137. 20.235 (1) (ha) (title) of the statutes is amended to read:

20.235 (1) (ha) (title) *Student interest payments, loans sold or conveyed.*

SECTION 138. 20.235 (1) (hb) of the statutes is created to read:

20.235 (1) (hb) *Centralized collections, interest and principal.* All moneys received on account of principal and interest for any loans made to students other than those provided for under par. (g), (h), (j), (k) or (m) which are received by the board under s. 39.32 (8) or in the performance of any administrative or collection services performed by the board as directed by any other statutory provisions or contractual arrangements to carry out the purposes of such statutory provisions or contractual arrangements.

SECTION 139. 20.235 (1) (j) of the statutes is amended to read:

20.235 (1) (j) (title) *Centralized collections, interest and principal.* All moneys received from institutions for centralized collection services on account of principal and interest for any loans made to students other than those provided for under par. (g), (h), (hb), (k) or (m) which are received by the board under s. 39.32 (8) or in the performance of any administrative or collection services performed by the board as

directed by any other statutory provisions or contractual arrangements to carry out the purposes of such statutory provisions or contractual arrangements.

SECTION 140. 20.235 (1) (ka) of the statutes is created to read:

20.235 (1) (ka) *Centralized collection, fees.* All moneys received from institutions, lenders, agencies and secondary market purchasers for or related to the collection or administration of student loan programs to be used for general program operations.

SECTION 141. 20.235 (1) (ma) (title) of the statutes is amended to read:

20.235 (1) (ma) (title) *Federal interest payments, loans sold or conveyed.*

SECTION 142. 20.235 (1) (s) and (u) of the statutes are created to read:

20.235 (1) (s) *Funding student loans.* As a continuing appropriation, all proceeds from revenue obligations issued under s. 39.37 for the purpose of s. 39.32.

(u) *Student loan repayment.* All moneys received by the student loan repayment fund for the purposes of retirement of revenue obligations, providing for reserves and program operations under s. 39.37. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds received thereafter.

SECTION 143. 20.235 (3) (kb) of the statutes is created to read:

20.235 (3) (kb) *Centralized collection, fees.* All moneys received from institutions, lenders, agencies and secondary market purchasers for or related to the collection or administration of student loan programs to be used for general program operations.

SECTION 144. 20.235 (4) (a) of the statutes is amended to read:

20.235 (4) (a) *General program operations.* The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of ~~\$2,800~~ \$3,300 per year shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation are as follows: in ~~1975-76~~ 1977-78, 500; and in ~~1976-77~~ 1978-79, 500.

SECTION 144m. 20.245 (1) (title) of the statutes is amended to read:

20.245 (1) (title) COLLECTION AND PRESERVATION OF HISTORICAL OBJECTS.

SECTION 144p. 20.245 (1) (a) of the statutes is amended to read:

20.245 (1) (a) *General program operations.* The amounts in the schedule for general program operations. Of the amounts in the schedule for general program operations, the society may use an amount not to exceed \$6,000 per year to maintain a contingent fund to be administered as provided in s. 20.920 (2) (a).

SECTION 145. 20.245 (1) (fa) of the statutes is created to read:

20.245 (1) (fa) *Historic preservation.* The amounts in the schedule for the purposes of s. 44.22.

SECTION 146. 20.245 (1) (fb) of the statutes is created to read:

20.245 (1) (fb) *Portraits of governors.* A sum sufficient to pay for the purchase of portraits of governors painted under s. 44.02 (12) (a).

SECTION 147. 20.245 (1) (m) of the statutes is amended to read:

20.245 (1) (m) *Federal funds.* All federal funds received as authorized by the governor under s. 16.54 in for the purpose of carrying out the purposes of the program programs for which received.

SECTION 148. 20.250 (1) (a) of the statutes is amended to read:

20.250 (1) (a) *General program operations.* The amounts in the schedule for medical education, teaching and research as provided under s. 39.155. Of the amounts appropriated under this paragraph, ~~\$143,600 in 1975-76 and \$158,100 in 1976-77 shall be used to fund the family practice program under s. 39.155 and \$75,000 in 1976-77~~ \$38,000 in 1977-78 and \$38,000 in 1978-79 shall be used to fund the program under s. 39.155 involving the transfer of residents of this state from foreign medical schools. An amount of \$8,327 in 1977-78 and \$7,998 in 1978-79 shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of medicine (M.D.) degree. The maximum number of Wisconsin residents to be funded under this appropriation are as follows: in 1977-78, 347 and in 1978-79, 418.

SECTION 149. 20.250 (1) (b) of the statutes is created to read:

20.250 (1) (b) *Family medicine and practice.* The amounts in the schedule for the development and operation of family practice residency programs.

SECTION 150. 20.255 (1) (title) of the statutes is amended to read:

20.255 (1) (title) EQUAL EDUCATIONAL OPPORTUNITIES.

SECTION 151. 20.255 (1) (a) of the statutes is amended to read:

20.255 (1) (a) *General program operations.* The amounts in the schedule for the improvement of curriculum, instruction and educational resources for local educational agencies, including the matching of federal funds available under ~~the national defense education act or other~~ applicable federal acts or programs.

SECTION 152. 20.255 (1) (f), (fa) and (fb) of the statutes are amended to read:

20.255 (1) (f) (title) *General aid.* The amounts in the schedule for the payment of educational aids provided in subch. ~~I II~~ of ch. 121, less the amounts charged to the appropriation under par. (fa) and less the amounts received as applied receipts under par. ~~(k).~~ Beginning in 1976-77, these amounts shall be utilized to fulfill state matching requirements under the national school lunch program (fj).

(fa) (title) *General aid; federal revenue sharing.* A sum sufficient equivalent to the revenue received under the state and local fiscal assistance act of 1972 (P.L. 92-512), as amended by P.L. 94-488, and interest thereon to be used for the payment of educational aids provided under subch. ~~I II~~ of ch. 121. This appropriation shall be fully utilized annually and the balance of any aid payments due under subch. ~~I II~~ of ch. 121 shall be charged to the appropriation under par. (f).

(fb) (title) *Nonresident tuition payments.* The amounts in the schedule for payment of tuition ~~of children attending school under s. 121.79~~ under subch. V of ch. 121.

SECTION 153. 20.255 (1) (fc) of the statutes is amended to read:

20.255 (1) (fc) *Cooperative educational service agencies.* The amounts in the schedule for the payment of a maximum of ~~\$38,300~~ \$41,700 in 1975-76 1977-78 and ~~\$39,300~~ \$44,200 annually thereafter to each cooperative educational service agency, for the current operational expenses of these agencies and an amount not to exceed ~~\$116,000~~ \$128,900 in 1975-76 1977-78 and ~~\$124,100~~ \$141,800 annually thereafter to reimburse the agencies for agency school committee expenses under s. 116.52 (3). ~~In addition, from funds available under this appropriation, the state superintendent may provide aid to school districts and cooperative educational service agencies for the development of data processing services on a regional basis. In addition, from funds available under this appropriation, the state superintendent shall pay an additional~~

~~amount not to exceed \$22,700 to the agencies for agency school committee expenses incurred during 1973-74 but paid during 1975-76.~~

SECTION 153m. 20.255 (1) (fd) of the statutes is amended to read:

20.255 (1) (fd) *Special educational needs.* The amounts in the schedule for financial grants pursuant to subch. V of ch. 115 ~~of which \$100,000 annually may be appropriated at the discretion of the state superintendent to enhance the educational opportunities of children at any grade level who come from socially, economically or culturally disadvantaged environments.~~

SECTION 154. 20.255 (1) (fg) and (k) of the statutes are repealed.

SECTION 155. 20.255 (1) (fh) and (fp) of the statutes are amended to read:

20.255 (1) (fh) *Transportation aids.* Biennially, the amounts in the schedule for the payment of state aid for transportation of pupils under subch. ~~II IV~~ of ch. 121 ~~of which \$250,000 shall be apportioned upon the approval of the state superintendent among school districts which are unable to provide the transportation required by that subchapter on the sum provided by a 2-mill tax levy on their equalized valuations and the normal transportation aids.~~

(fp) *Aid for pupil transfers.* A sum sufficient for aid payments under ~~s. 121.85 subch. VI of ch. 121.~~

SECTION 155g. 20.255 (1) (fj) of the statutes is created to read:

20.255 (1) (fj) *Transfer from personal property tax relief.* All moneys received under s. 79.16 (2) from the appropriation under s. 20.835 (2) (b) to be credited to the appropriation under par. (f) for distribution as general school aid.

SECTION 155m. 20.255 (1) (fs) of the statutes is created to read:

20.255 (1) (fs) *Special adjustment aids.* The amounts in the schedule for the payment of aids under s. 121.10.

SECTION 156. 20.255 (1) (ka) of the statutes is created to read:

20.255 (1) (ka) *Service charges.* All moneys received for services relating to the operation of an educational information system by the department to be used for the operation of that system.

SECTION 158. 20.255 (1) (q) and (r) of the statutes are amended to read:

20.255 (1) (q) *Driver education; state operations.* The From the transportation fund, the amounts in the schedule ~~from the allocation made under s. 20.395 (1) (q)~~ for the administration of the driver education program.

(r) *Driver education; local assistance.* The From the transportation fund, the amounts in the schedule ~~from the allocation made under s. 20.395 (1) (q)~~ to be distributed to school districts which operate driver education courses in accordance with ~~s. 121.15 subch. III of ch. 121.~~ The distribution shall be made to school districts upon such reports in such form and containing such information as the state superintendent requires.

SECTION 159. 20.255 (2) (title) of the statutes is amended to read:

20.255 (2) (title) RESIDENTIAL SCHOOLS.

SECTION 160. 20.255 (2) (a) 2 of the statutes is amended to read:

20.255 (2) (a) 2. "Contingent fund." From the appropriation made by this paragraph there is allotted to each institution, subject to the approval of the joint committee on finance acting under s. 13.101, such sums as are necessary to be used as a contingent fund to be expended as provided in s. 20.920.

SECTION 161. 20.255 (3) (title) of the statutes is amended to read:

20.255 (3) (title) LIBRARY SERVICES.

SECTION 162. 20.255 (3) (ab) of the statutes is created to read:

20.255 (3) (ab) *Library for the blind*. The amounts in the schedule for the payment of contract costs of library services for blind and physically handicapped persons under s. 43.03 (5).

SECTION 163. 20.255 (3) (hz) of the statutes is repealed.

SECTION 164. 20.255 (5) (title) of the statutes is repealed.

SECTION 165. 20.255 (5) (a) of the statutes is renumbered 20.255 (1) (fo), and 20.255 (1) (fo) (title), as renumbered, is amended to read:

20.255 (1) (fo) (title) *Tax increments*.

SECTION 167. 20.285 (1) (a) of the statutes is repealed and recreated to read:

20.285 (1) (a) *General program operations*. 1. The amounts in the schedule for the purpose of the educational and related programs which are further allocated by organizational cluster as follows: [See Figure 20.285 (1) (a) 1 following]

Figure : 20.285 (1) (a) 1

<u>Organizational Cluster</u>		<u>1977-78</u>	<u>1978-79</u>
Doctoral campuses	GPR	131,980,100	133,553,700
	Academic fees	47,866,200	47,866,200
	Subtotal	(179,846,300)	(181,419,900)
University campuses	GPR	103,661,300	103,696,400
	Academic fees	40,622,300	40,622,300
	Subtotal	(144,283,600)	(144,318,700)
Center system	GPR	9,842,500	9,842,500
	Academic fees	3,502,100	3,502,100
	Subtotal	(13,344,600)	(13,344,600)
Extension	GPR	18,201,100	18,429,900
	Academic fees	714,500	714,500
	Subtotal	(18,915,600)	(19,144,400)
Central administration Systemwide	GPR	4,239,100	4,239,100
	GPR	4,204,200	5,338,200
	Academic fees	2,056,000	4,812,700
TOTAL	Subtotal	(6,260,200)	(10,150,900)
	GPR	272,128,300	275,099,800
	Academic fees	94,761,100	97,517,800
GRAND TOTAL		(366,889,400)	(372,617,600)

2. Transfers between the allocations under subd. 1 are permitted under s. 16.50. In addition, transfers between subprograms shall be reported quarterly to the department of administration. Funds for these subprograms shall be allocated as follows: [See Figure 20.285 (1) (a) 2 following]

Figure : 20.285 (1) (a) 2

Subprograms		1977-78	1978-79
Instruction	GPR	119,487,000	120,886,100
	Academic fees	94,761,100	97,517,800
	Subtotal	(214,248,100)	(218,403,400)
Research	GPR	18,144,800	18,259,200
Public service	GPR	15,625,100	15,853,800
Academic support			
Libraries and media	GPR	27,433,500	27,920,000
Farm operations	GPR	1,394,500	1,394,500
	Subtotal	(28,828,000)	(29,314,500)
Student and auxiliary services			
Student services	GPR	18,192,800	17,824,200
Auxiliary ent.	GPR	1,460,900	1,462,800
	Subtotal	(19,653,700)	(19,287,000)
Institutional support			
Physical plant	GPR	39,345,000	40,410,200
Gen. op. and service	GPR	31,044,700	31,089,000
	Subtotal	(70,389,700)	(71,499,200)
TOTAL	GPR	272,128,300	275,099,800
	Academic fees	94,761,100	97,517,800
	GRAND TOTAL	(366,889,400)	(372,617,600)

SECTION 168. 20.285 (1) (e) of the statutes is repealed.

SECTION 169. 20.285 (1) (f) of the statutes is repealed.

SECTION 170. 20.285 (1) (fa) of the statutes is amended to read:

20.285 (1) (fa) (title) *General medical operations*. The amounts in the schedule to support ~~educational~~ medical services provided by the university of Wisconsin-Madison center for health sciences.

SECTION 171. 20.285 (1) (fb) of the statutes is repealed.

SECTION 172. 20.285 (1) (im) of the statutes is amended to read:

20.285 (1) (im) *Academic student fees*. All moneys received from academic student fees for degree credit instruction ~~and increased or decreased in accordance with sub. (2) (c).~~

SECTION 173. 20.285 (1) (mb) of the statutes is repealed.

SECTION 174. 20.285 (1) (x) of the statutes is amended to read:

20.285 (1) (x) *Driver education teachers*. ~~The~~ From the transportation fund, the amounts in the schedule ~~from the appropriation made by s. 20.395 (1) (q)~~ for the purpose of providing driver education teacher training.

SECTION 175. 20.285 (2) (c) of the statutes is repealed.

SECTION 177. 20.292 (1) (d) of the statutes is amended to read:

20.292 (1) (d) *State aid for vocational, technical and adult education*. The amounts in the schedule for state aids for districts and schools of vocational, technical and adult education, including area schools and programs established and maintained under the supervision of the board to be distributed under ~~ss. 38.04 (8) and s. 38.28~~. Of the amount in the schedule for each year not exceeding \$50,000 may be spent by the board to match federal funds made available for vocational, technical and adult education by any act of congress for the purposes set forth in such act. If, in any fiscal year, actual program fees raised under s. 38.24 (1) exceed board estimates, the increase shall be used to offset actual district aidable cost.

SECTION 178. 20.292 (1) (k) of the statutes is created to read:

20.292 (1) (k) *Gifts and grants*. All moneys received from gifts and grants to be paid to individuals or to nongovernmental organizations.

SECTION 179. 20.292 (1) (u) of the statutes is amended to read:



20.292 (1) (u) *Driver education, local assistance.* ~~The~~ From the transportation fund, the amounts in the schedule received from the allocation made under s. 20.395 (1) (q), to be distributed to vocational, technical and adult education districts for operating driver training programs under ss. 38.28 (2) (c) and ~~421.15 subch. III of ch. 121.~~

SECTION 180. 20.320 of the statutes is repealed.

SECTION 181. 20.370 (1) (title) of the statutes is amended to read:

20.370 (1) (title) RESOURCE MANAGEMENT.

SECTION 182. 20.370 (1) (a) of the statutes is repealed.

SECTION 183. 20.370 (1) (aa) of the statutes is repealed.

SECTION 184. 20.370 (1) (b) of the statutes is repealed.

SECTION 185. 20.370 (1) (c) of the statutes is amended to read:

20.370 (1) (c) (title) *State park, recreation area and Olympic ice rink operations.* From moneys allocated under sub. (7) (a), ~~a sum sufficient an amount~~ equivalent to two-thirds of the estimated state parks and state recreation areas and the Olympic ice rink unassigned receipts under ch. 27 and s. 23.35 each year for the operation of the state parks ~~system and state recreation areas and the Olympic ice rink under s. 23.35.~~

SECTION 186. 20.370 (1) (d) of the statutes is repealed and recreated to read:

20.370 (1) (d) *Local park aids administration.* From moneys allocated under sub. (7) (a), the amounts in the schedule for administration of the program under sub. (1) (f) and s. 23.09 (20).

SECTION 187. 20.370 (1) (do) of the statutes is amended to read:

20.370 (1) (do) *Aids - fish, wildlife and forest recreation.* From moneys allocated under sub. (7) (a), the amounts in the schedule for wildlife habitat development and planning on county forest lands, and recreational development on county forest lands under s. 23.09 (11) and public water access aids to local units of government under s. 23.09 (9).

SECTION 188. 20.370 (1) (e) of the statutes is amended to read:

20.370 (1) (e) *Fish and wildlife development and preservation.* ~~From Biennially,~~ from moneys allocated under sub. (7) (a), the amounts in the schedule for lake rehabilitation; acquisition, preservation and maintenance of scenic or wild rivers under s. 30.26, and the Wolf River; lake survey and classification under s. 23.09 (2) (m), and; artificial lake creation under s. 23.09 (21); development projects under \$15,000; and the unencumbered balance under s. 20.370 (1) (d), 1975 stats., for the Bayfield Hatchery.

SECTION 189. 20.370 (1) (em) of the statutes is amended to read:

20.370 (1) (em) (title) *Land acquisition and development.* Biennially from the moneys allocated under sub. (7) (a), the amounts in the schedule for the acquisition and development of ~~state park~~ lands under ~~s. ss. 23.091 and~~ ss. 23.091 and 27.01.

SECTION 190. 20.370 (1) (f) of the statutes is amended to read:

20.370 (1) (f) (title) *Aids - local parks and public access to waters.* From moneys allocated under sub. (7) (a), the amounts in the schedule for the state's share of aids for parks and outdoor recreational facilities under ss. 23.09 (20) and 66.36 and public access aids to units of local government under s. 23.09 (9).

SECTION 191. 20.370 (1) (fo) of the statutes is amended to read:

20.370 (1) (fo) (title) *Copper Culture Mounds and Thunder Mountain.* From moneys allocated under sub. (7) (a), the amounts in the schedule for development

and maintenance of Copper Culture Mounds state park under s. 27.011 and Thunder Mountain state park under s. 27.01 (7) (q).

SECTION 192. 20.370 (1) (g) of the statutes is repealed.

SECTION 193. 20.370 (1) (u) of the statutes is amended to read:

20.370 (1) (u) *General program operations.* The amounts in the schedule for fish, wildlife, forestry, parks and recreational program operations under ss. 23.09 to 23.11 and 27.01 and chs. 26, 28 and 29, ~~and well disruption claims caused by Bayfield fish hatchery operations, topographic mapping and repair, and maintenance, operation and improvement of the Olympic ice rink.~~

SECTION 194. 20.370 (1) (ua) of the statutes is created to read:

20.370 (1) (ua) *Home for needy veterans.* As a continuing appropriation the amounts in the schedule for the repair and improvement of facilities operated in this state by bona fide veterans' organizations as homes for the retreat or asylum of needy veterans. Allotments shall be made from this appropriation to bona fide veterans organizations qualifying upon applications showing the applicant's eligibility and requirements for an allotment and such other pertinent matter as the department of natural resources prescribes.

SECTION 195. 20.370 (1) (ue) of the statutes is amended to read:

20.370 (1) (ue) *Wildlife damage.* ~~A sum sufficient~~ The amounts in the schedule for the payment of wild duck, goose and sandhill crane damage claims under s. 29.594 (1) and (3) and to pay 80% of the costs of bear and deer damage claims under s. 29.595.

SECTION 196. 20.370 (1) (um) of the statutes is repealed and recreated to read:

20.370 (1) (um) *Trout habitat improvement.* All moneys received under s. 29.145 (4) for improving trout habitat and for administering that subsection.

SECTION 197. 20.370 (1) (up) of the statutes is repealed.

SECTION 199. 20.370 (1) (vn) of the statutes is amended to read:

20.370 (1) (vn) (title) *Aids, county forests and forest croplands.* A sum sufficient to pay county forest aids under s. 28.11 (8) and forest croplands aids under ch. 77.

SECTION 200. 20.370 (1) (vo) (title) of the statutes is amended to read:

20.370 (1) (vo) (title) *Legislative awards and judgments.*

SECTION 201. 20.370 (1) (wm) of the statutes is repealed and recreated to read:

20.370 (1) (wm) *Motorcycle recreation administration.* The amounts in the schedule for administration of the motorcycle aid program under s. 23.09 (25).

SECTION 201m. 20.370 (1) (wn) of the statutes is created to read:

20.370 (1) (wn) *Aids — motorcycle recreation.* Biennially, the amounts in the schedule to provide aid to municipalities for the acquisition and development of off-the-road motorcycle and motor driven cycle trails and facilities under s. 23.09 (25).

SECTION 201p. 20.370 (1) (wp) of the statutes is created to read:

20.370 (1) (wp) *Aids supplement — motorcycle recreation.* Biennially, from the transportation fund, the amounts in the schedule allocated to this paragraph under s. 341.25 (1) (b) to supplement the aids under par. (wn) for purposes of s. 23.09 (25).

SECTION 202. 20.370 (2) (a) of the statutes is amended to read:

20.370 (2) (a) *General program operations.* The amounts in the schedule for the development, management and protection of the state's water resources ~~and for~~, air

pollution control and solid waste disposal regulation, water research and inland lake renewal.

SECTION 205. 20.370 (2) (b) of the statutes is repealed.

SECTION 206. 20.370 (2) (d) of the statutes is repealed.

SECTION 207. 20.370 (2) (e) of the statutes is repealed.

SECTION 208. 20.370 (2) (em) (title) of the statutes is amended to read:

20.370 (2) (em) (title) *Aids — inland lake renewal.*

SECTION 208m. 20.370 (2) (f) of the statutes is created to read:

20.370 (2) (f) *Aids to municipalities — state wastewater grants.* Biennially, the amounts in the schedule to assist municipalities and school districts in the construction of water pollution abatement and sewage collection facilities under s. 144.21 (6) (b).

SECTION 209. 20.370 (2) (h) of the statutes is renumbered 20.370 (3) (h).

SECTION 210. 20.370 (2) (i) (title) of the statutes is amended to read:

20.370 (2) (i) (title) *Gifts and grants, aquatic nuisance control.*

SECTION 213m. 20.370 (3) (m) of the statutes is created to read:

20.370 (3) (m) *Federal aid.* All moneys received as federal aid for enforcement activities as authorized by the governor under s. 16.54.

SECTION 214. 20.370 (3) (vo) of the statutes is amended to read:

20.370 (3) (vo) (title) *Snowmobile enforcement and safety training.* The amounts in the schedule as authorized under ch. 350 for state law enforcement operations and ss. 350.055, 350.12 (4) (a) 2m and 3 and 350.155 for safety training and fatality reporting.

SECTION 215. 20.370 (3) (vp) of the statutes is amended to read:

20.370 (3) (vp) (title) *Aids, snowmobile enforcement.* From the moneys allocated for law enforcement aids to counties as authorized under s. 350.12 (4) (a) 4, ~~a sum sufficient an amount~~ not to exceed \$100,000 annually to be used exclusively for the enforcement of ch. 350.

SECTION 216. 20.370 (3) (vq) of the statutes is repealed.

SECTION 217. 20.370 (3) (wd) of the statutes is amended to read:

20.370 (3) (wd) (title) *Boat enforcement and safety training.* Annually, from the moneys received under ss. 30.50 to 30.55, the amounts in the schedule for boat law enforcement by the state and for boat safety training.

SECTION 218. 20.370 (3) (we) of the statutes is repealed.

SECTION 219. 20.370 (3) (wf) of the statutes is amended to read:

20.370 (3) (wf) (title) *Aids, boat enforcement.* From the moneys received under ss. 30.50 to 30.55, an amount not to exceed ~~\$200,000~~ [\$200,000] ~~\$400,000~~ annually for the payment of state aids under s. 30.79, after first deducting the amounts appropriated under ~~par. par.~~ (wd) ~~and (we)~~ and sub. (8) (w).

Vetoed  
in Part

SECTION 220. 20.370 (3) (zn) of the statutes is created to read:

20.370 (3) (zn) *Federal aids, local assistance.* All moneys received from the federal government as authorized by the governor under s. 16.54 for aids to localities.

SECTION 223. 20.370 (5) (c) of the statutes is repealed.

SECTION 224. 20.370 (5) (x) of the statutes is created to read:

20.370 (5) (x) *Wisconsin natural resources*. All moneys received from subscriptions collected by the department under s. 29.21, to be used to publish "Wisconsin natural resources".

SECTION 225. 20.370 (6) (b) (title) of the statutes is amended to read:

20.370 (6) (b) (title) *Recreation, principal repayment and interest*.

SECTION 226. 20.370 (6) (d) (title) of the statutes is amended to read:

20.370 (6) (d) (title) *Water pollution, principal repayment and interest*.

SECTION 226m. 20.370 (6) (v) of the statutes is created to read:

20.370 (6) (v) *Administrative, principal repayment and interest*. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of administrative office, laboratory, equipment storage or maintenance facilities.

SECTION 227. 20.370 (7) (a) (intro.) of the statutes is amended to read:

20.370 (7) (a) *General program operations*. (intro.) The unencumbered balance under s. 20.370 (7) (a), 1973 stats., on June 30, 1975, and as an annual appropriation on July 1, 1975, and on each July 1 thereafter, an amount equal to .0165% of the current equalized value of all taxable property in this state for an outdoor recreation program. The natural resources board may allocate the remaining funds in ~~general~~ accordance with s. 23.30 to the appropriations specified under subs. (1), (5), (6) and (8) and ~~ss. s. 20.245 (1) (d) and (f) and 20.395 (4) (a)~~.

SECTION 228. 20.370 (8) (c) (title) of the statutes is amended to read:

20.370 (8) (c) (title) *Recreation planning, department*.

SECTION 229. 20.370 (8) (da) of the statutes is created to read:

20.370 (8) (da) *Recreation and natural resources planning aids administration*. From moneys allocated under sub. (7) (a), the amounts in the schedule for administration of the program under par. (d) and s. 23.09 (24).

SECTION 230. 20.370 (8) (m) of the statutes is created to read:

20.370 (8) (m) *Federal aid, Title III planning*. All moneys received as federal aid as authorized by the governor under s. 16.54 to carry out the purposes for which made and received.

SECTION 231. 20.370 (8) (zm) (title) of the statutes is amended to read:

20.370 (8) (zm) (title) *Federal aid*.

SECTION 232. 20.370 (9) (w) of the statutes is amended to read:

20.370 (9) (w) *Gifts and donations*. All moneys received from gifts, grants, bequests and devises and paid into the conservation fund are appropriated to the several programs of the department to be used in accordance with s. 25.29. In this section, expenditure authority for gifts and donations shall appear in the schedule of subs. (1) ~~and~~, (3) ~~and~~ (5) as par. (w).

SECTION 233. 20.370 (9) (x) of the statutes is amended to read:

20.370 (9) (x) *Imprest petty cash fund*. An imprest fund of ~~\$60,000~~ \$100,000 from the conservation fund may be established for the purpose of law enforcement, tree cone and seed purchases and for petty cash and the payment of local purchases authorized under s. 16.52 (6) (b). The operation and maintenance of ~~such the~~ fund and the character of expenditures ~~therefrom~~ from the fund shall be pursuant to rules prescribed by the department of administration. The rules for payment of local purchases authorized under s. 16.52 (6) (b) shall be in general conformity to s. 20.920 (2) (a) relating to contingent funds of institutions except that the amount

authorized for an invoice for the department of natural resources may not exceed \$150.

SECTION 234. 20.370 (9) (ym) of the statutes is amended to read:

20.370 (9) (ym) *Program balances.* At the close of each fiscal year the unencumbered balances of appropriations financed by unassigned revenues of the conservation fund under subs. (1), (3) ~~and (5) and (8)~~ shall revert to the respective ~~programs~~ accounts under ~~sub. (1), (3) and (5)~~ sub. (1), (3) and (5) ~~in the ratio that revenues were allotted from such accounts~~ and, together with the anticipated respective unassigned revenues by programs in the succeeding year, shall constitute the source of moneys available for appropriation to the programs under such subsections in the succeeding year. ~~Unencumbered balances of appropriations financed by unassigned revenues for the programs under subs. (5) and (8) and this subsection at the close of each fiscal year shall revert to the respective programs under subs. (1) and (3) in the ratio that revenues were allocated from such programs for the programs under subs. (5) and (8) and this subsection.~~

SECTION 235. 20.395 of the statutes is repealed and recreated to read:

**20.395 Transportation, department of.** There is appropriated from the transportation fund, or from other funds if so indicated, to the department of transportation the amounts indicated for the following programs:

(1) *AIDS. (qd) Transportation aids, state funds.* The amounts in the schedule for local transportation aids under s. 86.30 (4).

(qe) *Transportation aids, hold harmless.* A sum sufficient to pay counties and municipalities the amount by which the base year distribution exceeds the new formula amount under s. 86.30 (4).

(rd) *Connecting highways, state funds.* The amounts in the schedule to make payments for connecting highways and swing and lift bridges thereon.

(re) *Connecting highways, supplement.* The amounts in the schedule to supplement the payments under par. (rd) for the purpose of s. 86.32.

(sd) *Transit, state funds.* The amounts in the schedule for the mass transit aid program under s. 85.05.

(se) *Transit supplement.* The amounts in the schedule to supplement the aids under par. (sd) for the purpose of s. 85.05.

(sj) *Transit, local funds.* All moneys received from any local unit of government or other source for mass transit purposes, for such purposes.

(sx) *Transit, federal funds.* All moneys received from the federal government for mass transit purposes, for such purposes.

(td) *Railroad crossings, state funds.* Biennially, the amounts in the schedule to pay the cost of crossing protection under s. 195.28.

(te) *Railroad crossing repairs, state funds.* The amounts in the schedule for reimbursement of railroads under s. 86.13 (5).

(ud) *Miscellaneous highway aids, state funds.* The amounts in the schedule to make payments under ss. 86.315 and 86.34, and to pay an amount equal to \$25 of each fee under s. 218.22 (1) and (2) to the city, village or town in which the motor vehicle salvage dealer is located.

(2) *AVIATION. (qd) General program operations, state funds.* The amounts in the schedule for general program operations.

(rd) *Airport development, state funds.* As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under s. 114.34 and for developing air marking and other air navigational facilities.

(rj) *Airport development, local funds.* All moneys received by the state from any unit of local government for the promotion of aeronautics or for airports or other aeronautical activities under s. 114.33.

(rx) *Airport development, federal funds.* All moneys received as federal aid as authorized by the governor under s. 16.54 for the promotion of aeronautics or for airports or other aeronautical activities under s. 114.32 or 114.33.

(3) STATE HIGHWAYS. (qc) *State trunk highway allotment to counties.* A sum sufficient for the purposes of s. 84.03 (3).

(qd) *General program operations, state funds.* The amounts in the schedule for general program operations.

(qx) *General program operations, federal funds.* All moneys received from the federal government for general program operations, for such purposes.

(rd) *Major highway development, state funds.* As a continuing appropriation, the amounts in the schedule for major development of state highways.

(rj) *Major highway development, local funds.* All moneys received from any local unit of government for major development of state highways, for such purposes.

(rx) *Major highway development, federal funds.* All moneys received from the federal government for major development of state highways, for such purposes.

(sd) *Improvement of existing highways, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state highways.

(sj) *Improvement of existing highways, local funds.* All moneys received from any local unit of government for improvement of existing state highways, for such purposes.

(sx) *Improvement of existing highways, federal funds.* All moneys received from the federal government for improvement of existing state highways, for such purposes.

(td) *Improvement of existing bridges, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state bridges.

(tj) *Improvement of existing bridges, local funds.* All moneys received from any local unit of government for improvement of existing state bridges, for such purposes.

(tx) *Improvement of existing bridges, federal funds.* All moneys received from the federal government for improvement of existing state bridges, for such purposes.

(ud) *Maintenance and repair, state funds.* Biennially, the amounts in the schedule for the maintenance and repair of state highways.

(uj) *Maintenance and repair, local funds.* All moneys received from any local unit of government for maintenance and repair of state highways, for such purposes.

(ux) *Maintenance and repair, federal funds.* All moneys received from the federal government for maintenance and repair of state highways, for such purposes.

(vd) *Snow removal and general upkeep, state funds.* Biennially, the amounts in the schedule for snow removal on and general upkeep of state highways.

(vx) *Snow removal and general upkeep, federal funds.* All moneys received from the federal government for snow removal on and general upkeep of state highways, for such purposes.

(wd) *State facilities roads, state funds.* Biennially, the amounts in the schedule for the purposes of ss. 84.27 and 84.28 and to provide public access roads to navigable waters.

(wj) *State facilities roads, local funds.* All moneys received from any local unit of government for the purposes of s. 84.27 or 84.28 or to provide public access roads to navigable waters, for such purposes.

(wx) *State facilities roads, federal funds.* All moneys received from the federal government for the purposes of s. 84.27 or 84.28 or to provide public access roads to navigable waters, for such purposes.

(4) LOCAL HIGHWAYS AND BRIDGES. (qd) *Improvement and maintenance, state funds.* As a continuing appropriation, the amounts in the schedule for improvement and maintenance of highways and bridges not on the state trunk highway system including construction of new bridges.

(qj) *Improvement and maintenance, local funds.* All moneys received from any local unit of government for improvement and maintenance of highways and bridges not on the state trunk highway system, for such purposes.

(qx) *Improvement and maintenance, federal funds.* All moneys received from the federal government for improvement and maintenance of highways and bridges not on the state trunk highway system, for such purposes.

(5) TRANSPORTATION SYSTEMS. (qd) *Elderly and handicapped and rail transportation, state funds.* The amounts in the schedule for elderly and handicapped and rail transportation systems under s. 85.08, of which \$1,000,000 shall be designated for specialized transportation assistance for the elderly and handicapped and \$300,000 for operating and capital grants for elderly and handicapped transportation. The balance of the amounts appropriated in the schedule shall be used to match federal moneys made available for restoration, continuance and operation of Lake Michigan rail and car ferry and rail branch line transportation service.

(qj) *Elderly and handicapped and rail transportation, local funds.* All moneys received from any local unit of government for the purposes of the elderly and handicapped and rail transportation aids program under s. 85.08.

(qx) *Elderly and handicapped and rail transportation, federal funds.* All moneys received from the federal government for the purposes of the elderly and handicapped and rail transportation aids program under s. 85.08.

(rd) *Transit planning and technical assistance, state funds.* As a continuing appropriation, the amounts in the schedule for mass transit planning and technical assistance under s. 85.06.

(rj) *Transit planning and technical assistance, local funds.* All moneys received from any local unit of government or other sources for mass transit planning and technical assistance, for such purposes.

(rx) *Transit planning and technical assistance, federal funds.* All moneys received from the federal government for mass transit planning and technical assistance, for such purposes.

(6) GENERAL TRANSPORTATION OPERATIONS. (ad) *Ambulance inspection, state funds.* From the general fund, the amounts in the schedule for the regulation of ambulances under s. 341.085.

(qa) *Motor vehicle financial responsibility.* All moneys deposited under s. 344.20 for the purpose of making payments under s. 344.20 (2) and (3).

(qd) *General program operations, state funds.* The amounts in the schedule for departmental administrative activities, including \$120,000 to reimburse the department of justice for legal services provided the department under s. 165.25 (4).

(qx) *General program operations, federal funds.* All moneys received from the federal government for departmental administrative activities, for such purpose.

(rd) *Planning, state funds.* The amounts in the schedule for the department to direct and undertake planning in the areas of highways, aeronautics, motor vehicles, mass transit systems and for any other transportation mode and related functions as specified in s. 85.02.

(rj) *Planning, local funds.* All moneys received from any local unit of government for the purpose of planning, for such purpose.

(rx) *Planning, federal funds.* All moneys received from the federal government for the purpose of planning, for such purpose.

(sd) *Vehicle registration and driver licensing, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program, for making payments to county registers of deeds as provided in s. 342.14 (6) and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services. Of the amount appropriated under this paragraph, the department may maintain a contingent fund, not to exceed \$4,000, for establishing change funds in the amount deemed necessary by the department.

(sx) *Vehicle registration and driver licensing, federal funds.* All moneys received as federal aid as authorized by the governor under s. 16.54 for the purpose for which paid.

(td) *Vehicle inspection and traffic enforcement, state funds.* The amounts in the schedule for administering the vehicle inspection and traffic enforcement programs, including \$480,600 to reimburse any county policing expressways under s. 59.965 (10) (b).

(tx) *Vehicle inspection and traffic enforcement, federal funds.* All moneys received as federal aid as authorized by the governor under s. 16.54 for the purpose for which paid.

(ud) *Data processing, state funds.* The amounts in the schedule for data processing equipment.

(up) *Data processing operations, service funds.* All moneys received as payment for data processing services for costs associated with the operation of the computer services center relating to equipment rental or purchase and such other direct costs as the department deems appropriate.

(vd) *Auto pool acquisitions, state funds.* The amounts in the schedule for acquisition of auto pool vehicles.

(vp) *Auto pool operations, service funds.* All moneys received as payment for use of auto pool vehicles for costs associated with the operation, maintenance and replacement of such vehicles and for the purchase of additional vehicles.

(wd) *Other department services, acquisitions, state funds.* The amounts in the schedule for acquisition of aircraft and printing equipment.

(wp) *Other department services, operations, service funds.* All moneys received as payment for graphic, printing production and aircraft fleet services for costs associated with these operations relating to materials and equipment purchases and other such direct costs as the department deems appropriate.

(ws) *Principal repayment and interest, transportation facilities, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or



improvement of transportation facilities under ss. 84.06, 84.09, 84.11, 84.12, 84.51 (3) and 84.53.

(wt) *Principal repayment and interest, buildings, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of the department of transportation's administrative offices or equipment storage and maintenance facilities.

(7) HIGHWAY SAFETY COORDINATION. (qd) *General program operations, state funds.* The amounts in the schedule for general program operations.

(qx) *State operations, federal funds.* All moneys received as federal aid as authorized by the governor under s. 16.54 for state operations under s. 85.07.

(qy) *Highway safety promotion and local traffic safety representatives, federal aid.* All moneys received as federal aid as authorized by the governor under s. 16.54 to promote highway safety and continue the local traffic safety representatives' program.

(rx) *State agencies, federal aid.* Except for moneys obligated in pars. (qx), (qy) and (ry), all remaining moneys obligated by the federal government after July 1, 1975, for the implementation of the federal highway safety program in the state to be disbursed to state agencies.

(ry) *Local assistance, federal funds.* Not less than 50% of all moneys obligated by the federal government, after July 1, 1975, for the implementation of the federal highway safety program in the state is to be disbursed to local governments.

(8) TRANSPORTATION COMMISSION. (qd) *General program operations.* The amounts in the schedule for the general program operations of the transportation commission.

(rd) *Transportation regulation.* The amounts in the schedule for transportation regulation under chs. 189 to 195.

(9) GENERAL PROVISIONS. (qa) *Aids estimates and adjustments.* Commencing with the 1977-79 biennial budget, and in each biennial budget thereafter, the department shall request appropriations under sub. (1) (qd) which reflect estimated percentage changes in highway user revenue for each fiscal year in the upcoming biennium. For the purposes of this paragraph "highway user revenue" means the revenue deposited in the transportation fund from motor vehicle registration and operator's license fees, motor carrier fees and taxes, and motor fuel taxes and other revenue collected under ch. 78. If after the close of a fiscal year it is determined that the actual percentage change in highway user revenue for the preceding fiscal year, excluding estimated revenues received as a result of new fee and tax rates becoming effective during the biennium, was different from the estimated percentage change for that year, the department shall determine the amount of the appropriation which would have been requested had the actual percentage change been estimated precisely. If that amount is more than the amount actually appropriated in the preceding fiscal year, the department shall request, either in the budget or annual review bill or under s. 13.101, that the difference between the 2 amounts be added to the aids appropriation for the current fiscal year.

(qh) *Highways and bridges, clearing account.* A sum sufficient to make initial payment of all expenditures which are ultimately chargeable to state or local highway or bridge appropriations. Payments made under this paragraph shall be properly allocated monthly by the department among the appropriations under sub. (3), (4) and (6) (rd) to (rx), and appropriate transfers shall be made from those appropriations to this paragraph to fully reimburse this paragraph for initial payments paid herefrom.

(qj) *Highways and bridges, clearing account, federally funded positions.* A sum sufficient to make initial payment of all personnel expenditures funded with federal funds which are chargeable as enumerated under par. (qh).

(qk) *Departmental planning, clearing account.* A sum sufficient to make initial payment of all expenditures which are ultimately chargeable to departmental planning. Payments under this paragraph shall be properly allocated monthly by the department among the appropriations under sub. (6) (rd) to (rx), and transfers shall be made from those appropriations to this paragraph to fully reimburse this paragraph for initial payments made herefrom.

(qL) *Departmental planning, clearing account, federally funded positions.* A sum sufficient to make initial payment of all personnel expenditures funded with federal funds which are chargeable as enumerated under par. (qk).

(qx) *Matching federal aid and other funds.* All or part of any allotment from the appropriations made in this section may be used to match or supplement federal aid or other funds made available by any act of congress or any county, city, village or town or other source for the purposes set forth in such paragraphs, provided the department and any municipality or other commission or official given any control over the disposition of any such allotment deems it advisable. Every part of every allotment made from an appropriation in this section shall be expended only for the purpose for which the allotment is made. The intent of this paragraph is to permit, where state funds are as herein provided made available for such purposes, the matching or supplementing of federal aid funds in accordance with the purposes of any act of congress, including, without limitation because of enumeration, the elimination of hazards to life at railroad grade crossings, the construction, reconstruction and improvement of secondary or feeder roads and any other highway or transportation purpose within the purview of any such act of congress.

(rd) *Airport improvement funds carry-over.* When an airport development project is approved by the governor under s. 114.33 (3), the moneys allocated for the project from sub. (2) (rd) shall be considered encumbered and carried-over to subsequent years to meet the state's share of the project.

(sd) *Transit aids, appropriation limit.* In any fiscal year the amounts appropriated under s. 20.395 (1) (sd) and (se) may not exceed 115% of the amounts appropriated in the preceding fiscal year.

SECTION 236. 20.435 (1) (b) and (bc) of the statutes are repealed.

SECTION 236g. 20.435 (1) (d) of the statutes is repealed.

SECTION 236m. 20.435 (1) (fm) of the statutes is created to read:

20.435 (1) (fm) *Home health.* Biennially, the amounts in the schedule to carry out the purpose of s. 146.61.

SECTION 237. 20.435 (1) (gm) of the statutes is amended to read:

20.435 (1) (gm) *Licensing activities.* All moneys received under ~~ch. chs. 69 and 145 and ss. 50.50 to 50.85, 140.05 (17), 143.15 (7), 144.03 and 146.25 (1)~~ to be used for the purposes ~~provided specified in those chapters such provisions.~~

SECTION 238. 20.435 (1) (pa) of the statutes is repealed.

SECTION 238m. 20.435 (2) (b) of the statutes is amended to read:

20.435 (2) (b) *Community mental health services.* The amounts in the schedule for the provision or purchase of mental health services pursuant to ss. 51.42 and 51.437. Allocation of such fund shall be exclusively determined by the department of health and social services, subject to ss. 51.42 and 51.437. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. Ninety percent of funds allocated

pursuant to s. 51.42 (8) (b) and not spent or encumbered by boards created under s. 51.42 or 51.437 by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year under s. 13.101.

Partial  
Veto  
Overruled

SECTION 239. 20.435 (2) (gm) of the statutes is repealed and recreated to read:

20.435 (2) (gm) *Institutional operations and charges.* 1. All moneys received as payments from medical assistance received on and after August 1, 1978, and payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (12) (c) received on and after July 1, 1978, for care provided by the centers for the developmentally disabled, to reimburse the cost of providing such services and to remit any credit balances to boards that occur on and after July 1, 1978, in accordance with s. 51.437 (12) (c).

2. All moneys received as payments including medical assistance payments, other payments under s. 46.10 and payments under s. 51.42 (9) (b) received on and after January 1, 1979, for care provided by the mental health institutes, to reimburse the cost of providing such services and to remit any credit balances to boards that occur on and after January 1, 1979, in accordance with s. 51.42 (9) (b).

3. All moneys received as payments for the rental of state institutional facilities and the sale of utilities and other institutional services to be used to reimburse the cost of using, producing and providing such facilities and services.

SECTION 239m. 20.435 (2) (js) of the statutes is created to read:

20.435 (2) (js) *Alcoholism prevention programs.* All moneys received from fees for alcoholism prevention programs for such programs.

SECTION 240. 20.435 (3) (a) of the statutes is amended to read:

20.435 (3) (a) *General program operations.* The amounts in the schedule to operate institutions and provide field services and administrative services, including ~~\$1,000 per year~~ an amount to supplement the appropriations made under par. (km).

SECTION 240m. 20.435 (3) (gm) of the statutes is created to read:

20.435 (3) (gm) *Institutional charges.* All moneys received from the rental of state institutional facilities and the sale of other institutional services to be used to reimburse the costs of using, producing and providing such facilities and services.

SECTION 241. 20.435 (3) (j) of the statutes is amended to read:

20.435 (3) (j) *Prison industries.* All moneys received from prison industries under ss. 53.01 and 56.01 at correctional institutions to be used to carry on such industries and for the construction and equipment of buildings, for permanent property and improvements. Whenever the unencumbered balance under this paragraph is in excess of \$500,000 on June 30 of any year, such excess shall revert to the general fund. No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new industries, except upon certification of the joint committee on finance acting under s. 13.101 that such moneys are needed and that no other appropriation is available for that purpose. ~~Notwithstanding the other limitations of this paragraph, \$40,000 shall lapse to the general fund on June 30, 1972, and \$61,800 shall lapse to the general fund on June 30, 1973.~~

SECTION 242. 20.435 (3) (km) of the statutes is amended to read:

20.435 (3) (km) *Absconding probationers.* All moneys ~~reserved~~ received belonging to absconding probationers and parolees under ss. 46.07 (2) and 57.075 and a supplemental amount from par. (a), to be used for the purposes ~~of such sections specified in ss. 46.07 (2) and 57.075.~~

SECTION 243. 20.435 (4) (am) of the statutes is repealed.

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SECTION 243m. 20.435 (4) (b) of the statutes is amended to read:

20.435 (4) (b) *Foster care*. The amounts in the schedule for foster care, institutional child care and subsidized adoptions under ss. 48.48 (4), (12) and (14), 48.52 and 48.58 (2), for the cost of care for children under s. 49.19 (10) (d), and for family care and related expenses provided prior to July 1, 1975, under s. 51.18 (1), 1973 stats.

SECTION 244. 20.435 (4) (c) of the statutes is amended to read:

20.435 (4) (c) *Social security aids; medical*. A sum sufficient to provide the state share of medical assistance administered under s. 49.45 including the total ~~(state and federal share) medical assistance contractor charges for administration of the cost of contracting for or directly providing payment and services administration and reporting. Beginning July 1, 1978, only the state share of costs of contracting for or directly providing payment and services administration and reporting shall be paid from this appropriation.~~

SECTION 244d. 20.435 (4) (d) of the statutes is amended to read:

20.435 (4) (d) *Social security aids; grants and administration*. A sum sufficient to provide state aid for county administered public assistance programs under s. 49.52 and to provide for state administered programs under s. 49.50 (7) ~~and the cost of care for children under s. 49.19 (10) (d)~~. The joint committee on finance as part of its budget determinations in each session shall review the standard allowances for assistance in relation to the social security aid programs and the formula for state reimbursement to counties for such aid program and make recommendations to the legislature relating to changes ~~they deem~~ it deems advisable. Disbursements may be made directly from this appropriation including the state and county share ~~pursuant to~~ under s. 46.03 (19). Refunds received relating to payments made under s. 46.03 (19) shall be returned to this appropriation. Counties shall be liable for any share of such disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share under s. 46.03 (19) shall be returned to this appropriation.

SECTION 244m. 20.435 (4) (da) of the statutes is amended to read:

20.435 (4) (da) (title) *Nursing home appeals mechanism*. The amounts in the schedule for the execution of functions under s. 49.45 (6m) (e). Of the amount in the schedule for ~~fiscal year 1976-77~~ years 1977-78 and 1978-79, no more than ~~\$420,000~~ \$440,000 may be expended prior to January 1, ~~1977~~ of each fiscal year.

SECTION 244mn. 20.435 (4) (db) of the statutes is created to read:

20.435 (4) (db) *Work training*. The amounts in the schedule for work training under s. 49.19 (2) (b).

SECTION 244n. 20.435 (4) (dd) of the statutes is repealed.

SECTION 245. 20.435 (4) (de) of the statutes is created to read:

20.435 (4) (de) *Income maintenance administration*. 1. The amounts in the schedule for reimbursement for county administration of public assistance benefits and medical assistance eligibility determination. Payments may be made from this appropriation to agencies under contract with the department for administration of relief to needy Indian persons under s. 49.046. Disbursements under s. 46.03 (20) (a) may be made from this appropriation.

2. Effective January 1, 1978, reimbursement from this appropriation shall be based on workload standards promulgated by the department.

SECTION 246. 20.435 (4) (df) of the statutes is repealed and recreated to read:

20.435 (4) (df) *County social services*. The amounts in the schedule for reimbursement for county administration of social services under ss. 46.22 (5m) and

49.51 (3) and (4), including foster care under ss. 49.19 (10) and 49.50. Disbursements may be made from this appropriation under s. 46.03 (20). Refunds received relating to payments made under s. 46.03 (20) shall be returned to this appropriation. Counties shall be liable for any share of the disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share of the cost of services under s. 46.03 (20) (d) shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years. Ninety percent of funds allocated pursuant to s. 49.52 (1) (d) and (e) and not spent or encumbered by counties by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year under s. 13.101.

Partial  
Veto  
Overruled

SECTION 247. 20.435 (4) (dh) of the statutes is repealed.

SECTION 247i. 20.435 (4) (dj) of the statutes is created to read:

20.435 (4) (dj) *Shelter care reimbursement*. The amounts in the schedule for reimbursement for temporary shelter care under ss. 48.31 (4) and 48.58 (2) (b).

SECTION 247m. 20.435 (4) (dL) of the statutes is created to read:

20.435 (4) (dL) *Emergency fuel and utilities assistance*. The amounts in the schedule for emergency fuel and utilities assistance under s. 49.055. The department shall distribute the funds provided under this paragraph to counties which choose to provide 25% county matching funds for the implementation of an emergency fuel and utilities assistance program.

SECTION 248. 20.435 (4) (dm) of the statutes is renumbered 20.435 (1) (e).

SECTION 249. 20.435 (4) (g) of the statutes is repealed.

SECTION 250. 20.435 (4) (gm) of the statutes is created to read:

20.435 (4) (gm) *Institutional charges*. All moneys received from the rental of state institutional facilities and the sale of other institutional services to be used to reimburse the costs of using, producing and providing such facilities and services.

SECTION 251. 20.435 (4) (o) of the statutes is amended to read:

20.435 (4) (o) *Social security federal aids; medical*. All federal moneys received for meeting costs of medical assistance administered under s. 49.45. Beginning July 1, 1978, the federal share of the cost of contracting for or directly providing payment and services administration and reporting shall be paid from this appropriation.

SECTION 251m. 20.435 (4) (p) of the statutes is amended to read:

20.435 (4) (p) *Social security federal aids; grants and administration*. All federal moneys received for meeting costs of county administered public assistance programs under s. 49.52, state administered programs under s. 49.50 (7), the county costs of the child support and establishment of paternity program under s. 46.25 and the cost of care for children under s. 49.19 (10) (d). Disbursements under s. 46.03 (20) may be made from this appropriation.

SECTION 251r. 20.435 (4) (ps) (title) of the statutes is amended to read:

20.435 (4) (ps) (title) *Nursing home appeals mechanism*.

SECTION 252. 20.435 (5) (a) of the statutes is amended to read:

20.435 (5) (a) *General program operations*. The amounts in the schedule for general program operations. Moneys expended from this appropriation may, but need not, be spent to match federal appropriations.

SECTION 253m. 20.435 (5) (e) of the statutes is repealed and recreated to read:

20.435 (5) (e) *General program operations — matching funds.* The amounts in the schedule for general program operations. Moneys expended from this appropriation may be spent only to match federal funds.

SECTION 254. 20.435 (5) (j) of the statutes is repealed.

SECTION 255. 20.435 (5) (jj) of the statutes is amended to read:

20.435 (5) (jj) *Workshop for the blind.* All moneys received from the sale of products through the workshop for the blind and the business enterprises program for the operation of the workshop or the operation of business enterprises and homework under ss. 47.01 to 47.10.

SECTION 256. 20.435 (5) (kz) of the statutes is repealed.

SECTION 257. 20.435 (5) (o) of the statutes is repealed.

SECTION 258. 20.435 (6) (a) of the statutes is amended to read:

20.435 (6) (a) *General program operations.* The amounts in the schedule to carry out the purposes of s. 46.80 (1) to (4) and (6). Of the amounts appropriated under this paragraph, \$13,000 for fiscal year 1977-78 and \$13,000 for fiscal year 1978-79 shall be used for the publication of "aging in the news".

SECTION 259. 20.435 (6) (b) and (c) of the statutes are created to read:

20.435 (6) (b) *Nutrition supplement.* The amounts in the schedule to carry out the purposes of s. 46.80 (5).

(c) *Senior center supplement.* Biennially, the amounts in the schedule for the purpose of s. 46.80 (7). This paragraph shall expire June 30, 1979.

SECTION 260. 20.435 (8) (b) of the statutes is repealed.

SECTION 261. 20.435 (8) (c) of the statutes is created to read:

20.435 (8) (c) *Welfare reform study.* Biennially, the amounts in the schedule for the general program operations of the welfare reform study created under section 1625 of chapter ... (this act), laws of 1977.

SECTION 261m. 20.435 (8) (d) of the statutes is created to read:

20.435 (8) (d) *Medical assistance management improvement.* Biennially, the amounts in the schedule for medical assistance management improvement functions under section 1625m of chapter ... (this act), laws of 1977.

SECTION 262. 20.435 (8) (h) of the statutes is created to read:

20.435 (8) (h) *Health facility review fees.* All moneys received under ss. 50.02 (2), 50.03 (1), 50.36 (2) and 150.12 to be used for the purposes provided in ss. 50.02 (2), 50.03 (1), 50.36 (2) and 150.01 to 150.09 and to conduct health facility plan and rule development activities.

SECTION 263. 20.435 (8) (k) of the statutes is repealed.

SECTION 264. 20.435 (8) (o) of the statutes is repealed.

SECTION 265. 20.435 (8) (pa) of the statutes is repealed.

SECTION 266. 20.435 (8) (pb) of the statutes is created to read:

20.435 (8) (pb) *Federal aid, welfare reform study.* All moneys received from the federal government as authorized by the governor under s. 16.54 for the welfare reform study created under section 1625 of chapter ... (this act), laws of 1977.

SECTION 266m. 20.435 (8) (pm) of the statutes is created to read:

20.435 (8) (pm) *Federal aid, medical assistance management improvement.* All moneys received from the federal government as authorized by the governor under s.

16.54 for medical assistance management improvement functions under section 1625m of chapter ... (this act), laws of 1977.

SECTION 267. 20.435 (9) (a) of the statutes is amended to read:

20.435 (9) (a) *Contingent funds.* Out of the appropriations for the operation of the several institutions and for child welfare and youth services there is allotted, subject to the approval of the joint committee on finance acting under s. 13.101, such sums, as are necessary as a contingent fund for ~~said~~ the institutions and for payment of medical, clothing, school books and similar incidental needs for children in foster homes under the supervision of the department, such contingent funds to be administered as provided in s. 20.920.

SECTION 268. 20.435 (9) (aa) of the statutes is amended to read:

20.435 (9) (aa) *Institutional repair and maintenance.* The amounts in the schedule for repair and maintenance expenses of the institutions. Expenditures for materials, supplies, equipment and contracts for services involving the repair and maintenance of structures and equipment, excluding vehicles, shall be made from this appropriation. ~~Repair and remodeling projects which exceed \$15,000 each are to be made from building trust funds appropriated to the state building commission under s. 20.710 (2) (f) or other funding sources approved by the state building commission.~~ The department, with the approval of the department of administration, may transfer moneys between subs. (2) (aa), (3) (aa), (4) (aa) and (5) (aa). In this section expenditure estimates for institutional repair and maintenance shall appear in the schedule of subs. (2) to (5) as par. (aa).

SECTION 269. 20.435 (9) (gm) of the statutes is repealed.

SECTION 270. 20.435 (9) (n) (intro.) of the statutes is amended to read:

20.435 (9) (n) (intro.) *Federal aid programs.* All moneys received from the federal government or any of its agencies for continuing programs to be expended for the purposes specified. In this section, expenditure estimates for federal aid for continuing programs shall appear in the schedule of subs. (2) to (8) as par. (n), ~~and in sub. (5) shall also appear as par. (o).~~

SECTION 271. 20.435 (9) (n) 1 of the statutes is repealed.

SECTION 272. 20.435 (9) (n) 2 of the statutes is repealed.

SECTION 273. 20.435 (9) (n) 3 of the statutes is repealed.

SECTION 274. 20.445 (1) (b) of the statutes is repealed.

SECTION 275. 20.445 (1) (c) of the statutes is amended to read:

20.445 (1) (c) (title) *Work incentive program administration.* The amounts in the schedule for the administrative costs associated with the work incentive program ~~as provided~~ under s. 49.50 (7). The amounts appropriated under this paragraph shall be used to provide the nonfederal matching moneys for federal funds provided by par. (w).

SECTION 276. 20.445 (1) (d) of the statutes is created to read:

20.445 (1) (d) *Work incentive program, aids.* The amounts in the schedule to provide nonfederal matching moneys for federal funds provided by par. (y).

SECTION 277. 20.445 (1) (e) of the statutes is repealed.

SECTION 278. 20.445 (1) (h) of the statutes is created to read:

20.445 (1) (h) *Housing standard fees.* All moneys received under subchs. II and III of ch. 101 for the administration of those subchapters.

SECTION 279m. 20.445 (1) (j) of the statutes is created to read:

20.445 (1) (j) *Safety and building operations.* All moneys received under ss. 101.19, 101.73 (12) and 168.12 for the purposes of subchs. I and III of ch. 101 and ch. 168, respectively.

SECTION 280. 20.445 (1) (v) of the statutes is repealed and recreated to read:

20.445 (1) (v) *Unemployment administration fund; state moneys.* All moneys received for the administration fund as interest on delinquent payments under ch. 108, shall be credited to the balancing account in the unemployment compensation reserve fund under s. 108.16 (2), except that any interest earned pending disbursement of federal employment security grants under par. (u) shall be credited to the general fund.

SECTION 281. 20.445 (2) of the statutes is created to read:

20.445 (2) REVIEW COMMISSION. (a) *General program operations, review commission.* The amounts in the schedule for general program operations of the labor and industry review commission.

(m) *Federal funds.* All moneys received from the federal government as authorized under s. 16.54 for the purposes for which made and received.

(u) *Unemployment administration; federal moneys for review commission.* All federal aid received as authorized by the governor under s. 16.54 for the performance of the functions of the labor and industry review commission under ch. 108.

SECTION 282. 20.445 (4) of the statutes is repealed.

SECTION 283. 20.445 (5) (title) of the statutes is repealed.

SECTION 284. 20.445 (5) (a) of the statutes is renumbered 20.445 (1) (aa), and 20.445 (1) (aa) (title), as renumbered, is amended to read:

20.445 (1) (aa) (title) *Law enforcement, correctional officers, fire fighters and rescue squad members.*

SECTION 285. 20.445 (6) (title) of the statutes is repealed.

SECTION 286. 20.445 (6) (a) of the statutes is renumbered 20.445 (1) (b).

SECTION 287. 20.445 (7) (title) of the statutes is repealed.

SECTION 288. 20.445 (7) (s) and (t) of the statutes are renumbered 20.445 (1) (s) and (t).

SECTION 289. 20.455 (1) of the statutes is renumbered 20.455 (3).

SECTION 290. 20.455 (2) of the statutes is renumbered 20.455 (1).

SECTION 291. 20.455 (2) (i), (j) and (ja) of the statutes are created to read:

20.455 (2) (i) *Law enforcement training fund, receipts.* All moneys received from the penalty assessment surcharge on court fines and forfeitures authorized under s. 165.87 to be used as provided in s. 165.85 (5) (b). These moneys may be transferred to pars. (j) and (ja) by the secretary of administration for expenditures based upon determinations by the department of justice. Upon final determination by the secretary of administration, transfers shall be accomplished pursuant to s. 16.50. If the unencumbered balance of this paragraph is in excess of \$100,000 on June 30 of any odd-numbered year, such excess shall revert to the general fund.

(j) *Law enforcement training fund, local assistance.* All moneys transferred from par. (i) to be used to finance local law enforcement training as provided in s. 165.85 (5) (b).

(ja) *Law enforcement training fund, state operations.* All moneys transferred from par. (i) to be used to finance state operations associated with the administration of the



law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85 (5) (b).

SECTION 291m. 20.455 (2) (k) of the statutes is created to read:

20.455 (2) (k) *Medicaid fraud investigation program*. Annually, the amounts in the schedule from moneys received by the department of justice from the department of health and social services under s. 20.435 (4) (a) and (n) for a program to investigate and prosecute medicaid fraud. The 2 departments shall develop a contract regarding payments for the program.

SECTION 292. 20.455 (3) (title), (a) and (m) of the statutes are repealed.

SECTION 293. 20.455 (3) (b) of the statutes is renumbered 20.455 (2) (d).

SECTION 294. 20.455 (4) (title), (a), (b), (h), (m) and (n) of the statutes are renumbered 20.455 (2) (title), (a), (b), (h), (m) and (n), and 20.455 (2) (a) and (b), as renumbered, are amended to read:

20.455 (2) (a) *General program operations*. The amounts in the schedule for general program operations, including operating the state crime ~~laboratory~~ laboratories, performing criminal investigations, providing law enforcement services and providing independent crime laboratory services for defendants in a felony case upon authorization by the presiding judge in a felony.

(b) *Training aids*. ~~Biennially, the~~ The amounts in the schedule for the purpose of matching federal aids to be used to reimburse law enforcement agencies for training of law enforcement personnel.

SECTION 295. 20.455 (4) (g) of the statutes is repealed.

SECTION 295m. 20.465 (2) of the statutes is created to read:

20.465 (2) GUARD MEMBERS' BENEFITS. (a) *Tuition grants*. Biennially, the amounts in the schedule for the payment of tuition grants to members of the Wisconsin national guard under s. 21.49 (3).

SECTION 296. 20.485 (1) (a) of the statutes is amended to read:

20.485 (1) (a) *General program operations*. The amounts in the schedule for general program operations, less all payments received for the care of members at the home pursuant to title XIX of the social security act, pursuant to s. 45.37 (16) (b), and pursuant to sec. 641, title 38, U.S.C. as amended, including not to exceed \$300 for the burial of each deceased member as defined in s. 45.37 (15) who is buried in the cemetery of the Wisconsin veterans home. Of the amount included for general program operations, the department may use not to exceed \$2,000 to maintain a contingent fund for the payment of petty cash items, to be expended and accounted for insofar as applicable under s. 20.920. All moneys received in reimbursement for services rendered institutional employees pursuant to s. 45.365 (1) and all moneys received in payment of meals to guests are to be accumulated in an account named "employee maintenance credits" and refunded to the appropriation under this paragraph.

SECTION 297. 20.485 (1) (j) of the statutes is created to read:

20.485 (1) (j) *Applied program revenue*. All moneys received as applied receipts under par. (m) and s. 45.37 (9d) and (16) (b) for the care of the Wisconsin veterans home.

SECTION 298. 20.485 (1) (m) of the statutes is amended to read:

20.485 (1) (m) *Federal aid*. All moneys received from the federal government for care of veterans of any war or military expedition of the United States who have been admitted to and cared for at the Wisconsin veterans home. The net revenues accruing

under this paragraph shall be ~~deposited in the general fund credited to the appropriation under par. (j).~~

SECTION 298m. 20.485 (2) (a) of the statutes is created to read:

20.485 (2) (a) *National guard tuition grants administration.* Biennially, the amounts in the schedule for supplies and services expenditures necessary for administration of the national guard tuition grants program under s. 21.49.

SECTION 299. 20.485 (2) (wn) of the statutes is repealed.

SECTION 300. 20.505 (1) (g) of the statutes is repealed.

SECTION 301. 20.505 (1) (i) of the statutes is amended to read:

20.505 (1) (i) *Merchandise and services.* All moneys received from the sale of services and inventory items which are provided primarily to purchasers outside state government with such revenue to be used to provide services and to repurchase inventory items. Such moneys include all moneys received under s. 66.057 (1) (d) and (2) (b) for costs incurred under those paragraphs.

SECTION 302. 20.505 (1) (j) of the statutes is renumbered 20.505 (1) (k).

SECTION 303. 20.505 (1) (k) of the statutes is repealed.

SECTION 304. 20.505 (1) (L) of the statutes is created to read:

20.505 (1) (L) *Services to state agencies.* All moneys received from the sale of services and inventory items which are provided primarily to state agencies to provide services and to repurchase inventory items.

SECTION 305. 20.505 (2) (title) of the statutes is amended to read:

20.505 (2) (title) MANAGEMENT IMPROVEMENT AND CONSULTANTS.

SECTION 306. 20.505 (2) (a) of the statutes is amended to read:

20.505 (2) (a) *Management improvement studies and projects.* Biennially, the amounts in the schedule to hire management consultants to study state departments and agencies, to provide environmental impact studies for state agencies, and for statewide management improvement activities, incentives and awards. Moneys for the latter purpose shall be allocated to state agencies by the secretary of administration with approval of the governor according to agency need and performance in increasing productivity.

SECTION 307. 20.505 (5) (a) of the statutes is amended to read:

20.505 (5) (a) *General program operations.* Biennially, the amounts in the schedule for the travel and miscellaneous expenses of committees created by statute or executive order subject to the approval of budgets for each such committee by the joint committee on finance acting under s. 13.101, and for state membership dues, travel expenses and miscellaneous expenses to the education commission of the states under s. 39.76 and the state's contribution to the advisory commission on intergovernmental relations. The governor may, under this paragraph, allot sums not in excess of \$1,000 to any such committee when necessary, without a meeting of the committee, but any such allotments shall be reported to the committee at its next meeting. Administrative matters related to such budgets shall be handled by the department of administration.

SECTION 308. 20.505 (5) (c) to (f) of the statutes are repealed.

SECTION 309. 20.505 (5) (cc) of the statutes is created to read:

20.505 (5) (cc) *Wisconsin citizens environmental council.* The amounts in the schedule for the operations of the Wisconsin citizens environmental council under s. 144.76.

SECTION 310. 20.505 (8) of the statutes is repealed.

SECTION 311. 20.510 (1) (title) and (a) of the statutes are amended to read:

20.510 (1) (title) ADMINISTRATION OF ELECTION AND CAMPAIGN FINANCE LAWS. (a) (title) *General program operations*. Biennially, the amounts in the schedule for general program operations, including the printing of forms, materials, manuals, bulletins and election laws under ss. 5.05 (8), 7.08 (1) (b), (3) and (4) and 11.21 (3) and (14), and including the training of election officials under s. 5.05 (7).

SECTION 312. 20.510 (1) (b) and (c) of the statutes are repealed.

SECTION 313. 20.515 (1) (a) (title) and (w) (title) of the statutes are amended to read:

20.515 (1) (a) (title) *Benefit payments*.

(w) (title) *Administration*.

SECTION 314. 20.525 (1) (title) of the statutes is amended to read:

20.525 (1) (title) EXECUTIVE ADMINISTRATION.

SECTION 315. 20.525 (1) (b) to (e) of the statutes are renumbered 20.525 (1) (a) to (d), and 20.525 (1) (b), as renumbered is amended to read:

20.525 (1) (b) *Contingent fund*. A sum sufficient for contingent expenses at the discretion of the governor, including, without limitation because of enumeration, ~~the operation of the executive residence and~~ travel and miscellaneous expenses of committees created by executive order, but a statement of all such expenditures shall be rendered to the legislature at the beginning of each regular session.

SECTION 316. 20.525 (2) of the statutes is repealed.

SECTION 317. 20.525 (3) (title), (a) to (d), (h) and (m) to (p) and (5) (title), (a), (m) and (n) of the statutes are renumbered 20.530 (2) (title), (a) to (d), (h) and (m) to (p) and (3) (title), (a), (m) and (n) and 20.530 (2) (p), as renumbered, is amended to read:

20.530 (2) (p) *Federal aid, law enforcement improvement, local assistance*. All moneys received from the federal government to be allocated to local agencies governments for project grants to improve the administration of criminal justice.

SECTION 318. 20.525 (2) of the statutes is created to read:

20.525 (2) EXECUTIVE RESIDENCE. (a) *General program operations*. A sum sufficient for the general program operations of the executive residence.

SECTION 318m. 20.525 (6) of the statutes, as created by chapter 9, laws of 1977, is renumbered 20.530 (6).

SECTION 319. 20.530 (intro.) of the statutes is created to read:

**20.530 Executive councils.** (intro.) There is appropriated to the governor for the following programs:

SECTION 320. 20.530 (2) (e) of the statutes is created to read:

20.530 (2) (e) *Law enforcement improvement project aids, aids to organizations*. The amounts in the schedule to be allocated to organizations as matching funds for federal project grants to improve the administration of criminal justice.

SECTION 321. 20.530 (2) (pa) of the statutes is created to read:

20.530 (2) (pa) *Federal aid, law enforcement improvement, aid to organizations*. All moneys received as federal aid as authorized by the governor under s. 16.54 to be allocated to organizations for project grants to improve the administration of criminal justice.

SECTION 322. 20.530 (2) (pb) of the statutes is created to read:

20.530 (2) (pb) *Federal aid, juvenile justice delinquency and prevention, local assistance.* All moneys received as federal aid as authorized by the governor under s. 16.54 to be allocated to local governments for project grants to improve the administration of juvenile justice.

SECTION 323. 20.536 (1) (h) of the statutes is repealed and recreated to read:

20.536 (1) (h) *General program operations.* The amounts in the schedule from moneys received by the board, in advance, for the amounts anticipated to be expended in investing the funds which it controls. On July 1 and January 1 of each year, the board shall estimate the amounts required for the next 6-month period and bill the state agencies for whom investments are made. At the end of each semiannual period the board shall reconcile its expenditures and shall adjust its next billing to such agencies to reflect any deficits or excesses. At the end of each fiscal year the board shall reconcile its accounts and report to each state agency its share of total expenses for the year. Amounts billed to state agencies shall be charged to income received from the board's investments and revenue received from such billings. Any amounts received under s. 25.17 (9) shall also be credited to this appropriation.

SECTION 324. 20.545 (1) (b) of the statutes is amended to read:

20.545 (1) (b) *Community development grants.* Biennially, the amounts in the schedule for the purposes of s. 22.13 (2) (n), improving and strengthening local governments throughout this state. The appropriation under this paragraph is allocated to the department for grants to local units of government, subject to the approval of the local governing body. Activities eligible for funding ~~hereunder~~ under this paragraph include, but are not limited to, establishing local capability to determine priorities including policy review, administration and evaluation for the use of state or federal aids; improvement of management and productivity capabilities relating to the administration of local governments; facilitating the implementation of voluntary cooperation between 2 or more local governmental units leading toward improved and efficient service delivery; and providing training opportunities to local governmental personnel for these purposes. It is the intent of the legislature that approved projects shall be of sufficient size and scope to provide models which may be utilized by local units of government in other parts of the state, but no funds may be utilized to supplant funds otherwise committed to the project. Prior to accepting grant applications, the department shall establish parameters for evaluating applications, such. The parameters to shall be approved by the joint committee on finance. No ~~grant made under this paragraph after the effective date of this act (1977)~~ may exceed 80% [80%] 50% of the cost of any activities funded under this paragraph.

Vetoed  
in Part

SECTION 325. 20.545 (1) (c) of the statutes is renumbered 20.545 (2) (e).

SECTION 325m. 20.545 (1) (c) of the statutes is created to read:

20.545 (1) (c) *Agricultural land preservation.* The amounts in the schedule to provide funds to counties for the development of agricultural preservation plans under s. 91.65.

SECTION 326. 20.545 (1) (d) of the statutes is created to read:

20.545 (1) (d) *Expansion of community action agencies.* Biennially, the amounts in the schedule to assure the continued development of planning and services by community action agencies to all counties in the state.

SECTION 328. 20.545 (1) (h) of the statutes is repealed.

SECTION 329. 20.545 (1) (k) of the statutes is created to read:

20.545 (1) (k) *Management services.* All moneys received for consultation services, organizational and management studies provided by the department to carry out the purposes of the program.

SECTION 330. 20.545 (1) (o) of the statutes is created to read:

20.545 (1) (o) *Federal aid, individuals and organizations*. All moneys received as federal aid as authorized by the governor under s. 16.54 for aids to individuals and organizations.

SECTION 331. 20.545 (2) (h) of the statutes is repealed.

SECTION 332. 20.545 (2) (o) of the statutes is created to read:

20.545 (2) (o) *Federal aid, individuals and organizations*. All moneys received as federal aid as authorized by the governor under s. 16.54 for aids to individuals and organizations.

SECTION 333. 20.545 (3) (b) of the statutes is repealed.

SECTION 334. 20.545 (3) (o) of the statutes is created to read:

20.545 (3) (o) *Federal aid, individuals and organizations*. All moneys received as federal aid as authorized by the governor under s. 16.54 for aids to individuals and organizations.

SECTION 335. 20.545 (3) (q) of the statutes is created to read:

20.545 (3) (q) *Emergency police services*. From the transportation fund, the amounts in the schedule for the emergency police services program.

SECTION 336. 20.545 (4) (h) of the statutes is repealed.

SECTION 337. 20.550 of the statutes is created to read:

**20.550 Public defender board.** There is appropriated to the public defender board for the following program:

(1) LEGAL ASSISTANCE. (a) *General program operations*. The amounts in the schedule for general program operations under s. 967.06 and ch. 977.

(m) *Federal aid*. All moneys received as federal aid as authorized by the governor under s. 16.54 to carry out the purposes for which made and received.

SECTION 338. 20.566 (1) (a) of the statutes is amended to read:

20.566 (1) (a) *General program operations*. The amounts in the schedule for the administration of income, sales, excise and inheritance tax laws. From this appropriation, there are allotted, subject to the approval of the joint committee on finance acting under s. 13.101, such sums as are necessary to be used as contingent funds to redeem bad checks returned to the state treasurer or state depositories and for establishing change funds in the amount deemed necessary by the department.

SECTION 339. 20.566 (1) (b) of the statutes is created to read:

20.566 (1) (b) *Inheritance tax valuation*. Biennially, the amounts in the schedule to pay the expenses associated with the employment of accountants, appraisers and other special assistants including counsel to assist in tax determinations under s. 72.34 (1) (b).

SECTION 340. 20.566 (1) (i) of the statutes is created to read:

20.566 (1) (i) *Gifts and grants*. All moneys received from gifts, grants, bequests and devises to carry out the purposes for which made and received.

SECTION 341. 20.566 (2) (b) of the statutes is repealed.

SECTION 342. 20.566 (2) (h) of the statutes is created to read:

20.566 (2) (h) *Reassessment and review*. All moneys received under ss. 70.055, 70.75, 70.85 and 73.08 for the purposes of those sections.

SECTION 343. 20.566 (2) (i) of the statutes is created to read:

20.566 (2) (i) *Gifts and grants*. All moneys received from gifts, grants, bequests and devises to carry out the purpose for which made and received.

SECTION 344. 20.566 (3) (g) of the statutes is amended to read:

20.566 (3) (g) (title) *Services*. All moneys received from services rendered ~~to other state agencies~~ by the department, except as provided in subs. (2) (g) and (h). Insofar as practicable all such services shall be billed at cost. The unencumbered balance of this appropriation on June 30 of any year shall lapse to the general fund.

SECTION 345. 20.566 (3) (i) of the statutes is created to read:

20.566 (3) (i) *Gifts and grants*. All moneys received from gifts, grants, bequests and devises to carry out the purposes for which made and received.

SECTION 346. 20.575 (1) (title) of the statutes is amended to read:

20.575 (1) (title) **MANAGING AND OPERATING PROGRAM RESPONSIBILITIES.**

SECTION 347. 20.575 (1) (g) of the statutes is renumbered 20.575 (1) (ka) and amended to read:

20.575 (1) (ka) *Agency collections*. ~~Annually, the amounts in the schedule from the~~ All moneys received by the office as fees or other charges for photocopying, microfilm copying, sale of books and other such services provided in carrying out the functions of the office for the cost of providing such services. ~~All unencumbered balances shall lapse to the general fund annually on June 30.~~

SECTION 348. 20.575 (1) (g) of the statutes is created to read:

20.575 (1) (g) *Program fees*. Five and one-half percent of the fees collected under ss. 180.87 (1) (a), (b), (i) and (j), and 15% of the fees collected under ss. 409.405 (1) and (2) and 409.406 for the purpose of carrying out program responsibilities.

SECTION 349. 20.585 (1) (g) of the statutes is created to read:

20.585 (1) (g) *Processing services*. All moneys received from services rendered to local governments under ss. 25.50 (7) and 25.55 (3) for expenses in administering the funds under ss. 25.50 and 25.55.

SECTION 350. 20.680 (2) (c) of the statutes is repealed.

SECTION 351. 20.680 (2) (q) of the statutes is amended to read:

20.680 (2) (q) *Patients compensation panels*. From the patients compensation fund created under s. 655.27, an amount equal to the amount generated from fees collected under ss. 655.14 and 655.21 to carry out the administrator of courts' responsibilities under ch. 655. ~~Of the amounts appropriated under this paragraph an amount equal to the amounts appropriated under par. (c) shall be transferred to the general fund in calendar year 1976 as reimbursement for moneys appropriated under par. (c).~~

SECTION 352. 20.680 (3) of the statutes is repealed.

SECTION 352m. 20.710 (2) (f) and (y) and (3) (a) of the statutes are amended to read:

20.710 (2) (f) *Construction program*. Except for the ~~1975-77~~ 1977-79 fiscal biennium, wherein a total of ~~\$11,156,200~~ \$22,544,900 is authorized, a sum sufficient equal to 1.5% of the value of state buildings, structures, utility plants and equipment therein, excepting those under the jurisdiction of the highway commission, as appraised by the department of administration in accordance with s. 13.48 (3), for the purposes of carrying out the long-range building program under s. 13.48. The amounts provided under this paragraph shall be transferred to the appropriation made by par. (x) to carry out the purposes of that paragraph. All amounts thus transferred and all

prior appropriations made under the authority of this paragraph shall be considered as nonlapsing, any other provision of the statutes to the contrary notwithstanding.

(y) (title) *Planning and design*. As a continuing appropriation from the building trust fund, ~~\$2,000,000 on July 1, 1973, and thereafter any moneys allocated by the building commission for advance planning and~~ all moneys received as reimbursement for building trust fund advances made for planning and design under this paragraph. The governor, upon the approval of the building commission, shall authorize the release of funds from this appropriation for advance planning, preliminary studies and design ~~and may transfer funds from this appropriation to other accounts within the building trust fund.~~

(3) (a) *Principal repayment and interest*. A sum sufficient to pay all principal repayment and interest costs ~~not initially allocable to ss. 20.225 (1) (c) and 20.255 (2) (c), 20.285 (1) (d), 20.435 (2) (ee) and (3) (e) and 20.485 (1) (f) and subs. (1) (a) and (3) (b) on tax-supported borrowing which is not initially allocable to the respective programs.~~

SECTION 353. 20.710 (3) (g) of the statutes is amended to read:

20.710 (3) (g) *Principal repayment and interest*. A sum sufficient from moneys appropriated ~~under ss. 20.115 (4) (j) and 20.285 (1) (gb)~~ to pay all principal repayment and interest costs ~~for on~~ self-amortizing facilities borrowing which is not initially allocable to ss. 20.115 (4) (j) and 20.285 (1) (gb) the respective programs.

SECTION 353m. 20.710 (3) (h) of the statutes is amended to read:

20.710 (3) (h) *Principal repayment and interest*. A sum sufficient to guarantee full payment of principal and interest costs for self-amortizing facilities enumerated under ss. 20.115 ~~(4) (j)~~ (5) (j) and, 20.285 (1) (gb) and 20.370 (6) (v) if moneys available in those appropriations are insufficient to make full payment. All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including transfers from other program revenue appropriations, to ensure recovery of the amounts advanced.

SECTION 354. 20.725 (3) (a) and (9) (a) and (b) 1 of the statutes are amended to read:

20.725 (3) (a) *General purpose revenue*. A sum sufficient to provide special state aid to local school districts which are in such financial distress that they cannot continue in operation. This appropriation shall be distributed as aid to such school districts at such times, in such amounts, and under such conditions as the committee acting under s. 13.101 determines to be necessary to adequately provide for the purposes for which this appropriation is made, but in no case shall the total supplement to any such school district exceed \$100,000 in any year. The necessary travel expenses of any person delegated by the committee to investigate the needs of any such school district may be paid from this appropriation.

(9) (a) *Federal projects*. The committee acting under s. 13.101 may allot under subs. (1) and (2) moneys to any state activity to which a federal project has been granted. Allotments made by the committee under this subsection shall be certified to the department of administration and expenditures therefrom shall be shown in the state budget report as an additional cost of the state agency or programs to which allotments were made.

(b) 1. As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee acting under s. 13.101 may reduce any appropriation made to any board, commission, department, the university of Wisconsin system or to any other state agency or activity by such

amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (1) (f), (fb) and (fh), 20.395 (1), (3), (4) and (5), 20.435 (1) (c), (2) (d) and (4) (a), (d) and (e) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended ~~thereunder~~ under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee acting under s. 13.101 may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

SECTION 355. 20.765 (1) (d) of the statutes is amended to read:

20.765 (1) (d) *Processing legislative documents.* ~~Biennially, the amounts in the schedule~~ A sum sufficient to pay legislative expenses for processing legislative documents and records under ss. 13.17, 13.90 (7), 13.92 (1) (e) and 13.93 (3) or the rules of the senate and assembly.

SECTION 356. 20.765 (2) (cb) of the statutes is amended to read:

20.765 (2) (cb) *Membership in national associations.* ~~To~~ A sum sufficient to be disbursed as directed by the commission on interstate cooperation, ~~the amounts necessary~~ to pay the annual fees entitling the legislature to membership in national organizations including, without limitation because of enumeration, the council of state governments, the national conference of state legislatures and the national committee on uniform traffic laws and ordinances.

SECTION 357. 20.765 (2) (em) and (h) of the statutes are repealed.

SECTION 358. 20.765 (4) (ka) of the statutes is created to read:

20.765 (4) (ka) *Contracts with other state agencies.* All moneys received from contracts of the office of the lieutenant governor with other state agencies to carry out the purposes for which negotiated.

SECTION 359. 20.835 (title) and (1) (title) of the statutes are amended to read:

**20.835 (title) Shared taxes, revenue and tax relief.**

(1) (title) SHARED TAX ACCOUNT, SHARED REVENUE ACCOUNT AND MINIMUM PAYMENTS.

SECTION 360. 20.835 (1) (a) to (ab) of the statutes are repealed.

SECTION 361. 20.835 (1) (bb) of the statutes is amended to read:

20.835 (1) (bb) *Minimum payments supplement--municipalities.* A sum sufficient ~~annually~~ to make the payments under s. 79.06 (2) (b), but not to exceed \$8,500,000 ~~in fiscal year 1977-78~~ annually. This appropriation shall become void after the November ~~1977~~ 1979 payment.

SECTION 362. 20.835 (1) (d) of the statutes is repealed.

SECTION 363. 20.835 (1) (g) of the statutes is amended to read:

20.835 (1) (g) *Shared tax account.* All moneys received in the shared tax account ~~pursuant to~~ under s. 79.01 (1) to be distributed to counties, towns, villages and cities in accordance with subch. I of ch. 79, less that portion allocated to general property tax relief under s. 79.05, 1975 stats.

SECTION 364. 20.835 (1) (h), (j) and (k) of the statutes are created to read:



20.835 (1) (h) *Shared revenue account.* A sum sufficient to meet the requirements of the shared revenue account established under s. 79.01 (2) and to provide for the distributions from the shared revenue account to counties, towns, villages and cities under ss. 79.02, 79.03 and 79.04. Annually there is transferred from the appropriation under sub. (2) (b) to this paragraph the amounts determined under s. 79.16 (3).

(j) *Minimum shared revenue to counties.* A sum sufficient to make the distribution to counties under s. 79.06 (2) (c).

(k) *Corrections of shared revenue payments.* A sum sufficient to make the corrections of shared revenue payments under s. 79.08.

SECTION 365. 20.835 (2) (a) of the statutes is amended to read:

20.835 (2) (a) *General property tax relief.* The amounts in the schedule for general property tax relief under s. 79.10. Commencing with the 1975-76 fiscal year ~~the amounts appropriated under this paragraph, exclusive of any transfers under sub. (1) (g), shall not exceed \$65,071,000 in any fiscal year. Beginning with the 1976-77 1977-78 fiscal year the amounts in the schedule shall be \$45,071,000. There is transferred from the appropriation under sub. (1) (g) to this paragraph the amounts specified in s. 79.05 (2) \$210,471,000.~~

SECTION 366. 20.835 (2) (b) of the statutes is amended to read:

20.835 (2) (b) *Personal property tax relief.* ~~The towns', villages' and cities' share of state taxes amounts in the schedule to be distributed to towns, villages and cities as provided in s. 79.12, 1973 stats. or s. 79.17 to provide the credit credits specified thereunder against the general property tax levy on the local assessments of property made on merchant's stock-in-trade, manufacturers' materials and finished products, and livestock under such provisions less that portion allocated to general aid and the municipal and county shared revenue account under s. 79.16. Commencing with the 1978-79 fiscal year the amounts in the schedule prior to transfers under s. 79.16 shall increase by 8% over the amount in the schedule in the prior year. This appropriation shall terminate after the 1981-82 fiscal year.~~

SECTION 366e. 20.835 (2) (d) of the statutes is created to read:

20.835 (2) (d) *Improvements tax relief.* A sum sufficient for payments to claimants under s. 79.25.

Partial  
Veto  
Overruled

SECTION 366f. 20.835 (2) (dm) of the statutes is created to read:

20.835 (2) (dm) *Farm property tax credit.* A sum sufficient to pay the aggregate claims approved under s. 71.09 (11).

SECTION 366k. 20.835 (2) (ds) of the statutes is created to read:

20.835 (2) (ds) *Manufacturing machinery and equipment reimbursement.* The counties', towns', villages' and cities' share of state taxes as provided in s. 70.996 to provide the reimbursement specified thereunder for manufacturing machinery and equipment.

Partial  
Veto  
Overruled

SECTION 366m. 20.835 (4) (a) of the statutes is repealed.

SECTION 367. 20.855 (1) of the statutes is repealed.

SECTION 368. 20.855 (2) (title) of the statutes is amended to read:

20.855 (2) (title) LOCAL ASSISTANCE PAYMENTS.

SECTION 369. 20.855 (2) (a) of the statutes is repealed.

SECTION 370. 20.855 (2) (c) of the statutes is repealed.

SECTION 371. 20.855 (2) (e) of the statutes is created to read:

20.855 (2) (e) *Soil and water conservation district aids.* The amounts in the schedule for the payment of aids to soil and water conservation districts by the board of soil and water conservation districts under s. 92.20.

Partial  
Veto  
Overruled

SECTION 371m. 20.855 (2) (f) of the statutes is created to read:  
20.855 (2) (f) *Agricultural nonpoint source water pollution grants.* Biennially, the amounts in the schedule to make the grants under s. 92.21.

SECTION 373. 20.855 (5) of the statutes is repealed.

SECTION 374. 20.855 (6) of the statutes is repealed.

SECTION 374m. 20.855 (6) of the statutes is created to read:

20.855 (6) PUBLIC EMPLOYMENT PROGRAMS. (n) *Federal aid, state operations.* All moneys received from the federal government as authorized by the governor under s. 16.54 for public employment programs or related programs.

SECTION 375. 20.865 (intro.) of the statutes is amended to read:

**20.865 Program supplements.** (intro.) There is appropriated to the various state agencies from the respective funds and accounts from which their appropriations are financed such amounts as provided in this section, but only after the amounts included in the respective program appropriations for the purposes indicated in this section have been exhausted. All expenditures under this section for purposes normally financed by program revenues shall be charged to the appropriate account, but if the revenues of such account are exhausted or not available such expenditures shall be charged to the general purpose revenues of the fund from which the appropriation was made. Those expenditures paid from general purpose revenues on behalf of program revenues shall be separately accounted for and the general purpose revenue of the appropriate fund shall, except as otherwise provided in s. 20.285 (1) (g), be reimbursed for such expenses as soon as funds become available in the appropriate account. Estimated supplements under this section from other than general fund general purpose revenue shall appear in the schedule as the paragraphs which correspond to the general purpose revenue paragraphs in that subsection, as follows: If general purpose revenue pars. (a), (b), (c), (ci), (cm), (d), ~~(e)~~, (f) ~~or~~, (fm) and (fo) are used, the corresponding program revenue paragraphs shall be pars. (g), (h), (i), (ic), (im), (j), (jm), (L) and (Lm) and (Lo), respectively, and the corresponding segregated fund paragraphs shall be pars. (q), (r), (s), (si), (sm), (t), (tm), (v) and (vm) and (vo), respectively. In the case of annual or biennial appropriations under this section, the amounts available from program and segregated revenues shall be limited to the dollar level specified in the corresponding general purpose revenue appropriation subject to the balances available in the respective accounts or funds.

SECTION 375m. 20.865 (1) (c) (intro.) of the statutes is amended to read:

20.865 (1) (c) (intro.) *Pay plan adjustments.* A sum sufficient to pay the cost of pay adjustments approved by the legislature ~~or the joint committee on employment relations~~ under s. 16.086 and by the legislature, when required, for employes of the classified service and comparable adjustments for those employes in the unclassified service, except those included under ss. 16.08 (2) (d) and (f) and 20.923 (5) and (6) (c) and (m) as determined and allocated pursuant to subds. 1 and 2, and to pay the cost of any pay adjustments made under s. 16.085. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 376. 20.865 (1) (e) of the statutes is created to read:

20.865 (1) (e) *Additional biweekly pay period.* A sum sufficient to pay the cost of the 27th pay period in fiscal year 1978-79 for employes on the biweekly payroll system.

SECTION 377. 20.865 (1) (fo) of the statutes is created to read:

20.865 (1) (fo) *Inflation and records center charges.* The amounts in the schedule to supplement state agencies' budgets to finance inflation and the department of administration charge to administer the state records center. The supplement may equal an amount up to, but not exceeding, the amounts allocated as follows: [See Figure s. 20.865 (1) (fo) following]

**Figure: 20.865 (1) (fo)**

		1977-78	1978-79
Agriculture	GPR	53,000	94,300
	PR	7,800	14,300
	SEG	1,000	1,900
	Subtotal	( 61,800)	(110,500)
Banking	PR	11,300	17,900
Business Development	GPR	3,800	6,300
Credit Unions	PR	3,800	6,000
Insurance	SEG	1,400	1,400
Public Service Commission	PR	16,900	26,800
	SEG	4,200	6,400
	Subtotal	( 21,100)	( 33,200)
Regulation and Licensing	GPR	8,600	13,100
	PR	39,400	58,100
	Subtotal	( 48,000)	( 71,200)
Savings and Loan	PR	2,000	3,300
Securities	GPR	5,800	7,900
Arts Board	GPR	1,800	2,800
Educational Communications Board	GPR	54,400	94,800
Higher Educational Aids Board	GPR	30,400	47,800
Historical Society	GPR	24,500	38,600
Public Instruction	GPR	55,100	91,400
University of Wisconsin System	GPR	1,392,900	2,442,400
Vocational, Technical and Adult Education	GPR	5,900	9,700
Natural Resources	GPR	50,400	87,500
	SEG	191,400	333,400
	Subtotal	(241,800)	(420,900)
Transportation	SEG	860,900	1,418,400
Employment Relations	GPR	3,900	5,600
Board on Aging	GPR	400	600
Health and Social Services	GPR	947,900	1,731,100
Industry, Labor and Human Relations	GPR	72,100	100,900
Justice	GPR	57,500	94,300
Military Affairs	GPR	7,800	15,500
Veterans Affairs	GPR	6,700	11,200
	PR	200	200
	SEG	18,600	25,300
	Subtotal	( 25,500)	( 36,700)
Administration	GPR	266,400	444,800
Elections Board	GPR	6,200	10,300
Employe Trust Funds	SEG	5,500	5,500
Ethics Board	GPR	300	600
Investment Board	PR	2,100	3,600
Local Affairs and Development	GPR	10,800	17,300
Public Defender	GPR	3,900	6,900
Revenue	GPR	276,300	375,600
	PR	4,000	7,500
	SEG	3,100	4,500
	Subtotal	(283,400)	(387,600)
Secretary of State	GPR	9,200	13,200
State Treasurer	GPR	7,800	8,600
Supreme Court			
Bar Commissioners	GPR	200	400
Law Library	GPR	3,000	5,200
	Subtotal	( 3,200)	( 5,600)
Legislature	GPR	5,700	9,300
	SEG	100	100
	Subtotal	( 5,800)	( 9,400)
TOTALS	GPR	3,372,700	5,788,000
	PR	87,500	137,700
	SEG	1,086,200	1,796,900
	GRAND TOTAL	4,546,400	7,722,600

SECTION 378. 20.865 (1) (jm) of the statutes is created to read:

20.865 (1) (jm) *Additional biweekly pay period.* See the introductory paragraph and par. (e).

SECTION 379. 20.865 (1) (Lo) of the statutes is created to read:

20.865 (1) (Lo) *Inflation and records center charges.* See the introductory paragraph and par. (fo).

SECTION 380. 20.865 (1) (tm) of the statutes is created to read:

20.865 (1) (tm) *Additional biweekly pay period.* See the introductory paragraph and par. (e).

SECTION 381. 20.865 (1) (vo) of the statutes is created to read:

20.865 (1) (vo) *Inflation and records center charges.* See the introductory paragraph and par. (fo).

SECTION 382. 20.865 (3) (a) of the statutes is amended to read:

20.865 (3) (a) (title) *Taxes.* A sum sufficient for the payment of taxes ~~and assessments pursuant to ss. 66.64 and~~ to local governments under s. 74.57.

SECTION 383. 20.865 (3) (b) of the statutes is created to read:

20.865 (3) (b) *Assessments.* Biennially, the amounts in the schedule for the payment of assessments by local governments under s. 66.64.

SECTION 384. 20.865 (3) (g) and (q) of the statutes are amended to read:

20.865 (3) (g) *Property taxes and assessments.* See s. 20.865 (intro.) and sub. (3) (a) and (b).

(q) *Property taxes and assessments.* See s. 20.865 (intro.) and sub. (3) (a) and (b).

SECTION 385. 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under ss. 20.115 ~~(4)~~ (5) (j), 20.225 (1) (c), 20.245 (1) (e), 20.250 (1) (e), 20.255 (2) (c), 20.285 (1) (d) and (gb), 20.370 (6) (b) ~~and (d)~~ and (v). 20.395 ~~(1) (ra), (rb), (rc) and (rd)~~ (6) (ws) and (wt). 20.435 (2) (ee) and (3) (e), 20.465 (1) (d), 20.485 (1) (f) and (3) (t) and 20.710 (1) (a) and (i) and (3) (a), (b), (g) and (h) for the payment of principal and interest on public debt acquired in accordance with ch. 18.

SECTION 385j. 20.866 (2) (s) of the statutes, as affected by chapter 6, laws of 1977, is amended to read:

20.866 (2) (s) *University of Wisconsin; academic facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~\$240,426,400~~ \$287,105,000 for this purpose.

SECTION 385k. 20.866 (2) (t) of the statutes is amended to read:

20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities. The state may contract public debt in an amount not to exceed ~~\$92,043,200~~ \$95,163,200 for this purpose.

SECTION 385m. 20.866 (2) (tm) of the statutes is amended to read:

20.866 (2) (tm) *Natural resources; water pollution abatement and sewage collection facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the department of natural resources to acquire, construct, develop, enlarge or improve water pollution abatement and sewage collection

Partial  
Veto  
Overruled

facilities. The state may contract public debt in an amount not to exceed ~~\$144,000,000~~ \$150,850,000 for this purpose. Of this amount, \$5,000,000 is allocated for water pollution abatement and sewage collection facilities pursuant to s. 144.23.

Partial  
Veto  
Overruled

SECTION 386. 20.866 (2) (tp) of the statutes is amended to read:

20.866 (2) (tp) *Natural resources; recreation facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to acquire, construct, develop or enlarge state recreation facilities and to construct an educational facility and youth conservation camp at Poynette. The state may contract public debt in an amount not to exceed ~~\$43,432,000~~ \$47,232,000 for this purpose.

SECTION 386j. 20.866 (2) (tu) of the statutes is created to read:

20.866 (2) (tu) *Natural resources; self-amortizing administrative facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities. The state may contract public debt in an amount not to exceed \$1,200,000 for this purpose.

SECTION 386m. 20.866 (2) (ur) of the statutes is amended to read:

20.866 (2) (ur) *Transportation; accelerated highway improvements.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to acquire, construct, develop, enlarge, or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may contract public debt in an amount not to exceed ~~\$200,000,000~~ \$185,000,000 for this purpose.

SECTION 386n. 20.866 (2) (us) of the statutes is repealed and recreated to read:

20.866 (2) (us) *Transportation; connecting highway improvements.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to acquire, construct, reconstruct, resurface, develop, enlarge or improve connecting highway facilities as provided by s. 84.51 (3). The state may contract public debt in an amount not to exceed \$15,000,000 for this purpose.

SECTION 386s. 20.866 (2) (v) of the statutes is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of health and social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed ~~\$23,622,600~~ \$26,900,400 for this purpose.

SECTION 386t. 20.866 (2) (w) of the statutes is amended to read:

20.866 (2) (w) *Health and social services; correctional facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of health and social services to acquire, construct, develop, enlarge or improve correctional facilities. The state may contract public debt in an amount not to exceed ~~\$11,486,300~~ \$46,280,800 for this purpose.

SECTION 386v. 20.866 (2) (xa) to (xd) of the statutes are created to read:

20.866 (2) (xa) *Building commission; refunding corporation tax supported debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to fund or refund the whole or any part of any unpaid indebtedness used to finance facilities in which lease rental payments are paid from general purpose revenue and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation or the Wisconsin state public building corporation. The state may contract public debt in an amount not to exceed \$168,413,400 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto.

Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (s), (v), (w), (y) or (zm) for which purpose the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the net interest costs to the state can be reduced.

(xb) *Building commission; refunding corporation self-amortizing debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to fund or refund the whole or any part of any unpaid indebtedness used to finance self-amortizing facilities in which program revenues reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed \$135,680,200 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (t), (u), (ur) or (zz) for which purpose the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the net interest costs to the state can be reduced.

(xc) *Building commission; refunding tax supported general obligation debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are paid from general purpose revenue. The state may contract public debt in an amount not to exceed \$70,000,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (s), (tm), (v), (w), (y), (z), (zb), (zd), (zf), (zh), (zj) or (zm) for which purpose the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the net interest costs to the state can be reduced.

(xd) *Building commission; refunding self-amortizing general obligation debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are repaid from program revenues or segregated funds. The state may contract public debt in an amount not to exceed \$30,000,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (t), (tp), (u), (ug), (ur), (ut), (zn) or (zz) for which purpose the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the net interest costs to the state can be reduced.

SECTION 386w. 20.866 (2) (y), (zf) and (zj) of the statutes are amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$16,240,000~~ \$38,965,000 for this purpose.

(zf) *Historical society, historic sites.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the historical society to acquire, construct, develop, enlarge or improve historic sites and facilities. The state may contract public debt in an amount not to exceed ~~\$834,000~~ \$1,314,000 for this purpose.

(zj) *Military affairs, armories and military facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~\$317,100~~ \$928,800 for this purpose.

SECTION 387. 20.866 (2) (zn) of the statutes, as affected by chapter 4, laws of 1977, is amended to read:

20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of veterans affairs for the purchase of mortgages and mortgage notes covering loans made to veterans under s. 45.79 (6) (a). The state may contract public debt in an amount not to exceed ~~\$555,000,000~~ \$830,000,000 for this purpose.

SECTION 389. 20.903 (2) of the statutes is amended to read:

20.903 (2) ANTICIPATION OF ACCOUNTS RECEIVABLE. Program revenue continuing appropriations may be encumbered and moneys expended therefrom in an amount not exceeding the total of the unencumbered appropriation balance plus accrued accounts receivable outstanding, plus inventories and work in process, but not in excess of the amount allotted by the department of administration, without violating sub. (1). In addition, the ~~appropriation~~ appropriations under s. 20.505 (1) (i) and (L) may be encumbered and moneys expended therefrom in an additional amount not exceeding the depreciated value of motor vehicles financed through such ~~appropriation~~ appropriations for fleet operations, without violating sub. (1). The secretary of administration may require such statements of outstanding accounts receivable as he or she deems necessary before allotting sums in excess of the unencumbered appropriation balance. For the purposes of this subsection only, the secretary shall consider as accrued accounts receivable on each June 30, the federal aid funds allotted and \$8,000,000 of the revenues from imposts which the department of transportation has obligated under s. 84.01 (20).

SECTION 390. 20.903 (3) of the statutes is repealed.

SECTION 391. 20.905 (2) of the statutes is amended to read:

20.905 (2) PROTESTED PAYMENT. If any such personal or individual check is not paid by the bank on which it is drawn, the person by whom ~~such the~~ check has been tendered shall remain liable for the payment of the amount for which ~~such the~~ check was tendered and for all legal penalties ~~and~~, additions and a charge of \$2, and in such case the officer to whom ~~such the~~ check was tendered shall lay the facts before the district attorney of the county of registration for prosecution as provided by law. In case any license has been granted upon any such check, ~~such the~~ license shall be subject to cancellation for the nonpayment of ~~such the~~ check.

SECTION 392. 20.907 (1) and (2) of the statutes are amended to read:

20.907 (1) ACCEPTANCE AND INVESTMENT. Unless otherwise provided by law, all gifts, grants, bequests and devises to the state or to any state agency for the benefit or advantage of the state, whether made to trustees or otherwise, shall be legal and valid when approved by the joint committee on finance acting under s. 13.101 and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the

limitations and restrictions provided by law in other cases; but no such accumulation shall be allowed to produce a fund more than 20 times as great as that originally given. When such gifts, grants, bequests or devises include common stocks or other investments which are not authorized by s. 881.01, such common stocks or other investments may be held and may be exchanged, invested or reinvested in similar types of investments without being subject to the limitations provided by law in other cases.

(2) CUSTODY AND ACCOUNTING. The state treasurer shall have custody of all such gifts, grants, bequests and devises in the form of cash or securities. The department of administration shall keep a separate account for each state agency receiving such gifts, grants, bequests and devises, including therein investments, accumulations, payments and any other transaction pertaining to such moneys. If no state agency is designated by the donor to carry out the purposes of the conveyance, the joint committee on finance acting under s. 13.101 shall appoint a state agency to act as trustee.

SECTION 393. 20.910 of the statutes is amended to read:

**20.910 State suit tax; notice of default.** If the department of administration does not receive from the clerk of the circuit court the statement relative to suit tax and other payments required by s. 59.395 (5) together with a receipt for the sum required by law to be paid on the actions so entered during the preceding month, on or before the first day of the next succeeding month, it shall ~~forthwith~~ immediately notify the judge of the circuit court of the county of the failure to transmit ~~such the~~ statement or receipt or both; and ~~such the~~ judge shall thereupon notify the clerk to show cause why he or she should not be removed from office in the manner provided by law.

SECTION 394. 20.912 (5) of the statutes is amended to read:

20.912 (5) LOST OR DESTROYED CHECKS. If any check or draft drawn and issued by the state treasurer is lost or destroyed and the bank on which ~~such the~~ check or draft is drawn has been notified to stop payment thereon, the state treasurer may, after ~~the expiration of 7 days from the date of notice to stop payment~~ acknowledgement by the bank that the check or draft has not been paid, issue a duplicate check or draft and thereafter the state treasurer shall be relieved from all liability thereon.

SECTION 398m. 20.915 (1) of the statutes is amended to read:

20.915 (1) PURCHASE. Each state agency, upon written approval of the governor, may purchase necessary aircraft, trucks and automobiles for its general use, of such style and make as it determines. ~~Such~~ The department of administration shall ensure that each state agency when purchasing petroleum-powered passenger automobiles purchases only those passenger automobiles which have a combined mileage rating as certified by the U.S. environmental protection agency of no less than 21 miles per gallon for 1978 models and no less than 23 miles per gallon for 1979 models. Law enforcement automobiles and automobiles needed to carry heavy passenger or equipment loads are excluded from the mileage requirement of this subsection. All aircraft, trucks and automobiles shall be purchased through the department of administration, pursuant to under ss. 16.70 to 16.82.

SECTION 398p. 20.920 (1) (a) of the statutes is amended to read:

20.920 (1) (a) "Department" means the department of health and social services, department of public instruction, board of regents of the university of Wisconsin system, board of curators of the state historical society of Wisconsin, state fair park board and department of veterans affairs.

SECTION 399. 20.920 (2) (a) and (c) of the statutes are amended to read:

20.920 (2) (a) From the contingent fund authorized by ss. 20.245 (1) (a), 20.255 (2) (a) 2., 20.435 (9) and 20.485 (1), institutional bills of less than \$75 may be paid, but no part of the fund shall may be used for payment of salary or wages of an employe. The amount allotted to each institution shall be deposited in a separate



account to be known as the "contingent fund" in a public depository to be designated by the respective departments. Payment of institutional bills of less than \$75 shall be made by check drawn by the superintendent against such account, except as ~~herein~~ otherwise provided in this section, without the necessity of being first submitted to the department and to the department of administration for approval and audit. The superintendent shall file claim for reimbursement on a sworn voucher which shall be accompanied by the bills to be reimbursed. Bills paid by check need not be receipted by the payee, but the number of the check shall be placed on the bill. Bills may be paid by cash if approved by the superintendent and receipted by the payee. After approval of such claim by the department and audit by the department of administration, the contingent fund shall be reimbursed the total amount lawfully paid therefrom. If the superintendent pays any bill which is subsequently disapproved either by the department or the department of administration as unlawful or unauthorized, the superintendent shall, within 10 days after notification by the department, personally make good such unlawful or unauthorized payment. All moneys received in reimbursement for payments made from the contingent fund shall be deposited to the credit of ~~said the~~ account and are added to the appropriation. Each respective department, with the approval of the department of administration, shall ~~make written promulgate rules and regulations~~ for carrying out this subsection. Each department shall require the superintendent of each institution to execute and file a surety bond in such sum as the joint committee on finance acting under s. 13.101 requires, guaranteeing the faithful discharge of the superintendent's duties and obligations under this section, the premium to be paid out of the proper appropriation for each department. Any check drawn against the contingent fund of an institution which is not paid within 2 years of the date of its drawing because of inability to locate the drawee or failure to submit ~~same the check~~ for payment, after the bank has been requested to stop payment, shall be treated as a canceled check and added to the checking account balance. A check for the amount so added shall be drawn in favor of the state treasurer and deposited in the general fund as a nonappropriated receipt. If the person entitled to a check so canceled presents a satisfactory claim therefor to the department, ~~said the~~ department shall direct the department of administration to draw a warrant in payment of such claim and charge it to a sum sufficient appropriation for the repayment of canceled checks. In those institutions in which the financial and business affairs are under the jurisdiction of a financial or business officer, the contingent fund shall be under ~~said that~~ officer's jurisdiction and all of the ~~above~~ provisions under this paragraph applying to the superintendent shall apply to ~~said that~~ officer.

(c) Out of the appropriations in s. 20.435 (3) (km) there is allotted, subject to the approval of the joint committee on finance acting under s. 13.101, such sums as may be necessary to be used as a contingent fund for the purchase of clothing, transportation, maintenance and other necessities for ~~and transportation of~~ probationers and parolees who are without means to secure ~~the same, such those necessities,~~ the contingent fund to be administered in conformity with the procedure provided in par. (a) and with the provision that any amount may be paid from this fund and that all payments may be made without first being submitted to the department of health and social services and the department of administration for approval and audit.

SECTION 399g. 20.923 (1) (a) of the statutes is renumbered 20.923 (1) and amended to read:

20.923 (1) To this end, a compensation plan consisting of 10 executive salary groups is established in schedule one of the state compensation plan for the classified service from ranges 10 through 19. No salary range established above salary range 15 may be utilized in the establishment and compensation of positions in the classified service without specific approval of the joint committee on employment relations. The

dollar value of the salary range minimum and maximum for each executive salary group shall be reviewed and established in the same manner as that provided for positions in the classified service under s. 16.086 (3), except that adjustments of salaries under sub. (2) shall in addition be prepared in bill form by the joint committee on employment relations and submitted to a vote of the full legislature and shall not take effect until the bill is enacted without change. If such bill is not enacted without change, no adjustment may take effect unless the joint committee on employment relations submits a subsequent bill and such bill is enacted without change. Such bill shall be put on the calendar and shall not be subject to ss. 13.10 (1), 13.50 (6) (a) and (b) and 16.47 (2). The salary-setting authority of individual boards, commissions, elective and appointive officials elsewhere provided by law is subject to and limited by this section, and the salary rate for these positions upon appointment and subsequent thereto shall be set by the appointing authority pursuant to this section, unless the position is subject to article IV, section 26 of the state constitution.

SECTION 399r. 20.923 (2) (a) (intro.) of the statutes is amended to read:

20.923 (2) (a) (intro.) The annual salary for each of the following positions shall be set at the midpoint of the assigned salary range for its respective executive salary group in effect at the time of taking the oath of office, except as provided in pars. (b), (c), (d), (e) and (f) and shall become effective immediately for all incumbent constitutional and other elected state officials, subject to article IV, section 26 of the Wisconsin constitution and for any subsequently elected official who takes his or her oath following August 5, 1973, except that no adjustment is effective until it is ratified under sub. (1); and except that no such annual salary established in this subsection shall not include the additional one percent increase provided for nonrepresented state employes in 1976-77 by chapter 224, laws of 1975, section 145f.

~~SECTION 401. 20.923 (4) (b) 3 of the statutes is renumbered 20.923 (4) (b) 9 and amended to read:~~

Vetoed  
in Part

~~20.923 (4) (b) 9. Executive office Transportation, department of highway safety coordinator.~~

SECTION 401m. 20.923 (4) (b) 4 of the statutes is repealed.

SECTION 401p. 20.923 (4) (c) 1 of the statutes is amended to read:

20.923 (4) (c) 1. Agriculture, department of; divisions of administration, consumer protection, meat inspection, food and standards, marketing, plant industry and trade: administrators.

SECTION 402. 20.923 (4) (c) 6 and (d) 14 of the statutes are repealed.

SECTION 403. 20.923 (4c) of the statutes is created to read:

20.923 (4c) DEPARTMENT OF TRANSPORTATION ADMINISTRATORS. Division administrators in the department of transportation may be assigned to the executive salary group under sub. (4) (c), (d) or (e) as determined under chapter .... (this act), section 1655 (43) (ba), laws of 1977. Administrators so assigned and not in positions in the classified service are eligible for benefits under ss. 16.30 (1m) and (2) and 20.926.

SECTION 403m. 20.923 (4) (d) 8m of the statutes is created to read:

20.923 (4) (d) 8m. Justice, department of; division of legal services: administrator.

SECTION 404. 20.923 (4) (d) 13 of the statutes is renumbered 20.923 (4) (d) 10m and amended to read:

20.923 (4) (d) 10m. ~~Supreme court~~ Public defender board: state public defender.

SECTION 404m. 20.923 (4) (e) 3 of the statutes is amended to read:

20.923 (4) (e) 3. Health and social services, department of; divisions of vocational rehabilitation, ~~family services~~ economic assistance, corrections, policy and budget and ~~business management~~ management services: administrators.

SECTION 405. 20.923 (4) (e) 4 and (f) 3 and 4 of the statutes are amended to read:

20.923 (4) (e) 4. Industry, labor and human relations, department of: labor and industry review commission: member and chairman.

(f) 3. Health and social services, department of; ~~divisions~~ division of health and health policy and planning: ~~administrators~~ administrator.

4. Industry, labor and human relations ~~commission: chairman,~~ department of: secretary.

SECTION 405m. 20.923 (4) (g) 1 of the statutes is amended to read:

20.923 (4) (g) 1. Health and social services, department of; division of ~~mental hygiene~~ community services: administrator.

SECTION 406d. 20.923 (8) of the statutes is amended to read:

20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (f), 15.05 (2), 15.16 and 551.51 (1), shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer, associate director of the historical society, and the deputy or vice chancellor of any university of Wisconsin campus who is clearly serving in a line capacity as a deputy responsible for assisting the chancellor in directing all campus programs shall be treated as unclassified deputies for pay purposes under this subsection.

SECTION 406m. 21.49 of the statutes is created to read:

**21.49 Educational benefits.** (1) DEFINITIONS. In this section:

(a) "Guard member" means any person who is a member of the Wisconsin national guard.

(b) "Qualifying school" means any of the following:

1. The extension division and any center or campus of the university of Wisconsin system.

2. Any accredited institution of higher education as defined by rule by the higher educational aids board.

3. Any school of vocational, technical and adult education established under ch. 38.

(c) "Tuition grant" means any tuition cost reimbursement payment made by the department of military affairs under sub. (3).

(2) ELIGIBLE GUARD MEMBER. Eligibility for a tuition grant under this section is limited to a guard member who is a new enlistee to the guard, as determined by the department of military affairs and who is not:

(a) An officer, warrant officer or full-time technician required to maintain membership in the guard due to employment with the department of military affairs;

(b) Eligible for educational benefits from the U.S. veterans administration; or

(c) An individual with a baccalaureate degree or its equivalent.

(3) TUITION GRANTS. (a) Any eligible guard member upon satisfactory completion of a full-time or part-time course in a qualifying school is entitled to a tuition grant equal to 50% of the actual tuition charged by the school or 50% of the maximum

resident tuition charged by the university of Wisconsin-Madison campus for a comparable portion of the academic year, whichever amount is less.

(b) Application for tuition grants shall:

1. Be submitted to the department of veterans affairs for approval of payment;
2. Contain such information and be in such form as the department of veterans affairs requires to establish that the applicant qualifies for the grant; and
3. Contain the signatures of both the guard member claiming the grant and a representative of the school, certifying that the member has satisfactorily completed the course.

(c) Upon determination that the applicant is eligible to receive the payment, the department of veterans affairs shall certify to the department of military affairs that the tuition grant shall be awarded. After receiving the certification, the department of military affairs shall make payment of the tuition grant to the applicant in the amount determined under par. (a) by the department of veterans affairs.

(d) Tuition grants under this section shall be paid out of the appropriation under s. 20.465 (2) (a). If the amount of funds applied for exceeds the amount available under s. 20.465 (2) (a), the department of veterans affairs shall not pro rate grants. In such cases, the department of veterans affairs shall determine eligibility on the basis of the dates of the applications.

(4) LIMITATIONS. (a) No guard member is eligible for benefits under this section for more than 8 full semesters or the equivalent thereof, as measured in terms of credits earned and class time spent.

(b) If the U.S. congress establishes a draft after the effective date of this act (1977), no new grants may be authorized under this section. The department of veterans affairs shall determine if a draft has been established. Any termination of the grant program under this paragraph shall allow persons receiving grants prior to the establishment of a draft to receive full benefits subject to sub. (3) (d) and par. (a).

SECTION 408. 23.09 (2) (d) (intro.) of the statutes is amended to read:

23.09 (2) (d) (intro.) Acquire by purchase, lease or agreement, and receive by gifts or devise, lands or waters suitable for the ~~purpose hereinafter~~ purposes enumerated in this paragraph, and maintain ~~the same~~ such lands and waters for the said such purposes; and may condemn lands or waters suitable for such purposes after obtaining approval of the ~~senate and assembly~~ appropriate standing committees on natural resources of each house of the legislature as determined by the presiding officer thereof:

SECTION 409. 23.09 (2) (d) 7 of the statutes is created to read:

23.09 (2) (d) 7. For state recreation areas as defined in s. 23.091.

SECTION 411. 23.09 (25) of the statutes is repealed and recreated to read:

23.09 (25) MOTORCYCLE RECREATIONAL PROGRAM. (a) The department shall administer an off-the-road motorcycle and motor driven cycle recreational aid program from moneys appropriated under s. 20.370 (1) (wm) and (wn). The department shall distribute these funds to towns, villages, cities and counties for the acquisition, development, operation and maintenance of off-the-road motorcycle and motor driven cycle trails and facilities.

(b) The department shall promulgate rules and develop guidelines to administer this subsection.

(c) The state or its agencies shall not be liable for any injury to any person or damage to any property in connection with or arising out of the use of any lands acquired, developed or operated under this subsection.

(d) The motorcycle recreation council shall carry out studies and make recommendations to the department concerning the implementation of this section.

SECTION 412. 23.091 of the statutes is created to read:

**23.091 Recreation areas.** (1) **DESIGNATION.** The department may acquire, develop, operate and maintain state recreation areas. State lands and waters may be designated as state recreation areas that are environmentally adaptable to intensive recreational uses or are so located to provide regional recreational opportunities for urban areas.

(2) **MASTER PLAN.** The department may designate a recreational area only after a master plan for use and management of the area is prepared, public hearings on the plan are held in the county where the largest portion of land in the project is located, the procedures prescribed in s. 1.11 are complied with, and the plan is approved by the natural resources board.

(3) **USE ZONES.** The department may establish use zones within state recreation areas providing for the full range of recreational uses, including hunting and fishing. It may adopt rules to control uses within zones and may limit the number of persons using any zone. Such use zones shall be consistent with the activities identified in the master plan formulated under sub. (2).

SECTION 413. 23.14 of the statutes is created to read:

**23.14 Approval required before new lands acquired.** Prior to the initial acquisition of any lands by the department after the effective date of this act (1977) for any new facility or project, the proposed initial acquisition shall be submitted to the governor for his or her approval. New facilities or projects include, without limitation because of enumeration, state parks, state forests, recreation areas, public shooting, trapping or fishing grounds or waters, fish hatcheries, game farms, forest nurseries, experimental stations, endangered species preservation areas, picnic and camping grounds, nature trails, bicycle trails, snowmobile trails, youth camps, scientific areas and wild rivers.

SECTION 414. 23.26 of the statutes is repealed.

SECTION 415. 23.35 of the statutes is amended to read:

**23.35 Olympic ice rink.** The department of ~~natural resources~~ shall manage and supervise all activities in connection with the Olympic ice rink. Operating costs of the Olympic ice rink shall be paid from the appropriation under s. 20.370 (1) ~~(c)~~, (fp) and ~~(g)~~ (u).

SECTION 416. 23.40 (2) of the statutes is amended to read:

23.40 (2) If the department is required to prepare an environmental impact statement, it shall so notify the person by certified mail and shall indicate the estimated full cost of the project or proposed action and the amount of the fee to be paid preparation of the environmental impact statement. The department shall charge a fee of .05% of equal to the estimated full cost, under s. 20.370 (5) (a) and (u), of the project or proposed action or \$10, whichever is greater preparation of the environmental impact statement. The department shall determine the manner in which the fee is to be paid and shall deposit the fee in the general fund.

SECTION 417. 23.50 (1) of the statutes is amended to read:

23.50 (1) The procedure in ss. 23.50 to 23.85 shall apply to all actions to recover forfeitures and penalty assessments for violations of s. 134.60 and chs. 23, 26, 27, 28, 29, 30, 31 and 350, and any administrative rules promulgated thereunder.

SECTION 418. 23.50 (2) of the statutes is amended to read:

23.50 (2) All actions to recover such forfeitures and penalty assessments are civil actions in the name of the state of Wisconsin, shall be heard in the county court of the county where the offense occurred, and shall be recovered pursuant to the procedure set forth in ss. 23.50 to 23.85. Circuit courts shall not have original jurisdiction over such actions.

SECTION 419. 23.50 (3) of the statutes is amended to read:

23.50 (3) All actions to recover forfeitures and penalty assessments for violations of local ordinances enacted by any local authority in accordance with s. 30.77 may utilize the procedure in ss. 23.50 to 23.85. Such actions shall be brought before the municipal court having jurisdiction.

SECTION 420. 23.51 (3m) of the statutes is created to read:

23.51 (3m) "Penalty assessment" means the penalty assessment imposed by s. 165.87.

SECTION 421. 23.51 (5) of the statutes is amended to read:

23.51 (5) "Violation" means conduct which is prohibited by state law or municipal ordinance and punishable by a forfeiture and a penalty assessment.

SECTION 422. 23.53 (1) of the statutes is amended to read:

23.53 (1) The citation created under this section shall, in all actions to recover forfeitures and penalty assessments for violations of those statutes enumerated in s. 23.50 (1) and any administrative rules promulgated thereunder, be used by any law enforcement officer with authority to enforce such laws. In accordance with s. 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway use. The citation may be used for violations of local ordinances enacted by any local authority in accordance with s. 30.77.

SECTION 423. 23.54 (3) (e) of the statutes is amended to read:

23.54 (3) (e) The maximum forfeiture and penalty assessment for which the defendant might be found liable.

SECTION 424. 23.54 (3) (i) of the statutes is amended to read:

23.54 (3) (i) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus costs not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 425. 23.54 (3) (j) of the statutes is amended to read:

23.54 (3) (j) Notice that if the defendant makes a deposit and signs the stipulation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus costs not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and stipulation, and that the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effects of the stipulation.

SECTION 426. 23.55 (1) (b) of the statutes is amended to read:

23.55 (1) (b) A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the statute upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, and a penalty assessment and such other relief that is sought by the plaintiff.

SECTION 427. 23.56 (2) of the statutes is amended to read:

23.56 (2) In actions to collect forfeitures and penalty assessments, the judge who issues a warrant under sub. (1) may indorse upon the warrant the amount of the deposit. If no indorsement is made, the deposit schedule under s. 23.66 shall apply, unless the court directs that the person be brought before the court.

SECTION 428. 23.66 (2) of the statutes is amended to read:

23.66 (2) The person receiving the deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus costs not to exceed the amount of the deposit which the court may accept. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, ~~such~~ the check shall be considered a receipt.

SECTION 428m. 23.66 (4) of the statutes is amended to read:

23.66 (4) The basic amount of the deposit shall be determined in accordance with a deposit schedule which the board of county judges shall establish. Annually, the board shall review and may revise the schedule. In addition to the basic amount determined according to the schedule, the deposit shall include court costs ~~and~~, suit tax and a penalty assessment if applicable.

SECTION 429. 23.67 (2) of the statutes is amended to read:

23.67 (2) The deposit and stipulation of no contest may be made at any time prior to the court appearance date. By signing the stipulation, the defendant is deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus costs not to exceed the amount of the deposit.

SECTION 430. 23.67 (3) of the statutes is amended to read:

23.67 (3) The person receiving the deposit and stipulation of no contest shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be deemed to have submitted to a forfeiture and a penalty assessment plus costs not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in s. 23.66.

SECTION 431. 23.75 (3) (b) of the statutes is amended to read:

23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus the fees and suit tax set forth in s. 23.82, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. If the court accepts the plea of no contest, the defendant may move within 90 days after the date set for appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no contest, the court or judge may order a written complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law. If on

reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant's deposit returned.

SECTION 432. 23.75 (3) (c) of the statutes is amended to read:

23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment plus the fees and suit tax set forth in s. 23.82, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on such motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects thereof. If the defendant is relieved from the stipulation of no contest, the court may order a citation or complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law.

SECTION 433. 23.79 (1) of the statutes is amended to read:

23.79 (1) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture provided by the statute for the violation, the penalty assessment and for costs.

SECTION 434. 23.79 (2) of the statutes is amended to read:

23.79 (2) The payment of any judgment may be suspended or deferred for not more than 90 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments and costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 435. 23.80 (2) of the statutes is amended to read:

23.80 (2) Upon default of the defendant corporation or municipality, or upon conviction, judgment for the amount of the forfeiture and the penalty assessment shall be entered.

SECTION 436. 23.84 of the statutes is amended to read:

**23.84 (title) Forfeitures and penalty assessments collected; to whom paid.** All moneys collected in favor of the state or a municipality for forfeiture and penalty assessment shall be paid by the officer who collects the same to the appropriate municipal or county treasurer, within 20 days after its receipt by ~~such~~ the officer. In case of any failure in such payment the municipal or county treasurer may collect the ~~same~~ payment from the officer by an action in the treasurer's name of office and upon the official bond of the officer, with interest at the rate of 12% per annum from the time when it should have been paid.

SECTION 437. 23.85 of the statutes is amended to read:

**23.85 Statement to county board; payment to state.** Every county treasurer shall, on the first day of the annual meeting of the county board of supervisors, submit to it a verified statement of all forfeitures and penalty assessments money received during the year next preceding. The county clerk shall deduct all expenses incurred by the county in recovering such forfeitures and penalty assessments from the aggregate amount so received, and shall immediately certify to the county treasurer the amount of clear proceeds of such forfeitures and penalty assessments, so ascertained, who shall pay ~~the same~~ such proceeds to the state treasurer as provided in s. 59.20.

SECTION 439. 25.17 (3) (b) 5 of the statutes is created to read:



25.17 (3) (b) 5. Bankers acceptances accepted by banks located in the United States.

SECTION 439d. 25.17 (3) (bf) 1 of the statutes is amended to read:

25.17 (3) (bf) 1. Subject to ~~subd. subds.~~ 2 and 3, make sums available, at the request of the higher educational aids board, for the purpose of making additional loans to needy students under s. 39.32. Such sums shall be made available notwithstanding sub. (61) and shall not exceed \$55,000,000 outstanding at any one time of the balances of the general fund. Such loans shall initially be made by the higher educational aids board from the appropriations under s. 20.235 (1) (g). Despite the specific provisions of sub. (1), the responsibility for collection of the interest and principal on such loans to students shall rest in the higher educational aids board and the function of the investment board shall be limited to advancing funds to the higher educational aids board, based upon the certificates of the higher educational aids board as to the current status of the student loans made, due and collectible under s. 39.32, and to periodically receiving from the appropriations made by s. 20.235 (1) (fa), (g), (h) and (m) payments of principal and interest on the advances made to the higher educational aids board, interest to be computed monthly at 4% per annum on the unpaid principal balance of the advances, made prior to July 1, 1966, and at the maximum rate allowable under P.L. 89-329 and P.L. 89-287, or 4%, whichever is the greater, on all loans made on or after July 1, 1966, computed as of January 1 and July 1 of each year and payable within 90 days thereafter.

SECTION 439e. 25.17 (3) (bf) 2 of the statutes is amended to read:

25.17 (3) (bf) 2. A cumulative total of not more than \$55,000,000 may be advanced under this section upon the request of the higher educational aids board. However, the investment board shall advance ~~such the~~ funds only when the joint committee on finance acting under s. 13.101 determines that the liquidity of the general fund is not in danger to a point which will not permit this state to pay its obligations as they arise, and subsequently approves advance of ~~such the~~ funds based upon such determination.

SECTION 439f. 25.17 (3) (bf) 3 of the statutes is created to read:

25.17 (3) (bf) 3. Notwithstanding subd. 2 and s. 20.235 (1) (g), following the first issue of revenue obligation bonds under s. 39.37, no principal repaid or refunded on student loans funded under this paragraph may be used to make loans to students under s. 39.32. Principal repaid or refunded may be used to repurchase student loans funded from general fund advances and assigned, sold or conveyed pursuant to s. 39.28 (4). All other principal repaid or refunded on loans funded under this paragraph shall be returned to the investment board to reduce the advances from general fund balances authorized by the joint committee on finance under subd. 2.

SECTION 440. 25.29 (2) (a) and (b) of the statutes are amended to read:

25.29 (2) (a) As necessary to carry out civil disorder responsibilities under s. 22.165~~½~~

(b) As provided in s. 20.370 (1) (uh); ~~and~~

SECTION 441. 25.29 (2) (c) of the statutes is repealed.

SECTION 442. 25.29 (6) (intro.) of the statutes is amended to read:

25.29 (6) (intro.) All of the proceeds of the tax which is levied under s. 70.58 (2), and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens ~~pursuant to~~ under s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by counties by virtue of any tax deed and of other lands suitable for state forests, and for the development of lands so acquired and the conduct of forestry thereon, including the growing and planting of trees; for forest and marsh fire

prevention and control; for compensation of emergency fire wardens; for maintenance, permanent property and forestry improvements; for other forestry purposes authorized by law and for the payment of aid for county forests as authorized in s. 28.11 and ch. 77.

SECTION 443. 25.40 of the statutes is repealed and recreated to read:

**25.40 Transportation fund.** (1) The separate nonlapsible trust fund designated as the transportation fund shall consist of the following:

(a) All collections of the department of transportation or the transportation commission except net sales taxes as determined in s. 77.61 (4) (b) and other revenues specified in ch. 218 which shall be paid into the general fund.

(b) Motor fuel taxes and other revenues collected under ch. 78.

(c) Taxes on air carrier companies under ch. 76 and aircraft registration fees under s. 114.20.

(d) Assessments collected by the transportation commission under ss. 184.10 and 195.60.

(e) All moneys paid into the state treasury by any local unit of government or other sources for transportation purposes.

(f) All federal aid for aeronautics, highways and other transportation purposes made available by any act of congress, subject to applicable federal regulations.

(g) The investment income of the transportation fund.

(2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.135 (2) (q), 20.255 (1) (q) and (r), 20.285 (1) (x), 20.292 (1) (u), 20.355 (1) (u), 20.505 (3), 20.545 (3) (q), 20.566 (1) (u) and 20.765 (2) (u) or authorized by s. 25.17 or 86.35 shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 444. 25.41 of the statutes is repealed.

SECTION 445. 25.50 (1) (d) of the statutes is amended to read:

25.50 (1) (d) "Local government" means any county, town, village ~~or~~ city, power district, sewerage district, drainage district, public library system, school district or vocational, technical and adult education district in this state, any commission, committee, board or officer of any governmental subdivision of this state, any court of this state, other than the supreme court, or any authority created under s. 231.02, 234.02 or 499.02 (1).

SECTION 446. 25.50 (3) (b) of the statutes is amended to read:

25.50 (3) (b) On the dates specified and to the extent to which they are available, subject to s. 16.53 (10), funds payable to local governments under ss. 70.996 (1) (a), 79.02 (2) (a) and (am), 79.03 (1), 79.04 (1), (2) (a) and (3), 79.06, 79.08, 79.10 (1) and (3) and 79.17 (1) and (3) shall be considered local funds and, pursuant to the instructions of local officials, may be paid into the separate accounts of all local governments established in the local government pooled-investment fund and, pursuant to the instructions of local officials, to the extent to which they are available, be disbursed or invested.

Partial  
Veto  
Overruled

SECTION 447. 25.50 (9) of the statutes is created to read:

25.50 (9) RULES. The state treasurer may promulgate rules to carry out the purposes of this section.

SECTION 448. 25.55 (4) of the statutes is created to read:

25.55 (4) The state treasurer may promulgate rules to carry out the purposes of this section.

SECTION 448b. 26.20 (2) of the statutes is repealed and recreated to read:

26.20 (2) SPARK ARRESTERS ON LOCOMOTIVES. All road locomotives operated on any railroad shall be equipped with spark arresters that meet or exceed minimum performance and maintenance standards enumerated by the ~~U.S. department of agriculture forest service in standard 5100-1a or by the society of automotive engineers~~ <sup>Vetoed in Part</sup> in their practice regarding spark arresters. The superintendent of motive power or equivalent officer of each railway shall designate an employe of the railway at each railway division point and roundhouse who shall examine each locomotive and its spark arrester each time the locomotive leaves the railway division point or roundhouse and the designated employe and his or her employer shall each be held responsible for complying with this subsection.

SECTION 448e. 26.20 (4) of the statutes is renumbered 26.20 (4) (a) and amended to read:

26.20 (4) (title) CLEARING RIGHT-OF-WAY. (a) Every corporation maintaining and operating a railway shall, at least once in each year, and within 10 days when requested by the department in writing, cut and burn or remove from its ~~right-of-way~~ right-of-way all grass and weeds and burn or remove ~~therefrom~~ from its right-of-way all brush, logs, refuse material, and debris within a reasonable time, and whenever fires are set for such purpose, shall ~~take proper care to prevent the escape thereof of the fire from the right-of-way~~ right-of-way. Upon failure of a railway corporation to comply with this paragraph, the department may do or contract for completion of the work and the corporation shall be liable to the state for all of the costs of the work.

SECTION 448h. 26.20 (4) (b) of the statutes is created to read:

26.20 (4) (b) The department may periodically require every corporation operating a railway to remove combustible materials from designated right-of-way or portions of a right-of-way, and lands adjacent to the right-of-way. This paragraph shall not relieve any railway corporation from responsibility or liability for causing any damage along any right-of-way nor from the corporation's duty to comply with par. (a).

SECTION 448L. 26.20 (6) of the statutes is repealed and recreated to read:

26.20 (6) REPORTS AND MEASURES FOR PREVENTION OF FIRES. (a) Conductors or individuals in charge of a train who discover that their train is causing fires along or adjacent to the right-of-way shall immediately report the fires to the nearest railway division point or district office. It shall be the duty of the railway dispatcher or appropriate railway management authority to immediately notify the local department office plus the sheriff of the county where any fire is located. The conductor or other individuals in charge of a train shall attempt to discover the cause of any fire. If any part of the train, including the locomotive, is believed to have caused the fire, efforts shall be made to rectify the part before the train returns to service.

SECTION 448o. 26.20 (6) (b) of the statutes is created to read:

26.20 (6) (b) Any forest ranger, conservation warden, sheriff or other duly appointed authority may, in the performance of official duties, require any train causing fires or suspected of causing fires to stop within a safe distance from the fires to avoid further setting or spread of fire.

SECTION 448r. 26.20 (9) of the statutes is renumbered 26.20 (9) (a).

SECTION 448t. 26.20 (9) (b) and (c) of the statutes are created to read:

26.20 (9) (b) Any corporation, by its officers, agents or employes, wilfully violating this section shall be fined not more than \$1,000.

(c) Any conductor, individual in charge of a train or officer, agent or employe of a railway who violates this section shall forfeit not more than \$500.

SECTION 448u. 26.21 of the statutes is repealed and recreated to read:

**26.21 Civil liability for forest fires.** (1) In addition to the penalties provided in s. 26.20, the United States, the state, the county or private owners, whose property is injured or destroyed by forest fires, may recover, in a civil action, double the amount of damages suffered, if the fires occurred through wilfulness, malice or negligence. In a civil action, a court may award reasonable costs for legal representation to provide owners recovering damages under this subsection.

(2) Persons causing fires in violation of this chapter shall be liable to the state in an action for debt, to the full amount of all damages done to the state lands and for all expenses incurred by the towns fighting forest fires and shall be liable to municipalities in an action for debt, to the full amount of all damages to the municipal lands and for all expenses incurred by the municipalities fighting such fires.

SECTION 449. 27.01 (2r) (a) of the statutes is amended to read:

27.01 (2r) (a) No person may operate an automobile, motor truck, motor delivery wagon, bus, motorcycle or other similar motor vehicle or trailer or semitrailer used in connection therewith in ~~Council Grounds state forest or the Bong area lands acquired under s. 23.09 (13), in the Point Beach state forest or, in developed~~ recreational areas in other state forests designated as such by the department, in designated use zones within recreation areas established under s. 23.091 (3), or in any state park or roadside park except those specified in par. (b), unless such vehicle has affixed thereto an annual admission sticker or a daily admission tag as herein provided under this paragraph. No admission fees ~~shall~~ may be charged in such areas from November 1 to March 31, except as provided by rule. Such annual stickers shall be issued by the department and shall be valid for the calendar year for which issued. The daily admission tags shall be issued by the department and shall state the date for which issued. The fee for the annual admission sticker shall be \$5 for each vehicle bearing Wisconsin registration plates and \$8 for all other vehicles. The fee for the daily admission tags shall be \$1.50 for vehicles bearing Wisconsin registration plates and \$2.50 for all other vehicles, and shall be effective only for the date issued. Such annual admission sticker shall be affixed to the interior surface of the lower left-hand corner of the windshield of the vehicle and such daily admission tag shall be attached to the steering wheel or steering handlebar of such vehicle. All moneys collected from the sale of such annual admission stickers and daily admission tags shall be paid within one week into the state treasury, credited to the conservation fund and used for state ~~park and state forest recreational areas only~~ parcs, state recreation areas, recreation areas in state forests, and the Bong area lands.

SECTION 450. 27.01 (2r) (e) of the statutes is created to read:

27.01 (2r) (e) 1. The department may charge a person an admission fee to enter Heritage Hill state park or a state trail. The department may not charge an admission fee to enter a state trail during the period from the Saturday nearest October 27 to March 31, except as the department provides by rule.

2. The department may establish by rule the amount of the admission fee to enter Heritage Hill state park or a state trail.

3. The department may authorize agents, including the department's concessionaires and their agents, to collect the admission fees and to retain not more than 20% of the admission fees collected by them. The department shall regulate their activities in a manner similar to s. 29.09.

4. The department may authorize nonprofit corporations to operate state trails and state parks classified as historical parks.

SECTION 450m. 27.01 (7) (q) of the statutes is created to read:

27.01 (7) (q) The state park, in Marinette county, as “Thunder Mountain State Park”.

SECTION 451. 28.02 (2) of the statutes is amended to read:

28.02 (2) ACQUISITION. The department may acquire lands or interest in lands by grant, devise, gift, condemnation or purchase within the boundaries of established state forests or purchase areas; and outside of such boundaries for forest nurseries, tracts for forestry research or demonstration and for forest protection structures, or for access to such properties. In the case of condemnation the department shall first obtain approval from the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof.

SECTION 453. 28.11 (6) (b) 3 of the statutes is amended to read:

28.11 (6) (b) 3. No merchantable wood products ~~shall~~ may be cut on any lands entered under this section unless a cutting notice on forms furnished by the department ~~has been is~~ filed with and approved by ~~said the~~ department. Any unauthorized cutting shall render the county liable to the state in an amount equal to double the stumpage value of the cut products which amount shall be paid by the county to the state and credited to the appropriation under s. 20.370 (1) ~~(vn)~~. If the county does not pay the amount of such penalty to the state, the department may withhold such amount from future state contributions to the county.

SECTION 455. 28.11 (8) (a) and (b) 1 and 2 and (9) (a) of the statutes are amended to read:

28.11 (8) (a) (title) *Acreage payments*. As soon after April 20 of each year as feasible, the department shall pay to each town treasurer 20 cents per acre, based on the acreage of such lands as of the preceding June 30, as a grant out of the appropriation made by s. 20.370 (1) ~~(vn)~~ on each acre of county lands entered under this section. ~~Payments so made shall be from the general fund transfer made by s. 20.370 (1) (b) and shall be known as the “general fund account”.~~

(b) 1. Any county having established and maintaining a county forest under this section shall receive from the state out of the appropriation ~~made by~~ under s. 20.370 (1) ~~(vn)~~ 10 cents for each acre entered and designated as “county forest land” as a noninterest bearing loan to be used for the purchase, development, preservation and maintenance of ~~such the~~ county forest lands and ~~such the~~ payment shall be credited to a county account to be known as the county forestry aid fund. If any lands purchased from ~~said the~~ fund are sold the county shall restore the purchase price to the county forestry aid fund. The department shall pay to ~~such the~~ county the amount due to it on or before March 31 of each year, based on the acreage of ~~such the~~ lands as of the preceding June 30.

2. Out of the appropriation made by s. 20.370 (1) ~~(vn)~~ the department may allot additional interest free forestry aid loans on a project basis to individual counties to permit ~~such the~~ counties to undertake meritorious and economically productive forestry operations. These additional aids shall not be used for the construction of roads, recreational facilities or for fish and game management projects. Application shall be made in the manner and on forms prescribed by the department and specify the purpose for which the additional aids will be used. The department shall thereupon make such investigation as it deems necessary to satisfy itself that the project is feasible, desirable and consistent with the comprehensive plan. If the department so finds it may make allotments in such amounts as it determines to be reasonable and proper and charge the same to the forestry fund account of the county. Such allotments shall be credited by the county to the county forestry aid fund.

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(9) (a) On timber cut from lands entered as "county forest lands" the county shall pay a severance share of not less than 20% of the actual stumpage sales value of ~~such~~ the timber, except that a higher rate of payment may be applied when ~~so~~ agreed upon by the department and the county. When cutting is done by the county and timber is not sold or is sold as cut forest products the severance share ~~thereon~~ shall be 20% of the severance tax schedule in effect ~~pursuant to~~ under s. 77.06 (2). Of the severance share paid by a county to the state the entire amount shall be restored to the appropriation made by s. 20.370 (1) (vn) and credited to the forestry fund account of the county.

SECTION 456. 29.145 (4) of the statutes is created to read:

29.145 (4) (a) The department shall issue a trout stamp for a fee of \$2.50 to each person holding or applying for a fishing license under this section or s. 29.09 (12), 29.14, 29.146 or 29.147 if the person uses or intends to use the license for trout fishing in inland waters of the state. The trout stamp shall be designed and produced by the department, shall be attached to the fishing license and shall be valid if the fishing license has not expired. Any person who is exempt from payment or charge for a fishing license is also exempt from the fee under this subsection.

(b) The department shall expend the receipts from sale of trout stamps on improving trout habitat in the inland waters of the state and administering this subsection. Collection and remittance procedures applicable to fishing license fees under s. 29.09 apply to trout stamp revenues with the exception of s. 29.09 (10).

(c) For purposes of this subsection, "inland waters" shall not include any harbors on Lake Michigan or Lake Superior.

SECTION 457. 29.33 (title) and (2) (a) 1 and 2 and (b) of the statutes are amended to read:

**29.33 (title) Commercial fishing in outlying waters.**

(2) (a) 1. For fishing with ~~set hook lines or~~ nets, with or without a boat not exceeding 16 feet in overall length, ~~\$16~~ \$200 per year. Any person using more than a single crew consisting of not to exceed 4 persons in fishing with nets or hooks under the ice shall secure a license for each such crew. The department, upon proper application therefor, shall issue with each license to fish with nets ~~or set hook lines~~ under the ice 4 identification cards bearing the number of the license and the year for which issued. Each member of a single crew engaged in the setting, lifting or pulling of nets, ~~set hook lines~~ or other devices set under the ice under authority of ~~said~~ the license shall carry such card on his or her person while so engaged and upon demand of any conservation officer shall exhibit ~~such~~ the card. Minnow seines and dip nets used for taking smelt and minnows are exempt from this subdivision.

2. For each boat used in catching, killing, taking or transporting fish caught with nets ~~or set hook lines, \$1 per foot over all length,~~ \$200 and ~~\$1~~ \$5 per ton additional for each ton over 10 gross tons. No license is required for a scow used only in transporting nets. Each license for a boat propelled by sail, steam, gas or other mechanical power shall entitle the licensee to operate a rowboat not exceeding 16 feet in ~~over all~~ overall length without additional license. Each such rowboat shall bear the same identification as the boat for which the license is issued and shall be used only while attending said boat. No resident ~~shall~~ may pay less than ~~\$16~~ \$200 or more than ~~\$75~~ \$300 per year on any boat.

(b) *Nonresident.* The following fees for commercial fishing licenses shall be required from nonresidents:

1. Boats 16 feet or less, ~~\$48~~ \$300; boats over 16 feet and up to and including 10 tons gross tonnage, \$3 per foot (~~over all~~ overall length); boats more than 10 tons gross tonnage, \$3 per foot (~~over all~~ overall length) and \$3 per ton in addition for each ton

over 10 gross tons. No license is required for a scow used only in transporting nets. No nonresident person shall ~~may~~ pay less than \$48 \$300 or more than \$225 \$400 per year on any boat.

2. Fishing without a boat or with gear set under the ice, ~~\$200~~ \$300.

SECTION 458. 29.37 (2) of the statutes is amended to read:

29.37 (2) The fee for each such license shall be ~~\$4~~ \$10.

SECTION 459. 29.595 (2) (c) of the statutes is amended to read:

29.595 (2) (c) All claims for deer and bear damage shall be filed with the department and 80% of such claims shall be paid from the funds provided for such purposes under s. 20.370 (1) ~~(ue)~~.

SECTION 461. 30.28 of the statutes is created to read:

**30.28 Fee for permits and approvals.** (1) The department shall charge a permit or approval fee for carrying out its duties and responsibilities under ss. 30.10 to 30.27. The permit or approval fee shall accompany the permit application or request for approval and shall be refunded if the permit or approval is not granted.

(2) The basic fee charged for permits and approvals shall be \$10 plus a supplemental fee based upon the estimated project cost as follows:

- (a) Five dollars for projects from \$1 to \$500 in value.
- (b) Ten dollars for projects from \$501 to \$2,000 in value.
- (c) Twenty dollars for projects from \$2,001 to \$5,000 in value.
- (d) Fifty dollars for projects from \$5,001 to \$10,000 in value.
- (e) Sixty-five dollars for projects in excess of \$10,000 in value.

SECTION 462. 30.52 (3) (intro.) and (a) of the statutes are consolidated and amended to read:

30.52 (3) FEES. (intro.) A fee of \$4.50 shall be paid to the department for the issuance of a certificate of number or renewal thereof valid for the whole or any part of a numbering period, ~~subject to the following exceptions: (a) For~~ except the fee shall be \$2 for the issuance of a certificate of number to the new owner upon transfer of ownership of a boat numbered in this state, ~~the fee shall be \$2 if the certificate is issued for the remainder of the numbering period for which the previous certificate was issued.~~

SECTION 463. 30.52 (3) (b) of the statutes is repealed.

SECTION 464. 30.79 (1) (b), (2), (3), (4) and (5) of the statutes are amended to read:

30.79 (1) (b) "Water safety patrol unit" means a unit within an existing municipal law enforcement agency or a separate municipal agency, created by a municipality or by a number of municipalities riparian to a single body of water for the purpose of enforcing ss. 30.50 to 30.80 and any rules and ordinances enacted pursuant thereto ~~under ss. 30.50 to 30.80 and for conducting search and rescue operations.~~

Vetoed  
in Part

(2) STATE AID. In order to protect public rights in navigable waters and to promote public health, safety and welfare and the prudent and equitable use of the navigable waters of the state, a system of state aids for local enforcement of ss. 30.50 to 30.80 and ordinances enacted pursuant thereto ~~under ss. 30.50 to 30.80 and for conducting search and rescue operations~~ is hereby established. Aid shall be granted under this section to those municipalities which establish, maintain and operate water safety patrol units in accordance with this chapter.

Vetoed  
in Part

(3) ENFORCEMENT POWERS. Officers patrolling the waters as part of a water safety patrol unit may stop and board any boat for the purpose of enforcing ss. 30.50 to

~~30.80 or any rules or ordinances enacted pursuant thereto under ss. 30.50 to 30.80 and for conducting search and rescue operations, if he has the officers have reasonable cause to believe there is a violation of such the sections, rules or ordinances of the stopping and boarding of any boat is essential to conduct a search and rescue operation.~~

Vetoed  
in Part

(4) JURISDICTION. Upon petition by any municipality or group of municipalities operating or intending to operate a water safety patrol unit, the department shall, if it finds that it is in the interest of efficient and effective enforcement to do so, by rule define the waters which may be patrolled by ~~such the~~ unit, including waters lying within the territorial jurisdiction of some other town, village or city if ~~such the~~ town, village or city consents ~~thereto to the patrol of its waters~~. Such consent is not required if the petitioner is a municipality containing a population of 5,000 or more, bordering upon the waters to be affected by ~~such the~~ rule in counties having a population of less than 500,000. Officers patrolling the waters as part of ~~such the~~ water safety patrol unit shall have the powers of sheriff in enforcing ss. 30.50 to 30.80, or rules or ordinances enacted pursuant thereto under ss. 30.50 to 30.80 ~~and in conducting search and rescue operations~~, on any of the waters so defined, whether or not ~~such the~~ waters are within the municipality's jurisdiction for other purposes.

Vetoed  
in Part

(5) PAYMENT OF AIDS. On or before January 31 of the year following the year in which a municipality operated a water safety patrol unit, it shall file with the department on the forms prescribed by it a detailed statement of the costs incurred by the municipality in the operation of the water safety patrol unit during the past calendar year and of the receipts resulting from fines or forfeitures imposed upon persons convicted of violations of ordinances enacted pursuant to under s. 30.77. The department shall audit the statement and determine the net costs, after deduction of any fines or forfeitures imposed upon persons convicted of violations of ordinances enacted pursuant to under s. 30.77, which are directly attributable to the operation and maintenance of the water safety patrol unit, including a reasonable amount for depreciation of equipment. The department shall compute the state aids on the basis of 75% of ~~such the~~ net costs directly attributable to the operation and maintenance of the water safety patrol unit and shall cause ~~such the~~ aids to be paid on or before April 1 of the year in which the statements are filed. If the state aids payable to municipalities exceed the moneys available for such purpose, the department shall prorate the payments. No county or municipality shall receive state aid amounting to more than 20% of the funds available.

SECTION 465. 31.39 of the statutes is created to read:

**31.39 Fee for permits and approvals.** (1) The department shall charge a permit or approval fee for carrying out its duties and responsibilities under ss. 31.02 to 31.38. The permit or approval fee shall accompany the permit application or request for approval and shall be refunded if the permit is not granted.

(2) The basic fee charged for permits and approvals shall be \$10 plus a supplemental fee based upon the estimated project cost as follows:

- (a) Five dollars for projects from \$1 to \$500 in value.
- (b) Ten dollars for projects from \$501 to \$2,000 in value.
- (c) Twenty dollars for projects from \$2,001 to \$5,000 in value.
- (d) Fifty dollars for projects from \$5,001 to \$10,000 in value.
- (e) Sixty-five dollars for projects in excess of \$10,000 in value.

SECTION 466. 32.02 (intro.) of the statutes is amended to read:

**32.02 Who may condemn; purposes.** (intro.) The following departments, municipalities, boards, commissions, public officers and corporations may acquire by



condemnation any [real estate and personal\*] property appurtenant thereto or interest therein which they have power to acquire and hold or transfer to the state, for the purposes specified, in case such property cannot be acquired by gift or purchase at an agreed price:

SECTION 467. 32.02 (15) of the statutes is created to read:

32.02 (15) The department of transportation for the acquisition of abandoned railroad and utility property under s. 195.199.

SECTION 468. 32.02 (16) of the statutes is created to read:

32.02 (16) The department of natural resources with the approval of the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof and as authorized by law, for acquisition of lands.

~~SECTION 468m. 32.03 (6) of the statutes is created to read:~~

~~32.03 (6) The general power of condemnation conferred in this chapter does not extend to condemnation by a county acting exclusively or jointly with a town, city or village under s. 59.083 (1) of any property for the purpose of installing a pipeline unless such condemnation is of a limited interest.~~

Vetoed  
in Part

SECTION 469. 32.05 (intro.) and (1) of the statutes are amended to read:

**32.05 (title) Condemnation for sewers and transportation facilities.** (intro.) This section does not apply to town highways created or altered under ch. 80 except as to jury trials on appeals under ss. 80.24 and 80.25, nor to proceedings in cities of the 1st class under chapter 275, laws of 1931, as amended (Kline Law). In cities of the 1st class, condemnation for housing under ss. 66.40 to 66.404, or for urban renewal under s. 66.431 may proceed under this section or under s. 32.06 at the option of the condemning authority. All other condemnation of property for public alleys, streets, highways, airports, mass transit facilities, or other transportation facilities, or storm sewers and sanitary sewers or watercourses shall proceed as follows:

(1) **RELOCATION ORDER.** The ~~highway commission~~, turnpike commission, county board of supervisors (or the county highway committee when so authorized by said board), county expressway and transportation commission, city council, village board, sewerage commission governing metropolitan sewerage district created by s. 59.96 or s. 66.22, secretary of transportation, a commission created by contract under s. 66.30, housing authority under ss. 66.40 to 66.404, redevelopment authority under s. 66.431 or community development authority under s. 66.4325 shall make an order providing for the laying out, relocation and improvement of the public highway, street, alley, storm and sanitary sewers, watercourses, mass transit facilities, airport, or other transportation facilities, housing project or redevelopment project which shall be known as the relocation order. This order shall include a map or plat showing the old and new locations and the lands and interests required. A copy of the order shall, within 20 days after its issue, be filed with the county clerk of the county wherein the lands are located.

SECTION 470. 32.06 (intro.) of the statutes is amended to read:

**32.06 (title) Condemnation procedure in other than transportation matters.** (intro.) The procedure in condemnation in all matters except ~~streets, highways, storm or sanitary sewers, watercourses, alleys and airport~~ acquisitions under s. 32.05, acquisitions under chapter 275, laws of 1931, as amended (Kline Law), acquisitions under ch. 157, and acquisitions under ch. 197, shall be as follows:

\*Correctly shown in Senate Substitute Admendment 2 to 1977 Senate Bill 77. The words were lost in enrolling and are missing in the copy signed by the Governor, the text published in the WISCONSIN STATE JOURNAL on June 29, 1977, and the printed slip law.

SECTION 471. 35.15 of the statutes is amended to read:

**35.15 Wisconsin session laws.** (f) Immediately after the end of each ~~general and special~~ session of the legislature, the ~~secretary of state~~ legislative reference bureau shall prepare ~~printer's, for publication by the secretary of state,~~ camera-ready copy for a volume denominated "Wisconsin Session Laws," ~~which~~ and identified by the year in which that session began.

(a) The volume shall contain all acts enacted during such session, all important joint resolutions of the session, and an alphabetical index to the volume prepared by the legislative reference bureau in consultation with the revisor of statutes. Said printer's

(b) The copy shall show the date of approval and the effective date newspaper publication of each act, and joint resolution, the number of the proposal from which it originated and the house in which it originated and shall be in the form prescribed by the joint rules; but, The copy shall omit the signature of the officers affixed to the enrolled act, or joint resolution. Such printer's

(c) The copy shall be delivered to the department for production within 60 calendar 10 working days from publication of the last act under s. 985.04 (2). The department shall determine the number of copies to be printed.

(d) After making the necessary comparison, the secretary of state shall annex at the end of one of the copies, which shall chief of the legislative reference bureau shall issue a certificate, to be filed in his the office of the secretary of state as a public record, his certificate that he or she has compared the printed copies therein acts with the original acts approved by the governor on file in the office of the secretary of state, and that they appear to be correctly printed. All other copies and reprints thereof Each volume of the session laws shall contain a printed copy of such certificate.

(2) If the legislature adjourns for an extended period before sine die adjournment, but such adjournment is for less than 60 days, the secretary of state shall publish the session laws in one volume. If such adjournment is for more than 60 days, the secretary of state may cause publish the first volume of the session laws ~~to be published~~ in such manner that laws enacted at the adjourned session ~~may be~~ are printed as a pocket supplement, ~~and the.~~ The laws enacted at such adjourned session shall be printed as a pocket supplement unless the content thereof is so great that a separate bound volume is necessary.

SECTION 472. 35.17 of the statutes is amended to read:

**35.17 Correcting typographical errors.** In ~~all official publications of Wisconsin session laws, the secretary of state shall cause all words and names to be correctly spelled, enrolling under s. 13.92 (1) (b) 3 and for publishing under ss. 35.15 and 985.04 (2), the legislative reference bureau shall also correct obvious typographical errors in any enrolled act or joint resolution and no.~~ No such correction shall be deemed an alteration of the enrolled copy. Like corrections shall be made by the revisor in printing the Wisconsin statutes. On questions of orthography the current edition of Webster's new international dictionary shall be taken as the standard.

SECTION 473. 35.24 (3) of the statutes is amended to read:

35.24 (3) Reprints of the feature article shall be bound in paper covers and shall be in such quantity as is authorized for each specific reprint by the joint committee on finance acting under s. 13.101 on the basis of funds allotted by the committee for this purpose.

SECTION 473m. 35.265 of the statutes is amended to read:

**35.265 State budget, copies.** The governor may ~~in his discretion~~ issue not to exceed 500 1,000 copies of the state budget report, 1,000 as many copies of the budget report in brief as are necessary to equal the number of budget bills printed, and not to exceed

1,000 copies of his or her annual popular report. The cost of these reports shall be charged to the department ~~of administration.~~

SECTION 474. 35.35 of the statutes is amended to read:

**35.35 Requisition procedure.** (1) (a) The secretary of state legislative reference bureau shall provide printer's to the secretary of state camera-ready copy for the printing of all laws, and of all resolutions requiring publication, in newspapers the newspaper designated under s. 985.04. In amendatory laws, such copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type. In any law published "vetoed in part", the material subject to the veto shall be displayed in full but shall be identified by distinguishing marks.

(b) The department may contract to sell, at a price equal to the cost of composition, camera-ready copy of the laws to any commercial publisher.

(2) Every state agency required by law to publish legal notices in a newspaper shall furnish printer's copy to the department with a requisition therefor.

(3) All such printing shall be in the English language.

SECTION 475. 35.56 (1) of the statutes is amended to read:

35.56 (1) As a basis for bids for public printing in classes 1, 2, 3 and 4 the department shall, ~~prior to before~~ advertising for bids ~~in each even-numbered year and after consultation with agencies,~~ establish base prices and specifications ~~which shall be uniform for all classes of printing. Base prices and specifications shall become a part of the contract with successful bidders for 2-year periods unless otherwise determined by the department.~~

SECTION 476. 35.57 of the statutes is amended to read:

**35.57 Advertisement for bids.** The department shall ~~during June or July of each even-numbered year~~ publish ~~an advertisement~~ advertisements that sealed proposals for furnishing printing, during the next ensuing contract period, ~~the printing included in classes 1, 2, 3 and 4,~~ with all other material which the department requires, will be received any time prior to a specified day, when all proposals will be publicly opened and read. ~~The advertisement~~ advertisements shall be run as a class 2 ~~notice~~ notices, under ch. 985, in the official state paper.

SECTION 476m. 35.87 of the statutes is repealed and recreated to read:

**35.87 Sales of legislative documents.** The department may provide as a service to paid subscribers routine distribution of copies of all bills, joint resolutions, amendments, acts, journals, bulletins of proceedings and hearing bulletins printed for the legislature. The biennial fee, effective January 1 of each odd-numbered year, for subscription to the complete legislative document distribution service shall be based on 20% of prior session actual printing costs of such documents, as determined by the legislative reference bureau and the department. Portions of the service may be made available for a fee equal to a percentage of the fee for the total service, based on the respective percentages of total printing costs. Actual postage or delivery costs shall be added for those subscribers who do not pick up their documents. The department shall certify to the chief clerks of the 2 houses the name of each person purchasing such services, naming the type of materials purchased, and the chief clerks shall provide for the distribution of such materials during the session for which purchased. The department shall pay all moneys received for subscriptions to the service into the general fund within one week of receipt.

SECTION 476r. 36.11 (3) (d) of the statutes is created to read:

36.11 (3) (d) The board shall require that a \$20 fee accompany each application for admittance to a graduate school, law school or medical school within the system.

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SECTION 477. 36.11 (17) (i) of the statutes is repealed and recreated to read:

36.11 (17) (i) The total of the salaries paid to replacement faculty for those taking sabbatical leave under this subsection shall not exceed the total savings generated from the salaries of faculty taking sabbatical leaves.

SECTION 478. 36.25 (8) of the statutes is amended to read:

36.25 (8) WATER RESOURCES RESEARCH. Funds made available to the various state agencies for joint water resources research and data collection programs shall be administered and coordinated by the director of the water resources center of the university of Wisconsin-Madison. Such funds shall be made available, on application from the state agencies concerned, when the director, after seeking the advice of the ~~water committee of the department of natural resources council of state agencies,~~ finds the proposed projects to be consistent with other state projects and the needs of the state. The director shall make biennial reports to the legislature at the convening thereof.

SECTION 479. 36.25 (11) (f) of the statutes is amended to read:

36.25 (11) (f) The laboratory of hygiene board may impose a ~~reasonable handling~~ fee for each test conducted by the laboratory. Tests conducted for ~~other state agencies~~ or local units of government shall be exempt from the ~~handling~~ fee. The laboratory may charge other state agencies through contractual arrangements for the actual services rendered.

SECTION 479m. 36.25 (13m) of the statutes is created to read:

36.25 (13m) MEDICAL STUDENT TRANSFER PROGRAM. The board shall establish a program in the center for health sciences of the university of Wisconsin-Madison involving the transfer of residents of this state from foreign medical schools after their 2nd year of study or involving a 5th year of clerkship following their completion of 4 years of study at a foreign school.

~~SECTION 479p. 36.25 (18) of the statutes is renumbered 36.25 (18) (a) and amended to read:~~

~~36.25 (18) (a) The board may shall establish and maintain a school of veterinary medicine at the university of Wisconsin-Madison and a satellite food animal clinical facility at the university of Wisconsin-River Falls. Existing facilities at those institutions shall be used to the maximum possible extent for auxiliary instructional and research support of the veterinary and satellite food animal clinical programs.~~

Vetoed  
in Part

SECTION 480m. 36.27 (3) (e) of the statutes is amended to read:

36.27 (3) (e) In addition to the number of remissions of nonresident tuition authorized under this section, each state senator and each representative to the assembly may authorize a university or center or department or school of a university or center to recommend a nonresident whose scholastic qualifications entitle such person to attend a university or center and whose nonresident tuition for a semester or the school year for which recommended shall be remitted by the board. Not more than one such remission per semester shall be made for any one legislator and each nonresident whose tuition shall have been remitted under this paragraph shall be entitled to continue in attendance for the period for which recommended if the nonresident continues to meet the system's general standards for continuance therein as a student. Such recommendations shall be submitted either annually or each semester to the board in such manner as the board designates not later than the end of the first week of instruction for the semester in which the remission of tuition is to be effective. A legislator who assumes office during a school year may authorize a university or center or department or school of a university or center to make a recommendation for the 2nd semester of that year only when ~~a recommendation an~~ authorization of the legislator's predecessor is not effective for that term. Should any

nonresident student who is recommended fail to matriculate for any semester a successor for such semester may be recommended by such ~~legislator~~ university or center or department or school of a university or center.

SECTION 481. 36.31 (3) of the statutes is created to read:

36.31 (3) (a) The board shall contract with the higher education aids board to service, bill for and collect all national direct student loans made by institutions of the university of Wisconsin system.

(b) On or before January 1, 1979, the board shall begin to transfer for servicing national direct student loan notes to the higher educational aids board which were made by institutions of the university of Wisconsin system prior to January 1, 1979.

(c) All national direct student loan notes made after January 1, 1979, by institutions of the system shall be transferred for servicing to the higher education aids board within 60 days of disbursement.

(d) The fees for services charged in the national direct student loan servicing contract to the board by the higher education aids board must be approved by the secretary of administration.

SECTION 481m. 36.39 (1) of the statutes is amended to read:

36.39 (1) Reduced price tickets for persons 62 years of age or older, minors and students;

SECTION 482. 38.04 (4) (c) of the statutes is amended to read:

38.04 (4) (c) ~~Collegiate~~ Except as authorized in par. (d), collegiate transfer programs shall not comprise more than 25% of the approved credit hours offered in any vocational, technical and adult education district.

SECTION 483. 38.04 (4) (d) of the statutes is created to read:

38.04 (4) (d) The Nicolet district as composed and existing on January 1, 1977, is exempt from the limitation under par. (c) until July 1, 1980, but shall restrict the ratio of approved collegiate transfer course credits to the district's total approved course credits to 32% for 1977-78, 30% for 1978-79, and 28% in 1979-80. For state aid purposes, costs associated with collegiate transfer course credits exceeding the limitations under this subsection do not constitute a district aidable cost as defined in s. 38.28 (1m) (a).

SECTION 484. 38.04 (8) of the statutes is repealed.

SECTION 485. 38.08 (1) (a) of the statutes is amended to read:

38.08 (1) (a) A district board shall administer the district and shall be composed of 7 members who are residents of the district, including 2 employers who have power to employ and discharge, 2 employes who do not have power to employ or discharge, 2 additional members and a school district administrator of a school district which lies within the district. ~~The school district administrator shall be appointed by the other 6 members.~~

SECTION 486. 38.08 (2) of the statutes is amended to read:

38.08 (2) Members of a district board shall serve until their successors are appointed and qualified. A vacancy shall be filled for the any unexpired term by a majority vote of the remaining members of the district board of more than 90 days in the manner provided for the making of original appointments in s. 38.10.

SECTION 487. 38.10 (2) (a) of the statutes is amended to read:

38.10 (2) (a) The district board secretary shall fix a date, to be no later than May 15 or within 60 days of the date on which a vacancy occurs, and a time and place in the district for a meeting of the appointment committee and, at least 3 weeks prior thereto, shall send written notice of the time and place of such meeting to each

member of the appointment committee, to each governing body having a member on the appointment committee and to the board. The appointment committee shall appoint district board members at the meeting.

SECTION 488. 38.10 (2) (c) of the statutes is amended to read:

38.10 (2) (c) At the meeting and prior to the appointment of district board members, the appointment committee shall formulate a plan of representation for the membership of the district board. ~~Such plan shall take into consideration the population distribution within the district~~ The plan shall give equal consideration to the general population distribution within the district and the distribution of women and minorities within the district. The plan shall form the basis upon which membership of the district board is determined. The board shall require that district board appointments comply with the provisions of the plan.

SECTION 489. 38.10 (2) (d) and (e) of the statutes are renumbered 38.10 (2) (e) and (f), respectively.

SECTION 490. 38.10 (2) (d) of the statutes is created to read:

38.10 (2) (d) The appointment committee shall accept and consider names submitted to it for appointment to the district board by residents of the district. Notwithstanding s. 19.84 (3), at least 7 days' notice shall be given of any meeting at which the appointment committee will consider the filling of any vacancy on the district board or any other matter pertaining to the election of district board members. The subject matter of such meeting as specified in the notice shall contain the names of individuals being considered for appointment to the district board by the appointment committee. Prior to the meeting at which an appointment is made, the appointment committee shall hold a public hearing at which the names and qualifications of individuals being considered for appointment to the district board may be discussed. No person may be appointed to a district board by an appointment committee unless his or her name appeared in at least one notice of a meeting of the committee.

SECTION 491. 38.12 (2) (a) of the statutes is amended to read:

38.12 (2) (a) The district board shall deposit all moneys received by it with the district board treasurer who shall be accountable for such funds. All expenditures exceeding \$2,500 shall be approved by the district board. Disbursement of such funds shall be made in accordance with s. 66.042 (6).

SECTION 492. 38.12 (5) of the statutes is created to read:

38.12 (5) ANNUAL AUDIT. The district board shall cause a financial audit of the district to be completed and a report thereof to be submitted to the state board no later than 9 months following the end of each fiscal year.

SECTION 492s. 38.14 (9) of the statutes is created to read:

38.14 (9) ACTIVITY AND INCIDENTAL FEES. The district board may establish student activity and incidental fees to fund, in whole or in part, the cost of services and activities offered as support services for regular instruction.

SECTION 493. 38.16 (1) of the statutes is amended to read:

38.16 (1) Annually by October 31, or within 10 days after receipt of the equalized valuations from the department of revenue, whichever is later, the district board may levy a tax, not exceeding 1.5 mills on the full value of the taxable property of the district, for the purpose of making capital improvements, acquiring equipment and operating and maintaining the schools of the district, except that the mill limitation is not applicable to taxes levied for the purpose of paying principal and interest on valid bonds or notes now or hereafter outstanding as provided in s. 67.035. The district board secretary shall file with the clerk of each city, village and town, any part of

which is located in the district, a certified statement showing the amount of the levy and the proportionate amount of the tax to be spread upon the tax rolls for collection in each city, village and town. Such proportion shall be ascertained on the basis of the ratio of full value of the taxable property of that part of the city, village or town located in the district to the full value of all taxable property in the district, as certified to the district board secretary by the department of revenue. The valuations certified by the department shall include the adjustments for merchants' stock-in-trade, manufacturers' materials and finished products and livestock under s. 70.57 (5). Upon receipt of the certified statement from the district board secretary, the clerk of each city, village and town shall spread the amounts thereof upon the tax rolls for collection. When the taxes are collected, such amounts shall be paid by the treasurer of each city, village and town to the district board treasurer.

SECTION 494. 38.22 (1) (c) and (2) of the statutes are amended to read:

38.22 (1) (c) A nonresident of the district who desires to take specific courses which are offered in the schools of such district but not offered in the schools of the district in which he or she resides, ~~and if the district board of attendance approves his enrollment~~ consistent with nonresident enrollment procedures established under sub. (5).

(2) Within 30 days of the enrollment of a student in a school of another district, the district board of attendance shall send written notice of his such enrollment to the district board of the district in which ~~he~~ the student resides ~~and state whether he is enrolled in a collegiate transfer program.~~

SECTION 494m. 38.22 (5) of the statutes is created to read:

38.22 (5) The board shall adopt rules for admission of nonresident students, who are Wisconsin residents, in postsecondary and vocational-adult programs which are not offered statewide, but may not require that any district reserve places in any program for such nonresident students in excess of the percentage of nonfederal operating costs of postsecondary and vocational-adult programs funded under s. 20.292 (1) (d).

(a) The board shall adopt rules for the admission of residents of this state who wish to transfer from their district of residence to attend another district in order to enroll in a postsecondary or vocational-adult program which is not offered in their district of residence.

(b) Rules under this subsection shall establish a method of providing placement for students under par. (a). However, no district may be required to reserve placement for students specified in par. (a) in excess of the percentage of nonfederal operating costs of postsecondary and vocational-adult programs funded under s. 20.292 (1) (d).

SECTION 495. 38.24 (1) (a) 1 of the statutes is renumbered 38.24 (1) (a) and amended to read:

38.24 (1) (a) Uniform fees based on 25% of the statewide average operational cost of liberal arts collegiate transfer programs in district schools ~~for resident students.~~

SECTION 496. 38.24 (1) (a) 2 of the statutes is repealed.

SECTION 497. 38.24 (2) of the statutes is repealed.

SECTION 498. 38.24 (3) (title) of the statutes is renumbered 38.24 (2) (title) and amended to read:

38.24 (2) (title) REFUNDS.

SECTION 499. 38.24 (3) (a) of the statutes is repealed.

SECTION 500. 38.24 (3) (b) of the statutes is renumbered 38.24 (2).

SECTION 501. 38.24 (3) (title), (a) and (b) of the statutes are created to read:

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38.24 (3) (title) NONRESIDENT FEES AND LIABILITIES. (a) The board shall establish the following nonresident fees annually, which shall be in addition to fees charged under sub. (1) and shall be the liability of the student except as provided under par. (b).

1. For postsecondary and vocational-adult students who are Wisconsin residents, a fee based on 37.5% of the statewide property tax funded cost per full-time equivalent student for operating these programs.

2. For all students who are not residents of Wisconsin, nor subject to reciprocal agreements with the board, a fee based on 100% of the statewide property tax funded cost per full-time equivalent student for operating the programs in which they are enrolled.

(b) The district board of a student's district of residence is liable for the nonresident fee under par. (a) 1 only if the program in which the student enrolled is not offered by the district of residence and the district board of attendance files notice of enrollment under s. 38.22 (2). In the case of any disagreement between district boards as to liability under this paragraph, the state board shall make the final determination.

SECTION 501m. 38.24 (3) (c) of the statutes is renumbered 38.22 (4).

SECTION 502. 38.24 (4) and (5) (title) of the statutes are repealed.

SECTION 502g. 38.24 (5) of the statutes is renumbered 38.24 (3) (c) and amended to read:

38.24 (3) (c) Annually on or before August 1, the district board secretary shall send a verified statement to the district board secretary of each district which is liable for a tuition charge under ~~this section~~ par. (b) for the previous year. For each student, the statement shall set forth his or her name, age and place of residence, date of enrollment in a district school and the instructional program of the student and the amounts due therefor under ~~sub. (2) par. (b)~~. The statement shall be filed as a claim against the district board of the student's district of residence and allowed as other claims are allowed.

SECTION 502r. 38.28 (1) and (1m) (a) and (b) 3 of the statutes are amended to read:

38.28 (1) Annually at the time and on forms prescribed by the director, the district board secretary shall report to the board the cost of maintaining the schools of the district; the character of the work done; the number, names and qualifications of the teachers employed; the number of full-time students enrolled; the number of full-time students exempted from tuition, by course credits; the actual amount of tuition collected in postsecondary and in vocational-adult programs; and such other information as the board requires.

(1m) (a) "District aidable cost" means the anticipated fiscal year cost of operating a vocational, technical and adult education district, including debt service charges for building programs or capital equipment, incurred by district bonding or promissory notes, but excluding all expenditures relating to auxiliary enterprises, self-support activities, ~~and~~ all expenditures funded by federal revenues and all fees and revenues expended, exclusive of those fees and revenues collected under s. 38.24 (1), and any allowable expenditures under this paragraph which exceed the allowable budget determined under s. 38.29.

(b) 3. Dividing the quotient of subd. 1 by the quotient of subd. 2, rounded to the 5th decimal place.

SECTION 503. 38.28 (4) of the statutes is repealed.



SECTION 503m. 38.29 of the statutes is created to read:

**38.29 District budget limitations.** (1) For the purposes of this section, "allowable budget" means that portion of a district's nonfederal operational budget which does not exceed the budget limitations under subs. (2) and (3).

(2) For the 1978-79 fiscal year, and annually thereafter, the budgeted full-time equivalent nonfederal operational cost increase for each district over its previous year's actual full-time equivalent nonfederal operational cost shall be limited to 9.5%.

(3) In addition to the amounts set forth in sub. (1), a district may include within allowable budget such additional amounts as determined by the board after the board finds that there is evidence that the budget limitations would prevent support for:

(a) The development of new or expanded programs primarily for handicapped students, women or racial minority groups;

(b) Documented heat and utility cost increases which exceed 9.5% of the previous year's expenditures for heat and utilities;

(c) Utilization of a new or remodeled facility for the first year during which the new or remodeled facility will be utilized; or

(d) Compliance with an order of a court or federal or state agency other than an order issued by the board.

(4) Prior to a determination by the board on an appeal under sub. (3), the board shall hold a public hearing within the district which has submitted an appeal. The district board shall notify electors of the district of the subject, time and location of the scheduled budget limitation hearing by class 2 notice under ch. 985.

SECTION 504. 38.30 (1) (d) of the statutes is amended to read:

38.30 (1) (d) The amounts received for nonresidents under this subsection shall not be less than the amounts specified in s. 38.24 ~~(2)~~ (3) but may exceed such amounts.

SECTION 505. 39.155 of the statutes is amended to read:

**39.155 Medical college of Wisconsin; state aid policies.** Effective July 1, 1977, all funds appropriated to the medical college of Wisconsin, inc. under s. 20.250 (1) (a) except for funds provided for the ~~family practice and foreign medical student transfer programs~~ program involving the transfer of residents of this state from foreign medical schools after their 2nd year of study or involving a 5th year of clerkship following their completion of 4 years of study at a foreign school, shall be based on a per capita formula for an amount for each Wisconsin resident student enrolled at the college. A student's qualification as a resident of this state shall be determined by the higher educational aids board using the same procedure established under s. 39.46 (4), so far as applicable.

SECTION 506. 39.16 (intro.) of the statutes is amended to read:

**39.16 Medical education review committee.** (intro.) There is created a medical education review committee consisting of ~~7~~ 9 members as follows. ~~Five~~ Seven members shall be appointed by the governor for staggered 5-year terms, and shall be selected from citizens with broad knowledge of medical education who are currently not associated with either of the medical schools of this state. The remaining members of the committee shall be the president of the university of Wisconsin system or a designee, and the president of the medical college of Wisconsin, inc. or a designee.

SECTION 507. 39.16 (2) (e) of the statutes is amended to read:

39.16 (2) (e) Encourage and review the development of training programs ~~in primary care~~ in relation to the state's health ~~manpower~~ workforce needs. Health workforce activities performed pursuant to the medical education review committee's

functions shall be in accordance with the state comprehensive health plan under s. 140.82.

SECTION 508. 39.16 (2) (i) of the statutes is amended to read:

39.16 (2) (i) Draw upon existing executive, legislative and agency personnel for the provision of staff services to the committee. Any necessary and reasonable expenses incurred by the committee shall be paid from the appropriation under s. ~~20.505 (8)~~ ~~(f)~~ 20.435 (8) (b).

SECTION 509. 39.28 (1) of the statutes is amended to read:

39.28 (1) The board shall administer the programs under this subchapter and may establish such rules as are necessary to carry out its functions. It may accept and use any funds which it receives from participating institutions ~~under this subchapter, lenders or agencies.~~ It may enter into such contracts as are necessary to carry out its functions under this subchapter.

SECTION 510. 39.32 (9) (a) and (b) of the statutes are created to read:

39.32 (9) (a) The board may enter into contractual agreements with lenders in this state and lenders in other states which grant loans to residents of this state, and with institutions and agencies wherein the board may provide and furnish to such lenders, institutions and agencies administrative services related to the operation of any programs involving the granting of loans to students including but not limited to any and all services and functions related to the granting, administering and collecting of any loans made to students.

(b) The board shall have all powers as are reasonably appropriate to the provision of such services and the performance of such contracts and may include charges or fees to be paid by the lenders, institutions and agencies to the board for the provision of such administrative services or any services or activities related to the collection of any student loans for which the board may become responsible by operation of law or by contractual agreements under this paragraph.

SECTION 511. 39.37 of the statutes is created to read:

**39.37 Student loan funding.** (1) Student loans made or authorized to be made under s. 39.32 may be funded from the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18.

(2) There is created a separate nonlapsible trust fund designated the student loan repayment fund consisting of all revenues received in repayment of student loans funded under this section, and any other revenues dedicated to it by the board. The board may pledge revenues received or to be received by the fund to secure revenue obligations issued under this section, and shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

(3) All student loans funded with revenue obligations issued under this section shall be fully guaranteed as to repayment of principal and interest from among a nonstock corporation organized under s. 39.33 (1), the United States, its agencies or instrumentalities. The board may enter into agreements necessary to affect this guaranty.

(4) Revenue obligations issued under this section shall not exceed \$75,000,000 in principal amount, excluding obligations issued to refund outstanding revenue-obligation notes.

(5) Except as may otherwise be expressly provided in resolutions authorizing the issuance of revenue obligations, each issue of revenue obligations shall be on a parity with every other revenue obligation issued under this section, payable in accordance

with subch. II of ch. 18, subject only to any agreements with the holders of particular revenue obligations pledging any particular receipts or revenues.

SECTION 512. 39.42 of the statutes is amended to read:

**39.42 Interstate agreements.** The board, with the approval of the joint committee on finance acting under s. 13.101, or the governing boards of any publicly supported institution of post-high school education, with the approval of the board and the joint committee on finance acting under s. 13.101, may enter into agreements or understandings which include remission of nonresident tuition for designated categories of students at state institutions of higher education with appropriate state agencies and institutions of higher education in other states to facilitate use of public higher education institutions of this state and other states. Such agreements and understandings shall have as their purpose the mutual improvement of educational advantages for residents of this state and such other states or institutions of other states with which agreements are made.

SECTION 513. 39.46 (2) (d) of the statutes is amended to read:

39.46 (2) (d) That the school of dentistry administer and operate its courses and programs in dentistry in conformity with academic and professional standards, rules and requirements and seek progressively to enrich and improve its courses of dental education, research and public service by full and efficient use of budgetary and other resources available to it. In monitoring compliance with this paragraph the board may rely on third-party evaluations conducted by appropriate and recognized accrediting bodies.

SECTION 514. 39.47 (3) of the statutes is amended to read:

39.47 (3) Annually on or after June 30, each state shall determine the number of students for whom nonresident tuition has been remitted under this agreement during the period specified in sub. (5) (b). Each state shall certify to the other state, in addition to the number of students so determined, the aggregate amount of tuition that would have been paid in that year had this agreement not been in effect, the aggregate amount of tuition actually paid in that year and its net tuition loss. The state with the greater net tuition loss shall receive from the other state an amount determined by subtracting the net tuition loss of the state making the payment from the net tuition loss of the state receiving the payment. Such payment shall be made no later than 90 days after such certification is made. The board, representing this state, and the designated body representing the state of Minnesota shall determine the resulting amount due to either state pursuant to the reciprocity agreement and shall by agreement determine a reasonable date for payment of any such sums due and owing to either state. Any payments received by this state under this subsection shall be deposited in the general fund.

SECTION 515. 39.47 (5) (a) of the statutes is amended to read:

39.47 (5) (a) "Net tuition loss" means the difference between the aggregate amount of tuition that would have been paid to a state in any school year by residents of the other state had this agreement not been in effect and the aggregate amount of tuition paid to that state in that school year by residents of the other state. If a state does not require a tuition charge for any program or course of study for which the other state charges a tuition charge, the parties may agree to add to the amount of "net tuition loss" of the state in which no tuition is charged, an amount equal to the tuition charge applicable to nonresident students for comparable programs or courses of study.

SECTION 518m. 41.05 (2) of the statutes is amended to read:

41.05 (2) Whenever any school district is created, the territory of which includes more than one-half of the last assessed valuation of either a school district which was a

participating employer at the time of such creation or a city which at the time of such creation was a participating employer and which operated a city school district, the school district so created shall automatically be a participating employer from its inception, but no prior service credits shall be provided for any personnel thereof. Any district created from the territory of a former joint city school district may, however, elect to be liable for its proportionate share, as determined by the board, of the unfunded liability of the city as determined under s. 41.105 (1) (c) on the date the independent school district is or was created.

SECTION 519. 41.05 (9) (a) 1 and 2 of the statutes are renumbered 41.05 (9) (a) and (b).

SECTION 520. 41.05 (9) (b) of the statutes is repealed.

SECTION 522. 41.08 (1) (a) 7 of the statutes is amended to read:

41.08 (1) (a) 7. Notwithstanding any other provision of this section, any participating employer other than the state may grant creditable prior service to any participating employe who has been employed by such participating employer for not less than 15 years, whether before or after the effective date for such participating employer, but who was not an employe of such participating employer on the effective date, if such participating employe returned to the employment of such participating employer within 4 years following such effective date. When a participating employer desires to grant any such creditable prior service, the governing body of the participating employer shall so certify to the fund and shall furnish all information necessary to make a determination of the amount of such creditable prior service. The present value of the creditable prior service thus granted shall be paid by the participating employer which grants such service within 30 days after the date of notification by the board of the amount due, ~~but such amount shall not be considered an employer contribution for purposes of s. 41.05 (9) (b).~~

SECTION 523. 41.09 (4) of the statutes is amended to read:

41.09 (4) Notwithstanding any other provision of this section, any participating employer may provide by resolution for the inclusion in the creditable prior service of its participating employes of periods of employment by another employer from whose area or any part thereof the area governed by the participating employer was created, or by another employer all or part of whose area is included within the area governed by such participating employer. The present value of the creditable service thus granted shall be paid by the participating employer which grants such service within 30 days after the date of notification by the board of the amount due, ~~but such amount shall not be considered an employer contribution for purposes of s. 41.05 (9) (b).~~

SECTION 524. 43.24 (2) of the statutes is renumbered 43.24 (2) (a).

SECTION 525. 43.24 (2) (b) to (h) of the statutes are created to read:

43.24 (2) (b) For a public library system to maintain its eligibility for state aid under this section it must meet the service criteria specified under pars. (c) to (g).

(c) Each system shall provide the following services during the first year of operation:

1. Interloan of library materials among all participating libraries.
2. Reference and reference referral services from the headquarters library.

(d) Each system shall provide the following services by the end of the 2nd year of operation:

1. Complete library service as provided at the headquarters library or at the resource library if different from the headquarters library to any resident of the system

on the same terms as the service is available to residents of the headquarters community.

2. Service agreements with all adjacent library systems.

(e) Each system shall provide the following services by the end of the 3rd year of operation:

1. In-service training for library personnel within the system.

2. Rapid and regular delivery and communication systems.

3. The honoring of valid borrowers' cards of all public libraries in the system by all public libraries in the system.

(f) A public library system shall by the end of the 2nd year of its operation develop formal agreements with other types of libraries in the system area, providing for appropriate sharing of library resources to benefit the clientele of all libraries.

(g) Each system shall engage in continuous planning with the division on developing and maintaining the administrative code rules for personnel and services and on developing the library materials collection to meet the service needs. Such planning shall also include methods of providing service to isolated, disadvantaged and handicapped residents, and of furthering cooperative activities among all types of libraries in the system area.

(h) A public library system may regain its eligibility when it complies with pars. (c) to (g).

~~SECTION 526. 43.24 (3) of the statutes is amended to read:~~

~~43.24 (3) Annually, the division shall review the reports and proposed service plans submitted by the public library systems under s. 43.17 (5) for conformity with this chapter and such rules and standards as are applicable. Upon approval, the division shall certify to the department of administration, the amount to which each system is entitled under this section, prorating the amounts to be paid to each system if the appropriation under s. 20.255 (3) (d) is insufficient to pay the full amount to which each is entitled. Annually on or before December 1, the department of administration shall pay each system the certified amount from the appropriation under s. 20.255 (3) (d). The division may reduce state aid payments when any system or any participant thereof fails to meet the requirements of sub. (2). The division may also proportionately reduce state aids if a system fails to comply with this chapter, with a rule promulgated under s. 43.09 or with the system's own state-approved annual program.~~

Vetoed  
in Part

SECTION 527. 43.24 (4) of the statutes is created to read:

43.24 (4) The division shall assure through an annual audit and adjustment of aids, as necessary, that no more than 20% of the funds received by systems are used for administrative purposes.

SECTION 528. 44.015 (1) of the statutes is amended to read:

44.015 (1) Acquire any interest in real or personal property by gift, bequest or otherwise in any amount and may operate, manage, sell, rent or convey real estate acquired by gift, bequest, foreclosure or other means, upon such terms and conditions as the board of curators deems for its interests but may not sell, mortgage, transfer or dispose of in any manner or remove from its buildings, except for temporary purposes, any article therein without authority of law.

SECTION 529. 44.02 (12) of the statutes is renumbered 44.02 (12) (d) and amended to read:

44.02 (12) (d) Be the custodian of the official series of the painted portraits of the ~~former~~ governors of Wisconsin and maintain such ~~the~~ portraits in proper condition. No

person may retouch, restore or alter any such portrait while the artist is alive, other than the artist or a person working under the artist's direction or authorization. The society may permit any or all of such the portraits to be exhibited in such state buildings for such periods of time as it deems feasible.

SECTION 530. 44.02 (12) (a) to (c) of the statutes are created to read:

44.02 (12) (a) Arrange and schedule the painting of the portrait of the governor during his or her term.

(b) Establish a committee consisting of one member of a Wisconsin college or university art history department, a Wisconsin college or university art department, a member of the board of curators of the state historical society, a member of the arts board and the secretary of administration or his or her designee, that will select, subject to the approval of the governor, an artist to paint the portrait as provided under par. (a).

(c) Costs incurred under pars. (a) and (b) shall be charged to the appropriation under s. 20.245 (1) (fb).

SECTION 531. 44.02 (21) and (22) of the statutes are created to read:

44.02 (21) Serve as the principal historic preservation agency of the state and in that capacity carry out a program of preservation of historic properties as specified under s. 44.22.

(22) Acquire, maintain and operate historic properties representative of this state's rural and urban heritage.

SECTION 532. 44.22 of the statutes is created to read:

**44.22 Historic preservation program.** (1) PUBLIC POLICY. The legislature finds that the historic, architectural, archeological and cultural heritage of the state is among the most important assets of the state and furthermore that the social, economic and physical development of contemporary society threatens to destroy the remaining vestiges of this heritage. It is therefore declared to be the public policy and in the public interest of this state to engage in a comprehensive program of historic preservation to promote the use and conservation of such property representative of both the rural and urban heritage of the state for education, inspiration, pleasure and enrichment of the citizens of this state.

(2) DEFINITIONS. As used in this section:

(a) "Agency of the state" means any office, department, independent agency, or attached board or commission within the executive branch of state government, or any special purpose authority created by statute.

(b) "Historic preservation" means the research, protection, restoration and rehabilitation of historic properties.

(c) "Historic property" means any building, structure, object, district, area or site that is significant in the history, architecture, archeology or culture of this state, its rural and urban communities or the nation.

(d) "National register of historic places in Wisconsin" or "the register" means the places in Wisconsin that are listed on the national register of historic places maintained by the U.S. department of the interior.

(e) "Officer" means the state historic preservation officer.

(f) "State negotiating board" means the historic preservation negotiating board.

(g) "State review board" means the historic preservation review board.

(h) "Wisconsin inventory of historic places" or "the inventory" means the listing of places that have been identified by the officer as being of some historic significance.

(3) OFFICER. The director of the society shall serve as the state historic preservation officer.

(4) DUTIES OF THE REVIEW BOARD. The state review board shall:

(a) Approve, upon the recommendation of the officer, nominations to the national register of historic places.

(b) Review the state surveys and inventories of historic properties undertaken under this section.

(c) Review and approve the content of the state preservation plan developed under this section.

(d) Review and approve the distribution of federal grants-in-aid for preservation.

(e) Recommend the removal of properties from the national register of historic places.

(f) Act in an advisory capacity to the state historical society and the state negotiating board.

(g) Notify planning departments of affected municipalities, local landmarks commissions and local historical societies regarding properties being considered for nomination to the national register that are within their jurisdictions, and request them to forward comments regarding nominations from affected neighborhood groups, public bodies and interested citizens.

(5) DUTIES OF THE NEGOTIATING BOARD. (a) The state negotiating board shall:

1. Review and comment upon those actions of any agency of the state referred to it by the officer which may have an adverse effect upon historic properties and seek through negotiation the amelioration of adverse effects, if any, in the manner specified in subs. (7) and (8).

2. Hold such informational meetings and public hearings as it deems appropriate in order to obtain adequate information with which to carry out its powers and duties.

(b) On the request of at least 2 members, the chairperson of the state negotiating board shall require the officer to bring before it for review any proposed action affecting a historic property.

(6) DUTIES OF THE STATE HISTORICAL SOCIETY. The state historical society shall:

(a) Conduct an ongoing statewide survey to identify and document historic properties, including all those owned by the state, its instrumentalities and political subdivisions.

(b) Prepare, update and maintain the Wisconsin inventory of historic places.

(c) Maintain, publish and disseminate the national register of historic places in Wisconsin.

(d) Serve as the state's principal agency for administration of historic preservation activities and programs of the federal government and maintain the state's eligibility to participate in the programs.

(e) Prepare the state preservation plan and annually review it.

(f) Undertake a program of technical assistance to localities and private parties in furtherance of local and private historic preservation programs.

(g) Administer and distribute grants-in-aid using federal funds in furtherance of preservation and restoration of historic properties in accordance with federal law and regulations of the federal government.

(h) Cooperate with federal, state, and local government agencies in the planning and conduct of specific undertakings affecting historic properties and preservation objectives, and in overall land use planning.

(i) Cooperate with local landmarks commissions and historical societies in coordinating their activities with the state plan and programs for historic preservation.

(7) STATE AGENCY CONSIDERATION. Each agency of the state shall, in its long-range planning and facilities development consider the effects of proposed actions on historic properties identified on the inventory, the register, or otherwise known to the agency and shall during the earliest stages of planning notify the officer of any action which may affect a historic property. To the extent practicable, the administrative procedures established under s. 1.11 shall be used in order to fulfill the requirements of this subsection. The officer and the state negotiating board shall participate as necessary in the consideration of environmental impact and may arrange negotiations as provided in sub. (8). When possible, efforts to ameliorate adverse effects on historic properties shall occur during the period of consideration of environmental impact.

(8) NEGOTIATIONS. (a) Upon receipt of notification from an agency of the state concerning a proposed action affecting an historic property, the officer shall, as soon as practicable, determine whether the action would adversely affect an historic property on the register, on the inventory or otherwise known to the officer or the agency and in the judgment of the officer is eligible for the register. The state historic preservation officer shall reach this determination within 30 days or shall notify the agency of the state in writing within such time that more time, not to exceed an additional 30 days, will be required to make adequate determinations and shall advise the agency of the reasons for requiring the extension. If there is an adverse effect, the officer may require negotiations with the agency of the state proposing such action in an attempt to ameliorate such effects. If the negotiations result in agreement as to means of ameliorating such effects, these agreements shall be incorporated in the proposed action. If no agreement is reached, the officer shall prepare a written report on the effects and the status of the negotiations. Within 30 days from the time negotiations are begun, the officer shall transmit the report or agreements to the negotiating board for its review. In addition, the officer shall immediately report determinations of no adverse effect to the negotiating board for its information.

(b) The negotiating board shall review reports or agreements regarding adverse effects and either approve them or order an additional delay of the action for up to 30 days to provide an opportunity for further review and negotiations by the negotiating board. If no public hearing has been held that included consideration of the effects of the proposed action on historic properties, the negotiating board may hold such a hearing. The negotiating board shall report the results of all attempts to ameliorate adverse effects to the governor and legislature.

SECTION 533. 44.40 of the statutes is repealed.

SECTION 533m. 45.353 (2) of the statutes is amended to read:

45.353 (2) Upon application the department shall pay to any state veterans organization, which establishes that it, or its national organization, or both, has maintained a full-time service office at the regional office for at least 5 of the 10 years preceding the date of application, a sum equal to 25% of all salaries and travel expenses paid during the previous fiscal year specified under sub. (3) by such state veterans organization to employees engaged in veterans claims service and stationed at such regional office, except that the sum paid to each such state veterans organization annually shall not be less than either \$2,500, or the amount of salaries and travel expenses paid by such state veterans organization to employees stationed at such regional office, whichever is less, nor more than ~~\$7,500~~ \$12,000.



SECTION 534. 45.365 (6) of the statutes is created to read:

45.365 (6) The home is subject to ch. 150.

SECTION 535. 45.37 (9d) and (16) (b) of the statutes are amended to read:

45.37 (9d) MEDICAL ASSISTANCE PAYMENTS. All moneys received under title XIX of the social security act for the care of members shall be transferred to the general fund as applied receipts to s. 20.485 (1) (j).

(16) (b) The actual cost of each member's care and maintenance at the home shall be computed monthly, and paid from the member's prepaid care account balance, if any, into the general fund as applied receipts under s. 20.485 (1) (j).

SECTION 536. 45.38 (2) (a) 4 of the statutes is amended to read:

45.38 (2) (a) 4. The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this section to the department of administration and the governor, and when applicable under ch. 150, to the department of health and social services, for written approval before they are finally adopted, executed and delivered.

SECTION 537. 45.40 (title), (1) and (2) of the statutes are renumbered 28.035 (3) (title), (b) and (a), and 28.035 (3) (b), as renumbered, is amended to read:

28.035 (3) (b) ~~The department of veterans affairs may transfer from the soldiers' rehabilitation fund to the Wisconsin state department of the American Legion the sum of \$50,000 for the purpose of purchasing the buildings and equipment at Camp Minnewawa, located on state land between Tomahawk lake and Big Carr lake in Oneida county, and for the establishment at that place of a restoration camp for sick and disabled veterans of World Wars I and II and their dependents, the said American Legion having already contracted to purchase said camp for such purposes. The ownership of all of the buildings and equipment of such the camp shall revert to the state upon the discontinuance of the use thereof for such purposes. On or before January 15 of each year the said department of the American Legion shall file with the governor and the department of veterans affairs a written report of the operations and the financial status of such the camp. Effective July 1, 1945 Camp Minnewawa shall be known as Camp American Legion.~~

SECTION 538. 45.42 (1) and (2) of the statutes are amended to read:

45.42 (1) The department ~~shall~~ may compile a record of the burial places within the state of persons who served in the U.S. armed forces in time of war as defined in s. 45.35 (5) (a) to (g), or under section 1 of executive order 10957, dated August 10, 1961, or whose service entitled them to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Viet Nam service medal established by executive order 11231 on July 8, 1965. ~~Such~~ The record, so far as practicable, ~~shall~~ may indicate the name of each ~~such~~ person; the service in which ~~he was~~ engaged; the appropriate designation of ~~his~~ armed forces unit; the rank and period of service; the name and location of the cemetery or other place in which ~~his~~ the body is interred; the location of the grave in ~~such~~ the cemetery or other place; and the character of headstone or other marker, if any, at ~~such~~ the grave.

(2) The department ~~shall~~ may have blank forms prepared whereby the information required for ~~such~~ the record may be transmitted to it and ~~shall~~ may distribute ~~such~~ the forms to county veterans service officers. The county veterans service officer within whose county and cemetery or burial place is located in which are interred the bodies of persons who served in the U. S. armed forces in time of war as defined in s. 45.35 (5) (a) to (g) or under section 1 of executive order 10957, dated August 10, 1961, or whose service entitled them to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Viet Nam service medal established by executive order 11231 on July 8, 1965, shall submit the facts

required for such record to the department on the forms provided by it, if so requested by the department.

SECTION 539. 45.42 (3) of the statutes is repealed.

SECTION 539m. 45.74 (5) of the statutes is amended to read:

45.74 (5) COST OF HOUSING. Either the total cost of the housing accommodation including garage, but excluding land and other nonhousing improvements thereon, exceeds 2 times the person's annual income or the total cost of the housing accommodation, including garage, land and other nonhousing improvements thereon exceeds 2.5 times the person's annual income, whichever the person elects. In the case of an improvement loan, the total cost of the housing accommodation and garage means the original cost plus improvements less normal depreciation. However, the total cost of the housing accommodation including garage, land and other nonhousing improvements thereon shall not exceed ~~\$40,000~~ \$42,500 prior to June 30, 1978, and \$45,000 thereafter in the case of a loan granted for the purchase of an existing housing accommodation or ~~\$45,000~~ \$47,500 prior to June 30, 1978, and \$50,000 thereafter in the case of a loan granted for the construction of a new housing accommodation or for the purchase of a new, previously unoccupied housing accommodation.

SECTION 540. 46.011 (4) of the statutes is created to read:

46.011 (4) "State health planning agency" has the meaning designated under s. 150.001 (13).

SECTION 541. 46.02 of the statutes is created to read:

**46.02 Agency powers and duties.** Any institution which is subject to this title and to regulation under ch. 150 shall, in cases of conflict between this title and ch. 150, be governed by ch. 150. The department shall establish rules and procedures for resolving any such controversy.

SECTION 541g. 46.03 (1) of the statutes is amended to read:

46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the Winnebago mental health institutes, the central state hospital, the Wisconsin correctional institution - Oakhill, the Wisconsin correctional reception and treatment center, the Wisconsin state prison, the Wisconsin correctional institution, the Wisconsin state reformatory, the Taycheedah correctional institution, the Wisconsin correctional camp system, the Wisconsin treatment institution, the Ethan Allen school, the Kettle Moraine correctional institution, the Lincoln hills school, the Black River camp, the Wisconsin workshop for the blind and the centers for the developmentally disabled.

SECTION 541m. 46.03 (18) (a) of the statutes is amended to read:

46.03 (18) (a) The department shall establish a uniform system of fees for services provided or purchased by the department, a county department of public welfare or a board under s. 51.42 or 51.437, except for services relating to adoption, or services provided to courts, for provision of child support and paternity establishment services to recipients of aid to families with dependent children or for outreach, information and referral services, or where as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. Fees collected by a county department of public welfare shall be applied by such department to cover the cost of such services. The department shall report to the joint committee on finance no later than January 31 of each year on the number of children placed for adoption by the department and the costs to the state for services relating to such adoptions.

SECTION 542. 46.03 (20) (a) and (b) of the statutes are amended to read:

46.03 (20) (a) The department may make payments directly to recipients of public assistance or to such persons authorized to receive such payments in accordance with law and rules of the department ~~for those on behalf of the counties which have contracted to have such payments made on their behalf. The department may charge the counties for the cost of operating public assistance systems which make such payments.~~

(b) The department may make social service payments directly to recipients, vendors or providers in accordance with law and rules of the department ~~from those on behalf of the counties which have contracts to have such payments made on their behalf.~~

SECTION 543. 46.03 (21) of the statutes is renumbered 46.031 (1) and amended to read:

**46.031 County social service and mental hygiene planning and budgeting.** (1) COORDINATED PLANS AND BUDGET. (a) County public welfare departments organized under ss. 46.22 and 49.51, mental ~~health hygiene~~ boards organized under s. 51.42, ~~and~~ developmental disability boards organized under s. 51.437 ~~and community human service boards organized under s. 46.23~~ shall annually submit a coordinated comprehensive program plan and budget for services directly provided or purchased. Such plans and budgets shall include provisions for services to persons identified as having long-term or recurrent mental illness, as defined by the department. The coordinated plans and budgets shall include separate specific provisions for a continuum of living arrangements for the mentally ill, the developmentally disabled and alcohol and other drug abusers so that these persons may live in the least restrictive environment commensurate with their needs. Such coordinated plans and budgets shall be prepared in accordance with ss. 46.22 (4) (j) and (5m) (c), 49.51 (3) (c) and (4) and 51.42 (8) (a) ~~sub. (2)~~ and be submitted to the department by September 30 of each calendar year.

(b) The department, after consulting with representatives of mental ~~health hygiene~~, developmental disability ~~and, public welfare or social service services and community human services~~ program directors, shall develop a uniform planning, budgeting and review procedure. The department shall designate the most geographically appropriate grouping of ~~public welfare departments, and mental health and hygiene, developmental disability and community human services~~ programs for coordinated planning and budgeting purposes, ~~and may require the submission of one coordinated plan and budget from each geographical grouping~~ with the approval of the affected county boards of supervisors. The department shall make available such planning, budgeting and review procedures to county agencies by ~~July~~ May 1 of each year.

Partial  
Veto  
Overruled

SECTION 544a. 46.03 (26) of the statutes is created to read:

46.03 (26) Report each December 31 to the joint committee on finance and the appropriate standing committees on health and social services of each house of the legislature, as determined by the presiding officer thereof, regarding the data processing projects under development. The report shall include:

- (a) The schedule for implementation;
- (b) Estimates of development and operating costs; and
- (c) Proposed methods of determining charges for service where applicable.

SECTION 544am. 46.03 (27) of the statutes is created to read:

46.03 (27) EMERGENCY INPATIENT SERVICES. The department may provide emergency inpatient care and services in any of its mental hygiene institutions to patients or clients from counties when an emergency situation arises if a board established under s. 51.42 or 51.437 does not have alternative inpatient services immediately available locally. Emergency inpatient care and services necessary to

ensure the health and safety of the patient or client shall be only on a temporary basis, not to exceed 90 days. During the period of emergency inpatient care and services, the board established under s. 51.42 or 51.437 shall develop or contract for either local services or those available in contiguous counties. The department may, with approval of the governor, hire temporary staff to care for patients or clients under this section. The full cost of emergency inpatient care under this section shall be reimbursed according to ss. 51.42 (9) and 51.437 (12).

SECTION 544b. 46.031 (title), (2) and (3) of the statutes are created to read:

**46.031 (title) County social service and mental hygiene planning and budgeting.**

(2) COORDINATED PLAN AND BUDGET DEVELOPMENT. (a) *Preparation.* 1. The first step in the establishment of a program for public welfare, mental hygiene, developmental disabilities and human services shall be the preparation of a plan which includes an assessment of need, an inventory of all existing resources and services and contains a plan for meeting the needs of the designated target population served by the county or counties making the plan. The coordinated plan and budget shall also include the establishment of long-range goals and intermediate-range plans detailing priorities and estimated costs and providing for coordination of local services and continuity of care.

2. All coordinated plans and budgets required under sub. (1) shall provide for continuous planning, development and evaluation of programs and services for all population groups.

(b) *Approval.* 1. A coordinated plan and budget shall be submitted to the county board of supervisors for its review and approval. If the county board of supervisors does not approve a coordinated plan and budget, the board shall state specific reasons for its rejection and need not approve the coordinated plan and budget until its objections are satisfied. The county board of supervisors or combination of county boards shall submit the coordinated plan and budget to the department by September 30 of each calendar year for its review and approval. The county board of supervisors or combination of county boards shall approve the coordinated plan and budget before January 1 of the year in which it takes effect. Upon approval by the county board of supervisors and the department or by the combination of county boards and the department, the coordinated plan and budget shall be reduced to a written contract between the department and the appropriate board or boards of supervisors as to the approved budget and the allocation of funds as determined by the approved coordinated plans and budgets. The contract may contain such conditions of participation as are consistent with federal and state law but shall not include the cost for administering income maintenance programs.

2. The department shall review and approve the coordinated plans and budget but shall not approve budgets for amounts in excess of available revenues. Such approval constitutes the approved budget. The county board of supervisors may appropriate outside the approved budget funds not used to match state funds under s. 49.52 (1) and 51.42 (8). The projected use and actual expenditure of such county funds shall be reported pursuant to procedures developed by the department, and shall be in compliance with standards guaranteeing quality of care comparable to similar facilities.

Partial  
Veto  
Overruled

3. The department shall review each coordinated plan and budget to ensure uniform cost accounting of services. The department shall approve the budget unless it determines, after reasonable notice, that the budget includes proposed expenditures inconsistent with the purposes of s. 46.21, 46.22, 46.23, 51.42 or 51.437. The joint committee on finance may require the department to submit contracts between boards established under such sections and providers of service to the committee for review and approval.

4. After the budget of a board established under s. 46.21, 46.22, 46.23, 51.42 or 51.437 has been approved, the department, after reasonable notice, may withhold a portion of the appropriation allocable to any such board if the department determines that such portion of the allocable appropriation:

a. Is for services which duplicate or are inconsistent with services being provided or purchased by the department or other county agencies receiving grants-in-aid or reimbursement from the department;

b. Is inconsistent with state or federal statutes, rules or regulations;

c. Is for the treatment of alcoholics in treatment facilities which have not been approved by the department in accordance with s. 51.45 (8);

d. Is for inpatient treatment in excess of an average of 28 days, as defined in s. 51.42 (8) (L), excluding care for patients at the centers for the developmentally disabled.

e. Is for services not approved by the department except as provided under subd. 2.

5. If the department withholds a portion of the allocable appropriation pursuant to subd. 4, the board affected by the action of the department may submit for departmental approval an amendment to its coordinated plans and budget to rectify the deficiency found by the department.

(3) **ADVISORY COMMITTEE.** The county board of supervisors of each county or the boards of 2 or more counties jointly may establish an advisory committee to advise in the formulation of the coordinated plan and budget under this subsection for presentation to the county board or boards establishing the committee. Membership on the committee shall be determined by the county board or board of supervisors establishing it and shall include representatives of those persons receiving services, providers of service and citizens. The committee's membership may not consist of more than 25% county supervisors. For boards created under s. 46.23, the committee created by s. 46.23 (8) shall serve the function of a committee established under this subsection. The chairman of the committee shall be appointed by the county board establishing it. In the case of a multicounty committee, the chairman shall be nominated by the committee and approved by the county boards establishing it.

SECTION 544r. 46.032 of the statutes is created to read:

**46.032 Income maintenance administration.** County public welfare departments organized under ss. 46.22 and 49.51 shall annually enter into a separate contract with the department detailing the reasonable cost of administering the income maintenance programs under ss. 46.23, 49.046, 49.19 and 49.45 to 49.47 when so appointed by the department. The contract may contain such conditions of participation as are consistent with federal and state law.

SECTION 545. 46.033 (title) of the statutes is amended to read:

**46.033 (title) Authority to establish services integration and coordination pilot programs.**

SECTION 546. 46.033 (3) of the statutes is created to read:

46.033 (3) With the agreement of the affected county board or boards of supervisors, effective for the contract period beginning January 1, 1978, the department may select up to 5 counties or combination of counties to pilot test the allocation and administration of a single consolidated aid consisting of the state and federal financial aid available to that county or counties from appropriations under s. 20.435 (2) (b) and (o) and (4) (df) and (p) for services provided and purchased by county social service departments, mental hygiene boards, developmental disabilities boards and human service boards. Under such an agreement, in the interest of improved service coordination and effectiveness the county board or boards of

supervisors shall be permitted to reallocate among the several program departments and boards enumerated in s. 46.031 (1) (a) funds that otherwise would be specified for use by a single board or department. The annual program plan and budget required of each county or group of counties under s. 46.031 (1) (a) shall be the vehicle for expressing the county board or boards of supervisors' proposed use of the single consolidated fund. Approval by the department of such use of the fund shall be in accordance with s. 46.031 (2) (a) and (b).

SECTION 547. 46.035 (2) (e) of the statutes is amended to read:

46.035 (2) (e) All laws, except ch. 150, conflicting with any provisions of this section, are, insofar as they conflict with this section and no further, superseded by this section.

SECTION 548. 46.036 (2) (a) of the statutes is repealed.

SECTION 549. 46.036 (4) (a) of the statutes is amended to read:

46.036 (4) (a) Maintain a uniform accounting and management information system prescribed by the department under ~~sub. (2) (b)~~ s. 46.031.

SECTION 551. 46.037 (1) (g) of the statutes is amended to read:

46.037 (1) (g) The department shall make direct payments to private residential child care centers and day treatment facilities when there have been underpayments as determined by the department's final audit at the end of an institution's fiscal period. When the department's final audit determines that a facility has been overpaid, the department shall make collections. For children in county custody or supervision, the department shall make payment under s. 20.435 (4) ~~(dh)~~ (df). The state share of collections for children in county custody shall be returned to the appropriation under s. 20.435 (4) ~~(dh)~~ (df).

SECTION 553. 46.042 of the statutes is repealed and recreated to read:

**46.042 Treatment program for emotionally disturbed children.** The department shall establish a program for the intensive treatment of emotionally disturbed children. The program shall be operated by Mendota mental health institute and be subject to all federal and state laws, rules and regulations which apply to the institute. Operational planning shall provide close interrelationship between the department and the university of Wisconsin medical school for conduct of educational and research programs.

SECTION 554. 46.065 of the statutes is amended to read:

**46.065 Wages to prisoners.** The department may provide for assistance of prisoners on their discharge, ~~or~~ for the support of their families while in confinement; or for the payment, either in full or ratably, of their obligations acknowledged by them in writing or which have been reduced to judgment by the allowance of moderate wages, to be paid from the operation, maintenance, farm and construction appropriations of the institution in which they are confined. Until the prisoner's final discharge, the funds arising ~~therefrom~~ from the wages shall be under the control of the officer in charge of the institution and shall be used for the benefit of the prisoner ~~and, the prisoner's family and other obligations specified in this section.~~ Earnings by inmates working in the prison industries and the retention and distribution thereof shall be governed by s. 56.01 (4) and (8).

SECTION 555. 46.10 (2) of the statutes is amended to read:

46.10 (2) Any Except as provided in sub. (2m), any person, including but not limited to a person admitted or committed under ss. 51.10, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14 (2) and (5), 971.17 (1), 975.01, 975.02 and 975.06 and 975.17, receiving care, maintenance, services and supplies provided by any institution in this state including Wisconsin

general hospital, in which the state is chargeable with all or part of the person's care, maintenance, services and supplies ~~except tuberculosis patients under ch. 149 and ss. 51.67 [51.65] and 58.96 (2)~~, and any person receiving care and services under boards or facilities established under ss. 49.175, 51.42 and 51.437, and the person's property and estate, including the homestead, and the spouse of such person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of such person, and their property and estates, including their homestead, shall be liable for the cost of the care, maintenance, services and supplies in accordance with the fee schedule established by the department under s. 46.03 (18). The department may bring action for the enforcement of such liability. If a spouse, widow or minor, or an incapacitated person may be lawfully dependent upon such property for their support, the court shall release all or such part of the property and estate from such charges that may be necessary to provide for such persons. The department shall make every reasonable effort to notify the relatives liable as soon as possible after the beginning of the maintenance, but such notice or the receipt thereof is not a condition of liability of the relative.

SECTION 556. 46.10 (2m) of the statutes is created to read:

46.10 (2m) The liability specified in sub. (2) shall not apply to tuberculosis patients receiving care, maintenance, services and supplies under s. 58.06 (2) and ch. 149, or to care, maintenance, services and supplies provided to persons 18 and older by prisons named in s. 53.01.

SECTION 556m. 46.10 (8m) (c) of the statutes is amended to read:

46.10 (8m) (c) Return to boards ~~25%~~ 50% of collections made by the department for services other than those specified under par. (a) or (b).

SECTION 557. 46.10 (14) of the statutes is amended to read:

46.10 (14) ~~After November 3, 1967~~ Beginning on the first day of the month after the effective date of this act (1977), wherever ~~the actual per capita cost liability exists under sub. (2) or s. 46.03 (18)~~ for inpatient care and maintenance of patients persons under 18 years of age at community mental health centers, a county mental health center under s. 51.08, the centers for the developmentally disabled, Mendota mental health institute, Winnebago mental health institute and central state hospital ~~exceeds \$60 for a month of 31 days or care and maintenance of persons under 18 years of age in residential, nonmedical facilities such as group homes and foster care, child care and juvenile correctional institutions~~, liability of ~~such patients or parents~~ under sub. (2) or s. 46.03 (18) shall be limited to ~~\$60 per month~~ \$4 per day. This limitation shall not apply to the liability of the child receiving the care and services. Any liability incurred by the child not covered by parents or medical assistance or other 3rd party benefits shall be terminated on the child's 18th birthday. In any case, the department may grant a lesser special rate ~~per month~~ based on the ability to pay of the ~~patient or parent~~, and no liability shall may accrue for the difference between the lesser special rate and ~~\$60~~ \$4 per day. Where parents hold hospitalization insurance paying benefits in excess of ~~\$60 a month~~ \$4 per day, they shall be liable to the extent of the coverage provided by the hospitalization insurance but not in excess of the actual per capita cost of care and maintenance determined in accordance with the fee schedule established by the department under s. 46.03 (18). The department shall review the consumer price index at the end of each calendar year. Whenever the purchasing power of \$4 for the calendar year 1977 is equivalent or greater than the purchasing power of \$5 or other higher full dollar increments at the end of a subsequent calendar year, the department shall automatically substitute the \$4 per day rate specified in this section with the rate of \$5 per day or other full dollar amount per day. The rate change shall go into effect on the following July 1.

SECTION 558. 46.105 of the statutes is repealed.

SECTION 559. 46.15 of the statutes is created to read:

**46.15 Institutions subject to chapter 150.** Institutions under ss. 46.16, 46.17, 46.175, 46.20 and 46.205 which meet the definition of health care institutions under s. 150.001 (6) are subject to ch. 150.

SECTION 560. 46.22 (4) (j) of the statutes is repealed and recreated to read:

46.22 (4) (j) To submit annually a program plan and budget in accordance with s. 46.031 for services authorized in this section, except for the administration of and cost of aid granted under ss. 49.02, 49.03, 49.19 and 49.45 to 49.47. The approved plan and budget shall not exceed the available amount of ~~federal or state~~ funds.

Vetoed  
in Part

SECTION 561. 46.23 (2) (d) of the statutes is amended to read:

46.23 (2) (d) "Human services" means the total range of services to people including, but not limited to, health care, mental illness treatment, developmental disabilities ~~treatment, mental retardation treatment~~ services, income maintenance, probation and parole services, alcohol and drug abuse services, services to children, youth and aging, family counseling, exceptional educational services and manpower services.

SECTION 562. 46.23 (4) (b) of the statutes is amended to read:

46.23 (4) (b) In any county ~~which does not combine with another county or any combination of counties~~, the board shall be composed of not less than ~~15~~ 7 nor more than ~~21~~ 15 persons of recognized ability and demonstrated interest in human services. Not less than ~~30%~~ one-third nor more than ~~60%~~ two-thirds of the board members may be members of the county board of supervisors. The remainder of the board members shall be consumers of services ~~selected from nominees whose names are solicited from various client interest groups in the community and or citizens-at-large~~. No public or private provider of services may be appointed to the board.

SECTION 563. 46.23 (4) (c) of the statutes is amended to read:

46.23 (4) (c) In a combination of counties, the board shall be ~~composed of 21 members with additional members for each combining county with membership as specified in par. (b)~~. Representation on such a board constituted so that the representation shall be as equal as possible among the participating counties.

SECTION 564. 46.23 (5) (d) 7 of the statutes is amended to read:

46.23 (5) (d) 7. Shall appoint a program director on the basis of recognized and demonstrated interest in and knowledge of human services problems, with due regard to training, experience, executive and administrative ability and general qualification and fitness for the performance of the duties of the director. Such appointment shall be subject to ~~confirmation~~ the personnel policies and procedures established by the county board or boards of supervisors establishing such board.

SECTION 565. 46.23 (5) (e) of the statutes is repealed and recreated to read:

46.23 (5) (e) The board shall submit annually a program plan and budget in accordance with s. 46.031 for authorized services in the form and manner prescribed by the department. The approved plan and budget shall not exceed the available amount of federal and state funds.

SECTION 565m. 46.25 (2) of the statutes is amended to read:

46.25 (2) The department shall constitute the state location service which shall assist in locating parents who have deserted their children and other persons liable for support of dependents. The department may request and shall receive any information which is appropriate and necessary for the state location service available from the records of all departments, boards, bureaus or other agencies of this state and the same ~~are authorized to shall~~ provide such information as is necessary for this purpose within 7 days of such request. The department or county child support agency may make



such information available only to those officials as defined by state or federal law, agencies of this state, other states and political subdivisions of this state and other states seeking to locate parents who have deserted their children. This information may be given to them only upon their assurance that it will be used solely in connection with their official duties under the child support and establishment of paternity program. Disclosure of information under this subsection shall comply with s. 204 (a) (9) of the social security act, as amended.

SECTION 565p. 46.25 (4) of the statutes is created to read:

46.25 (4) Except as provided in this section, no person may use or disclose information obtained by the state location service. Any person violating this subsection may be fined not less than \$25 nor more than \$500 or imprisoned for not more than one year in the county jail or both.

SECTION 565r. 46.25 (5) of the statutes is created to read:

46.25 (5) The department shall include fees for services provided under this section in its uniform fee system under s. 46.03 (18).

SECTION 566. 46.80 (5) of the statutes is created to read:

46.80 (5) The department shall administer a state supplement to Title VII of the older Americans act, as amended, from the appropriation under s. 20.435 (6) (b) which will promote expansion of projects throughout the state. All counties receiving Title VII moneys on or after the effective date of this act (1977) shall not receive an amount less than the 1976-77 allocation as a result of the program expansion.

SECTION 567. 46.80 (7) of the statutes is created to read:

46.80 (7) The department shall administer a state supplement from the appropriation under s. 20.435 (6) (c) to promote the renovation, refurbishment, or when economically warranted, the construction of multipurpose senior center facilities; the initiation or expansion of center programs; and the recruitment or training of center staff. In order for a county to receive state moneys, the county shall provide an equal amount, of which at least 50% shall be in cash. The program shall terminate on June 30, 1979.

SECTION 567m. 47.20 of the statutes is created to read:

**47.20 Interpreters for the deaf.** (1) The Wisconsin service bureau for the deaf may, at the request of deaf persons, provide funds for payment in whole or in part of fees charged by interpreters for the deaf. Such payments shall be made only in cases of demonstrated financial need where funds from other sources are unavailable.

(2) The following shall have priority in the funding of interpreters' services under this section:

(a) Interpreters for medical, psychiatric, psychological and other counseling services.

(b) Interpreters for legal services and civil court proceedings.

(c) Interpreters for dealings with law enforcement personnel.

(d) Interpreters for meetings of unions or professional associations or groups.

(e) Interpreters for dealings with any agency or office of the federal, state, county or municipal government.

(3) The service bureau shall promulgate rules necessary to facilitate the implementation of this section.

SECTION 568. 48.12 (1) of the statutes is amended to read:

48.12 (1) Who is 12 years of age or older and is alleged to be delinquent because he or she has violated any federal criminal law, criminal law of any state, or any county, town or municipal ordinance that conforms in substance to the criminal law; or

SECTION 569. 48.12 (2) (a) to (c) of the statutes are amended to read:

48.12 (2) (a) ~~He~~ The child is habitually truant from school or home; ~~or~~

(b) ~~He~~ The child is uncontrolled by parent, guardian or legal custodian; ~~or~~

(c) ~~He~~ The child habitually so deports himself or herself as to injure or endanger the morals or health of himself, herself or others; ~~or~~

SECTION 570. 48.12 (2) (d) of the statutes is created to read:

48.12 (2) (d) The child is younger than 12 years of age and has violated a law or ordinance specified in sub. (1).

SECTION 571. 48.13 (1) (k) of the statutes is created to read:

48.13 (1) (k) The child is younger than 12 years of age and has violated a law or ordinance specified in s. 48.12 (1).

SECTION 572. 48.13 (2) (e) of the statutes is created to read:

48.13 (2) (e) The child is younger than 12 years of age and has violated a law or ordinance specified in s. 48.12 (1).

SECTION 573. 48.25 (6) of the statutes is amended to read:

48.25 (6) (title) AVAILABILITY OF COUNSEL. If any child or his or her parents desire counsel but are unable to employ it, ~~the court in its discretion may appoint counsel to represent them. Such counsel shall be allowed reasonable compensation to be paid by the county wherein the proceeding shall be held, upon the order of the court shall refer the child or parents to the state public defender for an indigency determination and appointment of counsel under ch. 977.~~

SECTION 573d. 48.275 of the statutes is created to read:

**48.275 Parents contribution to cost of juvenile court services.** If the juvenile court finds a child to be delinquent under s. 48.34 or in need of supervision under s. 48.345, the court shall order the parents of the child to contribute toward the expense of post-adjudication services to the child the proportion of the total amount which the court finds the parents are able to pay.

SECTION 573m. 48.30 (1) (a) of the statutes is amended to read:

48.30 (1) (a) A detention home or shelter care facility established in accordance with s. 48.31; or

SECTION 573p. 48.31 (4) of the statutes is created to read:

48.31 (4) (a) A county shall be reimbursed by the state for 50% of the per capita cost of care of the children who are in a shelter care facility. Reimbursement shall be limited to the first 20 days of care per episode and shall not exceed \$15 per day. Payments shall be made from the appropriation under s. 20.435 (4) (dj).

(b) Eligibility for state reimbursement under par. (a) shall be subject to the following conditions:

1. A plan demonstrating the need for shelter care in that location and the need for the number of beds proposed, and outlining specific methods for the reduction of the number of children held in jail or detention shall be submitted to and approved by the department;

2. The facility shall be licensed under s. 48.48 (9) (b);

3. The county in which the facility is located shall have a 24-hour-a-day screening service for all children taken into custody;

4. The facility may not receive any other form of federal or state reimbursement.

SECTION 574. 48.35 (1m) of the statutes is created to read:

48.35 (1m) DEPARTMENT AS GUARDIAN. If the department is the guardian under sub. (1), a court shall not act under sub. (1) (d) except in exceptional cases approved by the department.

SECTION 575. 48.35 (4) of the statutes is created to read:

48.35 (4) CUSTODY OR GUARDIANSHIP TRANSFER. (a) The department may terminate at any time services to children received under sub. (1) (c). The department shall give timely notice to the court of record whenever the department terminates its services, and the court of record shall require services be provided in another manner and shall reassign legal custody as provided under sub. (1) except to the department.

(b) The department shall limit to a period of time not to exceed 2 years the legal custody or guardianship of the department for all children whose custody or guardianship is transferred by the courts to the department under sub. (1) (c) or s. 48.43 (1) (c) unless a longer period of custody or guardianship is approved by the department. The court shall reassign legal custody or guardianship, as provided in sub. (1), except to the department, or as provided in s. 48.43 (1), except to the department, upon timely notification by the department of the expiration date of the department's legal custody or guardianship. The department shall make recommendations to the court regarding the reassignments of all custody or guardianship cases.

SECTION 575m. 48.48 (9) of the statutes is renumbered 48.48 (9) (a).

SECTION 575p. 48.48 (9) (b) of the statutes is created to read:

48.48 (9) (b) To license shelter care facilities as provided in s. 48.66 for the use of licensed child welfare agencies or county agencies.

SECTION 576. 48.57 (1) (c) of the statutes is amended to read:

48.57 (1) (c) To provide appropriate care and training for children in its legal custody, including placing those children in licensed foster homes in this state or another state within a reasonable proximity to the agency with legal custody or contracting for care of them by licensed child welfare agencies;

SECTION 576m. 48.58 (1) (d) of the statutes is created to read:

48.58 (1) (d) Provide temporary shelter care for children taken into custody under s. 48.28.

SECTION 576p. 48.58 (2) of the statutes is amended to read:

48.58 (2) A county shall be reimbursed by the state for 50% of the allowable per capita cost of care of the children who are in a children's home under sub. (1) (a), ~~(b) and (c)~~ to (d).

(a) Reimbursement under sub. (1) (c) shall be limited to the first 30 days of care. Allowable cost shall be determined according to s. 46.037. Payment shall be made from the appropriation under s. 20.435 (4) (b).

(b) Reimbursement under sub. (1) (d) shall be limited to the first 20 days of care per episode and shall not exceed \$15 per day. Payment shall be made from the appropriation under s. 20.435 (4) (dj).

SECTION 577. 48.66 of the statutes is amended to read:

**48.66 Licensing duties of the department.** The department shall license and supervise child welfare agencies, as required by s. 48.60, ~~foster homes, as required by s. 48.62, shelter care facilities, as required by s. 48.48 and~~ day care centers, as required by s. 48.65. ~~The department may license foster homes, as provided by s. 48.62,~~ and may license and supervise county departments of public welfare ~~for the purposes stated as provided~~ in s. 48.43 (1) (am) in accordance with the procedures specified in ss. 48.67 to 48.74.

SECTION 577m. 48.67 (title) and (1) of the statutes are amended to read:

**48.67 (title) Rules governing child welfare agencies, day care centers, foster homes, shelter care facilities and county departments of public welfare.** (1) The department shall prescribe rules establishing minimum requirements for the issuance of licenses to and establishing standards for the operation of child welfare agencies, day care centers, foster homes, shelter care facilities and county departments of public welfare. These rules shall be designed to protect and promote the health, safety and welfare of the children in the care of all licensees. The department shall consult with the department of industry, labor and human relations and the department of public instruction before prescribing these rules.

SECTION 577r. 49.001 of the statutes is created to read:

**49.001 Public assistance recipients' bill of rights.** ~~The department shall promulgate as an administrative rule, and all public assistance and relief-granting agencies and other persons shall respect, a bill of rights for recipients of public assistance. The bill of rights shall include all rights guaranteed by the U.S. constitution and the constitution of this state, and in addition shall include:~~

Vetoed in Part

(1) ~~The right to be treated with respect by state agents, including freedom from unwarranted intrusions into personal privacy.~~

Vetoed in Part

(2) ~~The right to confidentiality of agency records and files on the recipient and freedom from the unauthorized perusal of such records and files by state or local officials. Nothing in this subsection shall prohibit the use of such records for auditing or accounting purposes.~~

Vetoed in Part

(3) The right to access to agency records and files relating to the recipient, except that the agency may withhold information obtained under a promise of confidentiality.

(4) The right to a speedy determination of the recipient's status or eligibility for public assistance, to notice of any proposed change in such status or eligibility, and, in the case of assistance granted under s. 49.19, 49.46 or 49.47, to a speedy appeals process for resolving contested determinations.

~~(5) The right to obtain living accommodations without being subjected to discrimination because of receiving public assistance.~~

Vetoed in Part

SECTION 578. 49.046 (1) of the statutes is amended to read:

49.046 (1) From the appropriation made in s. 20.435 (4) (e) and (o) the department shall grant relief to needy Indian persons not eligible for aid under s. 49.177, 49.19, 49.46 or 49.47 and residing on tax-free lands or in Menominee county and shall appoint the tribal councils administering federal assistance on such lands or the Menominee county department of social services to administer relief under this section. If there is no tribal council administering federal assistance on such lands, or if the local tribal council so chooses, the department may appoint the welfare agency or an appropriate Indian organization in the county or municipality wherein such needy Indian persons reside to administer relief under this section. Any agency so appointed shall make such reports as are required and such accounting for funds as are made available under this section. Reimbursement for the costs of administering relief under this section shall be included in the grant authorized by this section made from the appropriation under s. 20.435 (4) (de). The department shall establish rules

governing allowable costs of administration. The department may enter into suitable agreements with any appropriate agency of the federal government for provision of relief to needy Indian persons.

SECTION 578d. 49.055 of the statutes is created to read:

**49.055 Emergency fuel and utilities assistance.** (1) Within the limits of the appropriation under s. 20.435 (4) (dL), the department shall distribute funds to counties which choose to provide assistance for fuel and utilities emergencies. Funds shall be distributed on the basis of population only to those counties which provide 25% county matching funds.

(2) Funds shall be distributed by the county agency designated by the county board of supervisors and shall be granted in the form of a loan not to exceed \$150 per household per year.

(3) As a condition of eligibility for assistance, applicants must agree to participate in a utility budget payment plan, if such plan is available.

SECTION 578dm. 49.10 (12) (f) 1 of the statutes is amended to read:

49.10 (12) (f) 1. Public. Wisconsin state prison; Wisconsin correctional institution; Wisconsin state reformatory; Taycheedah correctional institution; Wisconsin correctional institution - Oakhill; Lincoln Hills school; Ethan Allen school; county jails or houses of correction; centers for the developmentally disabled; Mendota and Winnebago mental health institutes; central state hospital; Wisconsin school for visually handicapped; Wisconsin school for the deaf; federal, state, county or municipal hospitals, asylums, infirmaries, tuberculosis sanatoriums or homes for the aged; veterans' hospitals, domiciliaries and homes.

SECTION 578e. 49.11 (1) of the statutes is amended to read:

49.11 (1) (title) LEGAL SETTLEMENT COLLECTION FROM SWORN STATEMENT OF SETTLEMENT. When relief is furnished to a dependent person, either he that person, if able, or some other person who has knowledge of the facts, shall ~~be required to~~ make a sworn statement of facts relating to his residence and settlement, which ~~statement~~ shall be incorporated into the nonresident notice.

SECTION 578f. 49.11 (2) (intro.) and (c) of the statutes are amended to read:

49.11 (2) (intro.) RIGHT TO COLLECT FROM PLACE OF SETTLEMENT. The county or municipality in which the relief recipient has ~~his~~ settlement shall be chargeable with relief furnished, except that no county or municipality may be charged for relief furnished to any recipient who has not resided within such county or municipality during the previous 24 months. If the relief recipient has no settlement in this state, or if he or she has not resided in the county or municipality of legal settlement during the previous 24 months, then the county ~~wherein~~ where the relief is furnished shall be chargeable with such relief; ~~and the~~. The state shall reimburse for relief charges when the person has no settlement and until such person has had residence in this state for a period of one year, ~~pursuant to~~ under s. 49.04. All notices of claims to the department or to counties or municipalities of legal settlement for reimbursement for general relief provided by other counties or municipalities, in or outside the county of legal settlement, shall be accompanied by a sworn statement of the relief granting agency. The statement shall certify that the relief recipient has been informed of the benefits and eligibility requirements under the federally funded medical and public assistance program and that such recipient has been determined to be ineligible by the relief granting agency if the recipient is clearly ineligible or, otherwise, by the appropriate county agency, along with an explanation of the reasons for such ineligibility, or that an application for medical or public assistance is pending or approved.

(c) *When county settlement or no settlement.* When the relief recipient claims to have county settlement or no settlement, the charges for the relief furnished may be recovered by the furnishing municipality directly from the county ~~wherein~~ where the relief is furnished, and if such recipient has no settlement and has not resided in this state for at least one year, the county may, ~~in turn,~~ recover from the state under s. 49.04.

SECTION 578g. 49.11 (3) (intro.) of the statutes is amended to read:

49.11 (3) (intro.) DEFENSES AVAILABLE. ~~The defenses available to any~~ Any municipality or county may assert the following defenses in a proceeding under s. ~~49.11 this section~~ for reimbursement, ~~shall be as follows:~~

SECTION 578h. 49.11 (4) (intro.), (a), (b) 1 and 3 and (f) 1 of the statutes are amended to read:

49.11 (4) (intro.) PROCEDURES FOR RECOVERY. When the municipality furnishing relief is not the municipality of settlement, a nonresident notice shall be served upon the municipality of claimed settlement ~~as hereinafter provided.~~ Such nonresident notice shall be on a standard form prescribed by the department and shall contain the following: ~~The~~ name of the municipality or county furnishing relief; the name, residence and birth dates of the persons receiving relief and of all the members of ~~his~~ the household; the name of the county or municipality in which settlement is claimed and the facts upon which such claim is based; the date on which relief was first furnished; and a copy of the sworn statement as described in s. ~~49.11 sub.~~ (1). The effect of this nonresident notice shall lapse when there is no general relief furnished to the person or ~~his~~ the person's family for a period of 6 months. The effect of the nonresident notice may be reinstated, at any time, by notice ~~to~~ on forms prescribed by the department, ~~by certified mail by the furnishing municipality or county to the municipality or county chargeable, within 30 days after the new relief is furnished, after such lapse of 6 months, and forwarded in the same manner as the original nonresident notice.~~

(a) *Reply to nonresident notice.* The municipality or county of claimed settlement shall ~~either~~ deny or acknowledge settlement within 20 days after receipt of the nonresident notice, and if denied, such denial shall contain all the facts upon which the denial is based. Failure to deny settlement shall be considered as an acknowledgment of settlement as claimed until such denial ~~shall be~~ is filed.

(b) 1. When settlement is claimed in a county or a municipality in other than the furnishing county, the nonresident notice shall be completed by the furnishing municipality or county, and transmitted to the county clerk of the county ~~wherein~~ where the relief was furnished ~~to~~ except in counties on the county system, wherein where the county clerk is the initiating agent, who shall ~~in turn,~~ transmit said notice to the county clerk of the county in which settlement is claimed. In counties operating under the municipal system of relief, ~~it is the duty of the county clerk to~~ shall forward such nonresident notice to the clerk of the municipality of claimed settlement.

3. When verified claims are received by the county clerk from the municipality furnishing relief and payment to the municipality is made under sub. (2) (a) 1, such clerk shall, within 75 days from the date ~~he first receives such~~ of receipt of the claim, forward a verified claim, on forms prescribed by the department, to the clerk of the county ~~wherein~~ where settlement is claimed. In counties operating under the municipal system, ~~it is the duty of the county clerk to~~ shall forward such claim to the clerk of the municipality of claimed settlement within 7 days after the receipt thereof. When operating under the county system of relief, verified claims received from the county relief agency ~~pursuant to~~ under par. (e) 3 shall be forwarded within 75 days from the date such claim is received, on forms prescribed by the department, to the clerk of the county ~~wherein~~ where a settlement is claimed.

(f) 1. Failure ~~to~~ timely to initiate or transmit a nonresident notice or an acknowledgment or denial shall be a bar to recovery or a right to deny recovery until such notices are received. If the furnishing municipality or county claims settlement of a relief recipient to be in a municipality in a county operating under a municipal system, and later discovers that settlement is in another municipality within the same county, an amended nonresident notice may be filed, and if done within 40 days of the date on which relief is furnished, ~~the effect of such nonresident~~ notice shall revert to the date on which such relief was first furnished.

SECTION 578i. 49.11 (6) of the statutes is amended to read:

49.11 (6) WHO MAY SUE. (a) *County*. Upon receipt of notice of the disallowance of the claim of any county, its clerk shall ~~forthwith~~ notify the district attorney of ~~his~~ the county, who may institute a proceeding in the name of the county for the recovery of ~~so much of the disallowed portion of the claim as has been disallowed~~, and in such action the county shall not be required to give bond.

(b) *Municipality*. Upon receipt of notice of disallowance of the claim of any municipality against another municipality within the same county the clerk receiving such notice shall notify the governing body of his or her municipality which may ~~thereupon~~ institute a proceeding under sub. (7).

SECTION 578j. 49.11 (7) (a) to (c) and (e) of the statutes are amended to read:

49.11 (7) (a) *Jurisdiction and practice*. The department is vested with exclusive original jurisdiction to hear all proceedings brought under this section on claims that have been disallowed or which have not been acted upon as required by statute. A county which has furnished relief or paid a municipality for the relief furnished shall be plaintiff, except where the suit is between municipalities within the same county or where a municipality is suing its own county for failure to pay, and shall join as parties defendant all municipalities or counties which may be liable ~~presently or ultimately~~. The parties have a right to be ~~present~~ represented at any hearing, by an attorney or any other authorized agent approved by the department, and to present pertinent testimony and argument. The department shall appoint examiners to conduct such hearings. ~~The and the department or an examiner thereof, for the purpose of carrying out such powers and duties, may issue subpoenas for such purpose.~~ The department may ~~make such regulations and adopt~~ promulgate such rules of ~~practice~~ not inconsistent ~~herewith or with ch. 49 or 227 as will enable it to effectually perform its duties hereunder.~~ The ~~order of the~~ department shall, by order, determine the ultimate liability of all parties in the proceeding and may grant to the prevailing party and against the losing party witness fees of \$5 per day and 5 cents per mile for travel.

(b) *Pleadings and hearing*. Such proceedings shall be commenced by complaint which shall be entitled "Before the department of health and social services of Wisconsin". The complaint shall contain the names of the parties and matters and prayers as in complaints generally. ~~It~~ The complaint, with sufficient copies, may be served, ~~with sufficient copies, upon the department~~ by registered or certified mail; upon the department, which shall then note such service upon the original complaint and so notify the claimant. The department shall immediately transmit a copy by registered or certified mail to the defendant county or municipality, which shall have 20 days from the time of the mailing of such copy by registered or certified mail to serve an answer, with sufficient copies, upon the department. The department shall acknowledge such service and mail a copy of the answer to the claimant. ~~When the~~ The department ~~has determined that the matter is at issue,~~ it shall notify the parties of the time and place of hearing thereon and ~~in its discretion~~ may continue or adjourn such hearing for a reasonable period. The department shall make its findings and order and transmit copies thereof to the parties by registered or certified mail as soon as possible after such hearing.

(c) *Judicial review.* Such order shall be subject to review under ch. 227, ~~except that such but the review, which may be heard at a regular or special term,~~ shall be instituted in the circuit court in ~~one of the following counties: Douglas, Eau Claire, Marathon, Brown, La Crosse, Dane or Milwaukee, and may be heard at a regular or special term counties.~~

(e) *State special charge.* When a matter is finally determined on appeal, or if no appeal is taken within the prescribed time, the amount owing by a county or municipality shall be certified by the department to the department of administration and shall thereafter be collected as are other special state charges against counties and municipalities, with interest at the rate of ~~6 per cent~~ 6% per annum to be computed to March 22 following. The state treasurer shall remit such amount to the prevailing county or municipality ~~such amount~~, as soon as possible after March 1 of each year, ~~as may be~~, upon order of the department of administration.

SECTION 578m. 49.177 (2) (a) (intro.) of the statutes is amended to read:

49.177 (2) (a) (intro.) ~~Those of the following persons~~ Persons enumerated in subds. 1 to 4 under this paragraph who meet the resource limitations of federal Title XVI are entitled to receive supplemental payments in an amount determined by the department and approved or amended by the joint committee on finance. Prior approval of a modification in the amount of supplemental payments will be deemed to be given, if within 21 calendar days after the department files a proposed modification with the joint committee on finance, the committee has not scheduled a public hearing or executive session to review the proposed modification. Payment modifications approved by the joint committee on finance shall be subject to the approval of the governor. Following action by the joint committee on finance, the governor shall have 10 days, not including Sundays, to communicate approval or disapproval in writing. If no action is taken by the governor within that time, the decision of the joint committee on finance shall take effect.

SECTION 578p. 49.177 (4) (c) of the statutes is amended to read:

49.177 (4) (c) Agreements made under this subsection or modifications to such agreements require prior approval or amendment by the joint committee on finance. Prior approval will be deemed to be given if within 21 calendar days following the department filing a proposed modification with the joint committee on finance, the committee has not scheduled a public hearing or executive session to review the proposed modification. Agreements or modifications to such agreements approved by the joint committee on finance shall be subject to the approval of the governor. Following action by the joint committee on finance, the governor shall have 10 days, not including Sundays, to communicate approval or disapproval in writing. If no action is taken by the governor within that time, the decision of the joint committee on finance shall take effect.

SECTION 579. 49.178 of the statutes is created to read:

**49.178 Institutions subject to chapter 150.** Any institution created under the authority of s. 49.14, 49.16, 49.171 or 49.175 is subject to ch. 150.

SECTION 579ad. 49.19 (2) of the statutes is renumbered 49.19 (2) (a).

SECTION 579am. 49.19 (2) (b) of the statutes is created to read:

49.19 (2) (b) The department of health and social services shall conduct a pilot program encompassing screening, assessment, job development and job placement of recipients. The program shall be intensive in nature and shall be structured to develop jobs for employable AFDC recipients and to effect their job placement as expeditiously as possible. Initial priorities shall be assigned to the following categories of recipients:



1. Adults who have been recipients for one or more years and who have no children under age 5.
2. Adults who are members of recipient families which have 2 or more adults included in the grant.
3. Adults who have been recipients for 5 or more years.

SECTION 579ar. 49.19 (2) (p) of the statutes is created to read:

49.19 (2) (p) Any person who has conveyed, transferred or disposed of any property within 2 years prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made the transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive the benefits thereafter until the value of the property is expended by or on behalf of the person for his or her maintenance needs, including needs for medical care. The department shall promulgate rules for the administration of this paragraph.

SECTION 579b. 49.19 (4) (bm) of the statutes is created to read:

49.19 (4) (bm) The person applying for aid shall document, to the department's satisfaction, actual income and economic status as claimed in the application, and shall reveal and verify all assets. Vetoed  
in Part

SECTION 579d. 49.19 (4) (dm) of the statutes is amended to read:

49.19 (4) (dm) Aid may be paid to parents of a dependent child if the parents are unable to supply the needs of the child because of unemployment of the father who meets the federal requirements as to past employment and current unemployment. Aid to dependent children of unemployed parents may be granted only so long as federal aid for this purpose is available to the state. No aid shall be granted when the father: 1) refuses to register with the state employment service or to maintain a current registration with such service; or 2) ~~is receiving unemployment compensation~~ qualifies for unemployment compensation but refuses to apply for or accept such unemployment compensation. No aid shall be granted to the father when the father: 1) refuses to participate in a training program; or 2) refuses suitable employment.

SECTION 579m. 49.19 (4) (em) of the statutes is created to read:

49.19 (4) (em) The ownership of one vehicle registered under ch. 341 or 350 by an AFDC group may not prevent the granting of aid. Ownership of a 2nd vehicle shall be permitted only if the department determines it is necessary for purposes of employment or to obtain medical care. For purposes of this paragraph and of par. (es), an "AFDC group" consists of those persons listed on the application form for whom aid is being requested.

SECTION 579p. 49.19 (4) (es) of the statutes is created to read:

49.19 (4) (es) In the determination of eligibility for aid under this subchapter all income of the AFDC group as defined under par. (em) shall be considered except an amount equal to expenses incurred in the earning of income and any other amount which must be disregarded under federal law and regulations. The work-related expense deduction shall be set at the greater of 18% of gross income or the amount of actual expenditures. ~~The actual work-related expense calculation shall include a vehicle mileage allowance to be determined by the department but may not include vehicle payment, insurance, and repair and maintenance costs.~~ Vetoed  
in Part

SECTION 579r. 49.19 (4) (j) of the statutes is created to read:

49.19 (4) (j) A putative father of a dependent child may not be considered eligible for aid under this section until he has been adjudicated to be the child's father in a paternity proceeding under ch. 52 or until he has adopted the child under ch. 48.

SECTION 580. 49.19 (5) (a) 1 of the statutes is amended to read:

49.19 (5) (a) 1. All earned income of each dependent child included in the grant who is: a) a full-time student or b) a part-time student who is not a full-time employee. For purposes of this subdivision a student is an individual attending a school, college, university or a course of vocational or technical training designed to fit him or her for gainful employment.

SECTION 580m. 49.19 (5) (a) 2m of the statutes is created to read:

49.19 (5) (a) 2m. From the earned income of any other child 14 years of age or older or any other individual living in the same home and whose needs are taken into account in determining the budget, an amount equal to expenses incurred in the earning of income shall not be counted in determining the family income. The work-related expense deduction shall be set at the greater of 18% of gross income or the amount of actual expenditures. ~~The actual work-related expense calculation shall include a vehicle mileage allowance, but may not include vehicle payments, insurance, and repair and maintenance costs.~~

Vetoed  
in Part

SECTION 580r. 49.19 (5) (e) of the statutes is repealed and recreated to read:

49.19 (5) (e) *The department shall establish rules for appropriate circumstances under which counties shall recertify a random sample of recipients of aid to families with dependent children within 90 days of initial certification and every 6 months thereafter. The random sample shall include at least 10% of the caseload. A recipient required to be recertified shall appear in person at a time and place specified by the department for such recertification. The department shall investigate and make a determination of eligibility and grant size each time the recipient is recertified.*

Partial  
Veto  
Overruled

SECTION 581. 49.19 (11) (a) 1 of the statutes is amended to read:

49.19 (11) (a) 1. Monthly payments made under s. 20.435 (4) (d) to persons or to families with dependent children shall be based on family size and shall be at ~~90%~~ 85% of the following standards for the period July 1, ~~1975~~ 1977 or the first day of the month following the effective date of this act (1977), whichever is later, to June 30, ~~1976~~ 1978, and shall be at ~~91%~~ 88% of the following standards for the period July 1, ~~1976~~ 1978, to June 30, ~~1977~~ 1979. Grants shall vary in 4 areas which shall be groups of counties designated by the department based on variation in shelter cost:

FAMILY SIZE	AREA I	AREA II	AREA III	AREA IV
1	<del>\$186</del> \$209	<del>\$188</del> \$203	<del>\$173</del> \$195	<del>\$171</del> \$193
2	<del>300</del> 371	<del>320</del> 360	<del>307</del> 345	<del>304</del> 341
3	<del>392</del> 437	<del>380</del> 423	<del>365</del> 406	<del>364</del> 402
4	<del>466</del> 520	<del>452</del> 505	<del>433</del> 484	<del>429</del> 478
5	<del>535</del> 598	<del>519</del> 580	<del>498</del> 556	<del>492</del> 550
6	<del>579</del> 646	<del>564</del> 626	<del>538</del> 601	<del>532</del> 594
7	<del>625</del> 700	<del>606</del> 679	<del>581</del> 651	<del>575</del> 644
8	<del>665</del> 742	<del>645</del> 719	<del>618</del> 690	<del>612</del> 682
9	<del>697</del> 777	<del>676</del> 754	<del>648</del> 723	<del>644</del> 715
10	<del>714</del> 795	<del>693</del> 771	<del>664</del> 740	<del>657</del> 732

SECTION 581m. 49.19 (11) (c) of the statutes is created to read:

49.19 (11) (c) *Grants under this subsection which vary according to other income received by the recipient shall be determined only on the basis of verified current income and may not be determined on the basis of estimated or predicted income.*

Partial  
Veto  
Overruled

SECTION 582. 49.195 (1) of the statutes is amended to read:

49.195 (1) If any parent at the time of receiving aid under s. 49.19 or at any time thereafter acquires property by gift, inheritance, sale of assets, court judgment or settlement of any damage claim, the county granting such aid may sue ~~said~~ the parent to recover the value of that portion of the aid which does not exceed the amount of the

property so acquired. During the life of ~~said~~ the parent, the 10-year statute of limitations may be pleaded in defense against any suit for recovery under this section; and if such property is his or her homestead it shall be exempt from execution on the judgment of recovery until his or her death or sale of the property, whichever occurs first. Notwithstanding the foregoing restrictions and limitations, where the aid recipient is deceased a claim may be filed against any property in his or her estate and the statute of limitations specified in s. 859.01 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, spouse or child is dependent on ~~such~~ the property for support, and the court in rendering judgment shall take into account the current family budget requirement as fixed by the U.S. department of labor for the community or as fixed by the authorities of ~~such~~ the community in charge of public assistance. The records kept by the county are prima facie evidence of the value of the aid furnished. Liability under this section shall extend to any ~~stepfather~~ stepparent whose family receives aid under s. 49.19 during the period he or she is a member of the same household, but his or her liability is limited to such period. This section does not apply to medical and health assistance payments for which recovery is prohibited or restricted by federal law or regulation.

SECTION 583. 49.195 (3) of the statutes is created to read:

49.195 (3) (a) Notwithstanding the restrictions and limitation specified in s. 49.41, a policy for recovery of overpayment to families receiving aid under s. 49.19 shall be instituted by the department. Recovery shall be made of overpayments which occur:

1. Due to a recipient's failure to report a change in income or other circumstances.
2. During the course of a recipient's appeal of an agency decision regarding eligibility or grant size.
3. Due to agency error.

(b) The department may not make a recovery which is contrary to any applicable federal regulation or which would reduce a recipient's total income to an amount equal to \$10 less than the recipient's payment level under s. 49.19.

(c) A recovery under this section shall be limited to overpayments occurring within the 12-month period immediately prior to the date of discovery.

(d) The department shall continue to recover overpayments from persons who are no longer receiving aid under s. 49.19.

SECTION 583m. 49.43 (9) to (11) of the statutes are created to read:

49.43 (9) "Medical assistance" means any services or items under ss. 49.45 to 49.47 and 49.49 to 49.499, or any payment or reimbursement made for such services or items.

(10) "Proprietary home health agency" has the meaning specified in s. 141.15 (1) (a).

(11) "Provider" means a person, corporation, partnership, unincorporated business or professional association and any agent or employe thereof who provides medical assistance under s. 49.45 to 49.47 and 49.49 to 49.499.

SECTION 585. 49.45 (2) (a) 11 to 14 of the statutes are created to read:

49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of services under Title XIX of the social security act and certify such eligible providers.

12. Decertify providers found in violation of the terms of provider agreements established under subd. 9 or of certification criteria established under subd. 11.

13. Impose additional sanctions for noncompliance with the terms of provider agreements under subd. 9 or certification criteria established under subd. 11.

14. Assure due process in implementing subds. 12 and 13 by providing written notice, a fair hearing and a written decision.

SECTION 585m. 49.45 (2) (b) 2 of the statutes is amended to read:

49.45 (2) (b) 2. Contract with nonprofit organizations incorporated or existing under and by virtue of ss. 148.03, 447.13 and ch. 613, with other organizations whether or not organized for profit or with insurance companies licensed and authorized to do business in this state, either to administer the benefits under the medical assistance program in full or in part, including prepaid health care, or to insure the program in full or in part for and in behalf of the department and may accept the contract deemed most advantageous to the department for such administrative services. Any organization administering or insuring benefits under this section which is not licensed by the commissioner of insurance shall be subject to financial and operational regulation and review under ch. 613. The department shall report each December 31 to the governor, the joint committee on finance and the standing committees on health and social services regarding the effectiveness of the management information system for monitoring and analyzing medical assistance expenditures;

SECTION 586. 49.45 (3) (f) of the statutes is created to read:

49.45 (3) (f) 1. Providers of services under this section shall maintain records as required by the department for verification of provider claims for reimbursement. The department may audit such records to verify actual provision of services and the appropriateness and accuracy of claims.

2. The department may deny any provider claim for reimbursement which cannot be verified under subd. 1 or may recover the value of any payment made to a provider which cannot be so verified. The measure of recovery will be the full value of any claim if it is determined upon audit that actual provision of the service cannot be verified from the provider's records or that the service provided was not included in s. 49.46 (2). In cases of mathematical inaccuracies in computations or statements of claims, the measure of recovery will be limited to the amount of the error.

3. Contractors under sub. (2) (b) shall maintain records as required by the department for audit purposes. Contractors shall provide the department access to the records upon request of the department, and the department may audit the records.

SECTION 586m. 49.45 (6m) (a) 4 of the statutes is amended to read:

49.45 (6m) (a) 4. An amount ~~equal to a fixed percentage of the per patient per day cost for the above services~~ limited to a maximum amount for administrative and all other indirect services.

SECTION 587. 49.45 (6m) (e) of the statutes is repealed and recreated to read:

49.45 (6m) (e) The department shall establish an appeals mechanism within the department to review petitions from nursing homes providing skilled, intermediate, limited, personal and residential care, for modifications to any reimbursement rate under this subsection. Upon review, the secretary of health and social services shall grant the modifications, which may exceed maximums under this section but may not exceed any applicable federal maximums. The department may, upon the presentation of facts, grant modifications of a home's care rate where demonstrated substantial inequities exist. The department shall develop specific criteria and standards for granting rate modifications, and shall take into account the following, without limitation because of enumeration, in granting the modifications:

1. The efficiency and effectiveness of the facility if compared with facilities providing similar services and if valid cost variations are considered.
2. The effect of rate modifications upon compliance with federal upper limit regulations and other pertinent federal regulations governing title XIX of the social security act.
3. The need for additional revenue to correct licensure and certification deficiencies.
4. The relationship between total revenue and total costs for all patients.
5. The existence and effectiveness of specialized programs for the chronically mentally ill.
6. Exceptional patient needs.
7. Demonstrated experience in providing high quality patient care.

SECTION 588. 49.45 (6m) (g) of the statutes is created to read:

~~49.45 (6m) (g) Reimbursement under this section to skilled nursing facilities subject to this paragraph shall not include the cost of care reimbursable under Title XVIII of the social security act for persons eligible for Title XVIII benefits. Title XIX recipients shall not be liable to incur such costs. All skilled nursing facilities with 100 beds or more shall be certified, in whole or in part, for Title XVIII. The department shall determine the need for Title XVIII certified skilled nursing beds in each designated health service area in Wisconsin under P.L. 93-641, based on the potential Title XVIII recipients and the availability and location of Title XVIII certified beds in the area. If the department determines that the number of such beds in any such area is insufficient to meet the need, and if the skilled nursing facilities in the area do not voluntarily agree to become certified to meet the need, the department may, by rule, require Title XVIII certification, in whole or in part, of facilities having fewer than 100 beds. The rule shall establish categories of facilities according to bed capacity, and shall apportion the needed beds among the facilities according to category. Every attempt shall be made to obtain the required number of beds from facilities in the category having the largest number of beds before apportioning the remainder of the needed beds among categories containing facilities with fewer beds. The department may not renew or issue certification under Title XIX of the social security act for any skilled nursing facility required to be certified in whole or in part, under Title XVIII of the social security act until the facility complies with this requirement. In developing the rule, the department shall take into consideration the effect such rule will have on the overall average daily rate of skilled nursing facilities in the state, and the financial and staffing ability of each skilled nursing facility to be subject to the rule. No reimbursement under this section to any facility subject to the rule may be denied on the basis of this paragraph, nor shall the exemption from liability for Title XIX recipients for such costs be effective until the date of the first issuance or renewal of the facility's certification under Title XIX of the social security act, occurring after the effective date of the rule. No reimbursement under this section to any facility with 100 beds or more may be denied on the basis of this paragraph, nor shall the exemption from liability for Title XIX recipients for such costs be effective until the date of the first issuance or renewal of the facility's certification under Title XIX of the social security act, occurring after the effective date of this paragraph.~~

Vetoed  
in Part

SECTION 588m. 49.45 (6m) (h) of the statutes is created to read:

49.45 (6m) (h) The department may require by rule that all claims for payment of services provided nursing home residents under this chapter be submitted or countersigned by the respective nursing home administrator. The department may specify those categories of services for which reimbursement will be made only if the

services are rendered or authorized in writing by a primary health care provider designated by the recipient for the particular category of services.

SECTION 589. 49.45 (9) of the statutes is amended to read:

49.45 (9) FREE CHOICE. Any person eligible for medical assistance under ss. 49.46 and 49.47 may be entitled to use the physician, chiropractor, podiatrist, dentist, pharmacist, hospital, skilled nursing home or other licensed, registered or certified provider of health care of his or her choice, except that free choice of skilled nursing home shall be limited by the department so as to provide only care which is necessary to meet the medical and nursing needs of the patient. If evidence of program abuse by a recipient is discovered, the department may require a recipient to designate, in any or all categories of health care providers, a primary health care provider of his or her choice. After such a designation is made, the recipient may not receive services from other health care providers in the same category as the primary health care provider unless such service is rendered in an emergency or through written referral by the primary health care provider. Alternate designations by the recipient may be made in accordance with guidelines established by the department. Nothing herein in this subsection shall vitiate the legal responsibility of the physician, chiropractor, podiatrist or dentist, pharmacist, skilled nursing home or hospital to patients and all. All contract and tort relationships with patients shall remain, notwithstanding a written referral under this section, as though dealings are direct between the physician, chiropractor, podiatrist, dentist, pharmacist, skilled nursing home or hospital and the patient. No physician, chiropractor, podiatrist, pharmacist or dentist shall may be required to practice exclusively in the medical assistance program.

SECTION 590. 49.45 (9m) of the statutes is created to read:

49.45 (9m) REFERRALS. The department may, consistent with s. 49.45 (9), specify services for which reimbursement will be made only if the services are provided in accordance with a referral, in writing, which specifies the services to be rendered and the duration of such services. The referral form shall describe the referred services as required by the department.

SECTION 590m. 49.45 (9s) of the statutes is created to read:

49.45 (9s) DISCLOSURE. Any person who is an employe of, or an owner, partner, stockholder or investor in, any legal entity providing services which are reimbursed under this section, shall notify the department, on forms provided by the department for that purpose, if such person is an employe of, or an owner, partner, stockholder or investor in, any other legal entity providing services which are reimbursed under this section.

SECTION 591. 49.45 (11) of the statutes is renumbered 49.43 and 49.43 (intro.) and (1), as renumbered, are amended to read:

**49.43 Definitions.** (intro.) As used in this section subchapter unless the context indicates otherwise:

(1) "Charge" means the customary, usual and reasonable demand for payment as established prospectively, concurrently or retrospectively by the department for services, care or commodities which does not exceed the general level of charges by others who render such service or care, or provide such commodities, under similar or comparable circumstances within the community in which the charge is incurred.

SECTION 592. 49.45 (13) of the statutes is created to read:

49.45 (13) FINANCIAL REPORTS. The department may require financial reports of providers of service for purposes of rate certification under title XIX, cost verification, fee schedule determination or research and study purposes. The department may

withhold reimbursement or not increase reimbursement rates if a provider does not submit the reports required under this paragraph.

SECTION 592m. 49.46 (1) (f) of the statutes is created to read:

49.46 (1) (f) Any person who has conveyed, transferred or disposed of any property within 2 years prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made the transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive the benefits thereafter until the value of the property is expended by or on behalf of the person for his or her maintenance needs, including needs for medical care. The department shall promulgate rules for the administration of this paragraph.

SECTION 593. 49.47 (4) (b) of the statutes is amended to read:

49.47 (4) (b) Eligibility exists if ~~his~~ the applicant's property does not exceed the following: a home and the land used and operated in connection therewith or in lieu thereof a mobile home if ~~such~~ the home or mobile home is used as the person's or his or her family's place of abode; household and personal possessions, including one automobile or one truck; liquid assets not exceeding ~~\$1,750~~ \$1,500, if single, ~~\$3,500~~ \$2,250 for a family of 2, plus \$300 for each additional legal dependent; and additional tangible personal property of reasonable value, considering the number of members in the family group, used in the production of income.

SECTION 594. 49.48 (3) (c) of the statutes is amended to read:

49.48 (3) (c) Disbursement and collection of all funds under this subsection shall be by the department or by a fiscal intermediary, in accordance with a contract with a fiscal intermediary. The costs of the fiscal intermediary under this paragraph shall be paid from the appropriation under s. 20.435 (1) (a).

SECTION 594m. 49.49 of the statutes is created to read:

**49.49 Fraudulent documents.** (1) Any person who with intent to injure, mislead or defraud, in connection with the preparation or submission of any claim for reimbursement, cost report, rate application or other document, related to medical assistance, does any of the following shall be subject to the penalties in sub. (2):

- (a) Falsifies or causes to be falsified, conceals, or causes to be concealed any material fact.
- (b) Makes or causes to be made any false statements or representations of material facts.
- (c) Uses or causes to be used any document or writing known to contain false statements of material facts.

(2) Penalties for violation of this section shall be:

- (a) If the amount of payment or reimbursement derived or sought to be derived as a result of any act under sub. (1) (a) to (c) does not exceed \$500, a fine of not more than \$1,000 or imprisonment for not more than one year in the county jail or both.
- (b) If the amount of payment or reimbursement derived or sought to be derived as a result of any act under sub. (1) (a) to (c) exceeds \$500 but does not exceed \$2,500, a fine of not more than \$5,000 or imprisonment for not more than 5 years or both.
- (c) If the amount of payment or reimbursement derived or sought to be derived as a result of any act under sub. (1) (a) to (c) exceeds \$2,500, a fine of not more than \$10,000 or imprisonment for not more than 15 years or both.

(3) If any person is convicted under this section, the state shall have a cause of action for relief against such person in an amount 3 times the amount of actual

damages sustained as a result of any excess payments made in connection with the offense for which the conviction was obtained. Proof by the state of a conviction under this section in a civil action shall be conclusive regarding the state's right to damages and the only issue in controversy shall be the amount, if any, of the actual damages sustained. Actual damages shall consist of the total amount of excess payments, any part of which is paid by state funds. In any such civil action the state may elect to file a motion in expedition of the action. Upon receipt of the motion, the presiding judge shall expedite the action.

SECTION 594q. 49.495 of the statutes is created to read:

**49.495 Kickbacks.** If any person in connection with the furnishing or procuring of services or items, for which medical assistance payment or reimbursement is or may be made in whole or in part, makes, solicits, offers, gives or receives any false bill, invoice, document, report or statement with the intent to facilitate a misrepresentation of the actual cost of such services or items, such person may be fined not more than \$5,000 or imprisoned not more than 2 years or both.

SECTION 594r. 49.497 of the statutes is created to read:

**49.497 Referrals.** If any person solicits, offers, gives or receives a rebate of any fee or charge, or anything of value for referring an individual to a provider of medical assistance for the purpose of furnishing services or items to that individual, where medical assistance payment or reimbursement for such services or items may be made in whole or in part, such person may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

SECTION 594u. 49.499 of the statutes is created to read:

**49.499 False statement to obtain license.** If any person knowingly makes or causes to be made, or induces or seeks to induce the making of any false statement or representation of a material fact with respect to the conditions or operation of any institution or facility in order that such institution or facility may qualify (either upon initial certification, licensure, recertification or renewal of license) as a hospital, skilled nursing facility, intermediate care facility, or proprietary home health agency, such person may be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both.

SECTION 595. 49.51 (3) (c) of the statutes is amended to read:

49.51 (3) (c) County agencies shall submit to the department plans and contracts for care and services to be purchased in accordance with s. ~~46.03 (21)~~ 46.031 (1). ~~Such~~ The contracts shall be developed under s. 46.036. The department shall review such contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department to submit such contracts to the committee for review and approval. The department shall not make any payments to a county for programs included in a contract under review by the committee. The department shall reimburse each county for such approved contracts from the appropriations under s. 20.435 (4) (df), ~~(dh)~~ and (p) according to s. 49.52.

SECTION 596. 49.51 (4) of the statutes is repealed and recreated to read:

49.51 (4) ANNUAL PROGRAM BUDGETS. The county agency shall submit annually a program plan and budget in accordance with ss. 46.031 and 46.032 for authorized services in the form and manner prescribed by the department. The approved plan and budget shall not exceed the available amount of ~~federal and state~~ funds.

Vetoed  
in Part

SECTION 597. 49.52 (1) (a) of the statutes is amended to read:

49.52 (1) (a) The department shall reimburse each county for reasonable costs of income maintenance administration from s. 20.435 (4) (de) and (p) under a separate contract according to s. 46.032. The department shall reimburse each county from the



appropriations under s. 20.435 (4) (d), (df), ~~(dh)~~ and (p) for 100% of the cost of aid to families with dependent children granted pursuant to s. 49.19, ~~the administration of public assistance, medical assistance and for social services as approved by the department pursuant to~~ under ss. 46.22 (4) (j) and (5m) (c) and 49.51 (2) (a), (3) (c) and (4), and ~~for 100% of~~ funeral expenses paid for recipients of aid pursuant to under s. 49.30, except that no reimbursement ~~shall~~ may be made for the administration of or aid granted under ss. 49.02 and 49.03. Funds received under this section may not be used to match state reimbursement for shelter care under ss. 48.31 and 48.58.

Vetoed  
in Part

SECTION 597d. 49.52 (1) (c) of the statutes is repealed.

SECTION 597m. 49.52 (1) (d) to (f) of the statutes are created to read:

49.52 (1) (d) Each county shall receive for social services in 1978 an amount equal to its 1977 contract level for purchased and provided social services, foster care, and private child-caring institutional care. Each county is entitled to receive an increase of 4% from its 1977 contract level provided that:

1. The county appropriate a portion of county tax levy or federal revenue sharing funds which shall be matched on an equal basis by state aids up to the maximum of 4%; and

2. The county allocation level used to match aid increases is included in the coordinated plan and budget and approved by the department prior to January 1 of the year for which funds are allocated.

(e) Beginning January 1, 1979, and ending June 30, 1979, each county shall receive an amount equal to 50% of its 1977 contract level for purchased and provided social services, foster care and private child-caring institutional care. Each county is entitled to receive 50% of an increase of 8% from its 1977 contract level provided that:

1. The county appropriates a portion of county tax levy or federal revenue sharing funds which shall be matched on an equal basis by state aids up to the maximum of 8%; and

2. The county allocation level used to match aid increases is included in the coordinated plan and budget and approved by the department prior to January 1 of the year for which funds are allocated.

(em) Expenditures over the 1977 contract level under pars. (d) and (e) shall be shared equally by the state and county up to the maximum specified in pars. (d) and (e).

(f) Funds from s. 20.435 (4) (df) and (p) for direct service phase-down and for the implementation of uniform foster care rates shall be allocated to counties as the department designates. Funds allocated under pars. (d) and (e) and not spent may be reallocated to other counties as the department designates subject to s. 20.435 (4) (df).

SECTION 597n. 49.52 (2) (b) of the statutes is amended to read:

49.52 (2) (b) To facilitate prompt reimbursement the certificate of the department may be based on the certified statements of the county officers filed pursuant to under par. (a). ~~Any necessary audit adjustments for any month of current or prior fiscal years may be included in subsequent certifications~~ Funds recovered from audit adjustments for any month of a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of an audit adjustment.

SECTION 598. 49.65 of the statutes is repealed and recreated to read:

**49.65 Third party liability.** (1) SUBROGATION. The department, county or municipality providing any public assistance authorized under this chapter, including medical assistance, as a result of the occurrence of an injury, sickness or death which

results in a possible recovery or indemnity from a 3rd party, including an insurer, may make a claim or maintain an action in tort against the 3rd party.

(2) **ASSIGNMENT OF ACTIONS.** The department, county or municipality providing any public assistance authorized under this chapter, including medical assistance, as a result of the occurrence of injury, sickness or death which results in a possible recovery of indemnity from a 3rd party, including an insurer, may require an assignment from the applicant or recipient of such public assistance or legally appointed representative of the incompetent or deceased applicant or recipient giving it the right to make a claim against the 3rd party.

(3) **CONTROL OF ACTION.** The applicant or recipient or any party having a right under this section may make a claim against the 3rd party or may commence an action and shall join the other party as provided under s. 803.03 (2). Each shall have an equal voice in the prosecution of such claim or action.

(4) **RECOVERY; HOW COMPUTED.** Reasonable costs of collection including attorney's fees shall be deducted first. The amount of assistance granted as a result of the occurrence of the injury, sickness or death shall be deducted next and the remainder shall be paid to the public assistance recipient. The amount of the medical assistance funds recovered shall be subject to fees and proration as is set forth in sub. (6).

(5) **DEPARTMENT'S DUTIES AND POWERS.** The department shall enforce its rights under this section and may contract for the recovery of any claim or right of indemnity arising under this section.

(6) **PRORATION OF THIRD PARTY RECOVERED FUNDS.** The county agency shall be entitled to retain from the total amount recovered an amount equal to one-tenth of the funds received. The remaining amount shall be deposited in the state treasury to the respective appropriation from which the assistance was paid and this amount shall be prorated between the federal government and the state government on the basis of the proportionate amount each contributed.

**SECTION 599.** 50.001 of the statutes is created to read:

**50.001 Institutions subject to chapter 150.** Any community-based residential facility, nursing home, or other health care facility which meets the definition of health care institution in s. 150.001 (6) is subject to ch. 150.

**SECTION 600.** 50.02 (2) of the statutes is renumbered 50.02 (2) (a).

**SECTION 601.** 50.02 (2) (b) of the statutes is created to read:

50.02 (2) (b) The department may conduct plan reviews of all capital construction and remodeling of nursing homes. The fees for each review shall be the same as those for hospitals under s. 50.36 (2).

**SECTION 602.** 50.03 (1) (c) of the statutes is created to read:

50.03 (1) (c) The department may conduct plan reviews of all capital construction and remodeling of community-based residential facilities. The fees for each review shall be the same as those for hospitals under s. 50.36 (2).

**SECTION 602a.** 50.03 (3) (b) (intro.) of the statutes is amended to read:

50.03 (3) (b) (intro.) The application for a license or license renewal shall be in writing upon forms provided by the department and shall contain such information as the department requires, including the name, address and type and extent of interest of each of the following persons:

**SECTION 602am.** 50.03 (3) (b) 1 to 4 of the statutes are created to read:

50.03 (3) (b) 1. The operator or operators of the facility, including any person who has the authority, directly or indirectly, to direct or cause the direction of the management or policies of the facility.

2. Any person who, directly or indirectly, owns any interest in any of the following:

- a. The partnership, corporation or other entity which operates the facility;
- b. The profits, if any, of the facility;
- c. The building in which the facility is located;
- d. The land on which the facility is located;
- e. Any mortgage, note, deed of trust or other obligation secured in whole or in part by the land on which or building in which the facility is located; and
- f. Any lease or sublease of the land on which or the building in which the facility is located.

3. If any person named in response to subd. 1 or 2 is a partnership, then each partner.

4. If any person named in response to subd. 1 or 2 is a corporation, then each officer and director of the corporation. In the case of a corporation required to report under section 12 of the securities exchange act, a copy of that report shall meet the requirements of this subdivision with respect to stockholders of the corporation.

SECTION 602az. 50.03 (3) (c) and (d) of the statutes are created to read:

50.03 (3) (c) If any person named in response to par. (b) 2 is a bank, credit union, savings and loan association, investment association or insurance corporation, it is sufficient to name the entity involved without providing the information required under par. (b) 4.

(d) The licensee shall promptly report any changes which affect the continuing accuracy and completeness of the report under par. (b).

SECTION 602bd. 50.03 (4) (a) of the statutes is renumbered 50.03 (4) (a) 1 and amended to read:

50.03 (4) (a) 1. The department shall issue a license if it finds the applicant to be fit and qualified, and if it finds that the facility meets the requirements established by this ~~section~~ subchapter. The department, or its designee, shall make such inspections and investigations as are necessary to determine the conditions existing in each case and shall file written reports. The department may designate and use full-time city or county agencies as its agents in making ~~such~~ the inspections and investigations, including such subsequent inspections and investigations as are deemed necessary or advisable. The department shall reimburse the city or county furnishing such service at the rate of \$25 per year per license issued in ~~such~~ the municipality.

SECTION 602bf. 50.03 (4) (a) 2 of the statutes is created to read:

50.03 (4) (a) 2. The past record of violations of applicable laws and regulations of the United States or of this or any other state, in the operation of a residential or health care facility, or in any other health-related activity by any of the persons listed in sub. (3) (b) shall be relevant to the issue of the fitness of an applicant for issuance or renewal of a license.

SECTION 602m. 50.03 (5), (7) and (8) of the statutes are amended to read:

50.03 (5) (title) POWER OF DEPARTMENT. The department, after notice to the applicant or licensee, may ~~deny, suspend or~~ revoke or refuse to renew a license in any case in which the department finds that there has been a substantial failure to comply with the requirements of this ~~section~~ subchapter and the rules established under this

~~section subchapter.~~ No state or federal funds passing through the state treasury shall may be paid to a facility not having a valid license issued under this section.

(7) RIGHT OF INJUNCTION. (a) *Licensed facility.* Notwithstanding the existence or pursuit of any other remedy, the department may, upon the advice of the attorney general, maintain an action in the name of the state in the circuit court for injunction or other process against any licensee, owner, operator, administrator or representative of any owner of a facility to restrain and enjoin the repeated violation of any of the provisions of this ~~section subchapter~~ or rules adopted by the department under this ~~section subchapter~~ where the violation affects the health, safety or welfare of the residents.

(b) *Unlicensed facility.* Notwithstanding the existence or pursuit of any other remedy, the department may, upon the advice of the attorney general, maintain an action in the name of the state for injunction or other process against any person or agency to restrain or prevent the establishment, management or operation of any ~~community-based residential~~ facility required to be licensed under this section without a license or ~~without being registered.~~

(c) *Enforcement by counties maintaining inspection programs.* The county board of any county conducting inspections under sub. (2) (b) may, upon notifying the department that a ~~community-based residential~~ facility is in violation of this ~~section subchapter~~ or the rules established under this ~~section subchapter~~, authorize the district attorney to maintain an action in the name of the state in circuit court for injunction or other process against ~~such residential~~ the facility, its owner, operator, administrator or representative, to restrain and enjoin repeated violations where ~~such~~ the violations affect the health, safety or welfare of the residents.

(8) FORFEITURE. Any person acting or claiming to act in behalf of the owner of a facility who violates this ~~section subchapter~~ or any rule adopted by the department under this ~~section subchapter~~ shall forfeit not less than \$10 nor more than \$1,000 for each such offense, with each day of violation constituting a separate offense.

SECTION 603. 50.205 of the statutes is created to read:

**50.205 Hospital construction and regulation to conform to certificate of need requirements.** Rules and standards adopted under ss. 50.20 to 50.31 shall conform to the certificate of need requirements established under ch. 150.

SECTION 604. 50.23 (intro.) of the statutes is amended to read:

**50.23 Health policy.** (intro.) ~~The division of health policy and planning, prior to the effective date specified by the governor for the treatment of s. 15.103 (1) by chapter 39, laws of 1975, and the department thereafter shall constitute the sole agency of the state for the purpose of:~~

SECTION 605. 50.36 (2) of the statutes is renumbered 50.36 (3).

SECTION 606. 50.36 (2) of the statutes is created to read:

50.36 (2) The department may conduct plan reviews of all capital construction and remodeling projects of hospitals. The fees for each review shall be based on the architect's estimate of the total cost of the remodeling or construction project according to the following schedule:

(a) For an estimated dollar value of less than \$25,000, a fee of \$200.

(b) For an estimated dollar value of at least \$25,000 but less than \$100,000, a fee of \$250.

(c) For an estimated dollar value of at least \$100,000 but less than \$500,000, a fee of \$500.

(d) For an estimated dollar value of at least \$500,000 but less than \$1,000,000, a fee of \$750.

(e) For an estimated dollar value of at least \$1,000,000 but less than \$5,000,000, a fee of \$1,000.

(f) For an estimated dollar value of \$5,000,000 or more, a fee of \$2,500.

SECTION 606g. 50.37 (title), (1) and (2) of the statutes are renumbered 140.83 (title), (1) and (2).

SECTION 606r. 50.37 (3) of the statutes is renumbered 140.83 (3) and amended to read:

140.83 (3) STATE RESPONSIBILITY. The department shall assist:

(a) Provide technical assistance to the area-wide comprehensive health planning agencies in the development of emergency medical service plans.

SECTION 607. 51.15 (6) of the statutes is amended to read:

51.15 (6) At the time of detention the individual shall be informed both orally and in writing of the right to contact an attorney and a member of his or her immediate family, the right to have an attorney provided at county public expense, as provided under s. 967.06 and ch. 977, if the individual is indigent, and shall be informed that he or she has the right to remain silent and that the examiner is required to make a report to the court even if the subject individual remains silent, and that his or her statements can be used as a basis for commitment. The individual shall also be provided with a copy of the petition under s. 51.20 (1) if a petition is filed or with a copy of the affidavit of emergency detention if such affidavit is accepted as a petition by the court.

SECTION 608. 51.20 (4) and (19) (c) of the statutes are amended to read:

51.20 (4) LEGAL COUNSEL. At the time of the filing of the petition the court shall ~~appoint adversary counsel unless the subject individual chooses to retain his or her own attorney assure that the subject individual is represented by adversary counsel.~~ If the individual is claims or appears to be indigent, the court shall provide counsel at county expense refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 977.

(19) (c) Expenses of the proceedings, from the presentation of the application to the conclusion of the proceeding, ~~including reasonable actual attorney's fees for court appointed attorneys in the case of indigents,~~ shall be allowed by the court and paid by the county from which the subject individual is committed or released, in the manner that the expenses of a criminal prosecution are paid, as provided in s. 59.77. Payment of attorney's fees for appointed attorneys in the case of indigents shall be in accordance with ch. 977.

SECTION 609. 51.35 (1) (e) of the statutes is amended to read:

51.35 (1) (e) Whenever any transfer between different facilities results in a greater restriction of personal freedom for the patient and whenever the patient is transferred from outpatient to inpatient status, such patient shall be informed both orally and in writing of his or her right to contact an attorney and a member of his or her immediate family, the right to have an attorney provided at county public expense, as provided under s. 967.06 and ch. 977, if the patient is indigent, and the right to petition a court where the patient is located or the committing court for a review of the transfer.

SECTION 610. 51.35 (3) of the statutes is amended to read:

51.35 (3) (title) TRANSFER OF CERTAIN CHILDREN FROM JUVENILE CORRECTIONAL FACILITIES. (a) When a licensed physician or licensed psychologist of ~~the Ethan Allen school~~ a juvenile correctional facility under s. 48.52, or a licensed physician or licensed psychologist of the department, reports in writing to the superintendent of the ~~school~~

facility that any individual confined ~~therein in the facility~~ is, in his or her opinion, mentally ill, drug dependent, or developmentally disabled, and is dangerous as defined in s. 51.20 (1) (a) 2, or is an alcoholic and is dangerous as specified in s. 51.45 (13) (a); or that the individual is mentally ill, drug dependent, alcoholic or developmentally disabled and is in need of psychiatric treatment; and that voluntary consent has been obtained to a transfer for treatment, the superintendent shall make a written report to the department. In the case of a minor between the ages of 14 and 17, the minor and the minor's parent or guardian shall consent, and in the case of a minor under the age of 14, only the minor's parent or guardian need consent. Thereupon the department may transfer the individual to a state treatment facility. The court which ordered confinement to the ~~school correctional facility~~ shall be notified by the department. The department may order the return of the person to the ~~school correctional facility~~ before the expiration of the order of confinement if it is satisfied that he or she can be conditionally transferred.

(b) Within a reasonable time before the expiration of such individual's confinement, if he or she is still in the treatment facility, the director shall make an application under s. 51.20 or 51.45 (13) to the court of the county in which the hospital is located for an inquiry into the individual's mental condition, and thereafter the proceedings shall be as in other applications under that section. Notwithstanding s. 51.20 (1) (b), the application of the director of the state treatment facility alone is sufficient.

(c) The department may authorize emergency transfer of an individual from ~~the Ethan Allen school a juvenile correctional facility~~ to a state treatment facility if there is cause to believe that such individual is mentally ill, drug dependent, alcoholic or a minor who is developmentally disabled and exhibits conduct which constitutes a danger as defined in s. 51.20 (1) (a) 2 to the individual or to others. The department shall file an affidavit of emergency detention under s. 51.15 (2) with the court within 24 hours after such person is received for detention. After an emergency transfer is made, the director of the receiving facility may file a petition for continued commitment under s. 51.20 (1) or may return the individual to the institution from which the transfer was made.

SECTION 610m. 51.41 of the statutes is created to read:

**51.41 Institutions subject to chapter 150.** Any institution created under this chapter which meets the definition of health care institutions in s. 150.001 (6) is subject to ch. 150.

SECTION 612. 51.42 (3) (b) of the statutes is repealed and recreated to read:

51.42 (3) (b) The county board or boards of supervisors shall review and approve the plan and budget as provided in s. 46.031 (2).

SECTION 613m. 51.42 (5) (intro.) of the statutes is amended to read:

51.42 (5) (intro.) Subject to this section ~~and~~, the rules promulgated thereunder, ~~and within the limits of state and county appropriations and maximum available funding from other sources~~, boards shall provide for:

SECTION 614. 51.42 (5) (i) of the statutes is created to read:

51.42 (5) (i) The submission of a coordinated plan and budget as provided in s. 46.031 (2).

SECTION 615. 51.42 (6) (b) 2 of the statutes is amended to read:

51.42 (6) (b) 2. Intermediate-range plans ~~and budgets~~;

SECTION 616. 51.42 (8) (a) of the statutes is amended to read:

51.42 (8) (a) Beginning July 1, ~~1975~~ 1977, the department shall fund, within the limits of the appropriation under s. 20.435 (2) (b) ~~and (o)~~ and subject to this

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subsection, services for mental illness, developmental disability and alcoholism and drug abuse to meet standards of service quality and accessibility. The department's primary responsibility is to guarantee that boards established under either s. 51.42 or 51.437, or both, receive a reasonably uniform minimum level of funding and its secondary responsibility is to fund programs which meet exceptional community needs or provide specialized or innovative services. Moneys appropriated under s. 20.435 (2) (b) and (o) shall be allocated as a grant-in-aid by the department to boards established under s. 51.42 or 51.437, or both, in the manner set forth in this subsection.

SECTION 617. 51.42 (8) (b) of the statutes is repealed and recreated to read:

51.42 (8) (b) Within the limits of the appropriation under s. 20.435 (2) (b) and (o) each board which is established under both ss. 51.42 and 51.437 shall receive:

1. Beginning July 1, 1977, and ending December 31, 1977, 50% of its 1977 general program revenues per person within the board's jurisdiction.

2. Beginning January 1, 1978, and ending December 31, 1978, an amount which is at least equal to its grant-in-aid allocation for 1977. In addition, each board shall be entitled to receive an increase of 4% from its 1977 grant-in-aid level provided that:

a. The county or group of counties appropriates a portion of county tax levy or federal revenue sharing funds to be matched on an equal basis by state grants-in-aid up to the maximum of 4%; and

b. The county allocation level used to match grant-in-aid increases is included in the coordinated plan and budget and approved by the department prior to January 1 of the year for which funds are allocated.

3. Beginning January 1, 1979, and ending June 30, 1979, an amount which is at least equal to 50% of its grant-in-aid allocation for 1977. In addition, each board shall be entitled to receive 50% of an increase of 8% from its 1977 grant-in-aid level provided that:

a. The county or group of counties appropriates a portion of county tax levy or federal revenue sharing funds to be matched on an equal basis by state grants-in-aid up to the maximum of 8%; and

b. The county allocation level used to match grant-in-aid increases is included in the coordinated plan and budget and approved by the department prior to January 1 of the year for which funds are allocated.

SECTION 617m. 51.42 (8) (bm) of the statutes is created to read:

51.42 (8) (bm) Expenditures over the 1977 grant-in-aid allocation level under par. (b) shall be shared equally by the state and county up to the maximum specified in par. (b).

SECTION 618. 51.42 (8) (c) of the statutes is amended to read:

51.42 (8) (c) Each board established under either s. 51.42 or 51.437, but not both, shall be treated, for the purpose of this subsection only, as unified with any other board established in its jurisdiction under either s. 51.42 or 51.437. The boards so unified shall receive an amount determined under par. (b) ~~which shall be allocated among the boards in proportion to the amounts of general purpose revenues tentatively allocated to the boards in calendar year 1975.~~

SECTION 618m. 51.42 (8) (d) of the statutes is repealed and recreated to read:

51.42 (8) (d) If any funds appropriated under s. 20.435 (2) (b) and (o) remain unallocated after application of the formula set forth in pars. (a) to (c), such funds shall be distributed by the department to boards established under s. 51.42 or 51.437, or both. Between January 1, 1978, and June 30, 1979, the amount so distributed shall not exceed \$2,500,000, of which \$500,000 shall be designated for community care of the

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developmentally disabled and \$2,000,000 for care of the long-term mentally ill. Not less than \$500,000 of the amount designated for care of the long-term mentally ill shall be for care other than inpatient treatment.

SECTION 619m. 51.42 (8) (e) of the statutes is repealed and recreated to read:

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51.42 (8) (e) If any grant-in-aid funds allocated to match county funds are not claimed, up to \$800,000 of such funds in 1978 and \$250,000 of such funds between January 1 and June 30, 1979, shall be redistributed for the purposes set forth in par. (d) and for the funding of expiring federal grants. Grant-in-aid funds allocated to boards and not spent may be allocated to other boards as the department designates subject to s. 20.435 (2) (b).

SECTION 620. 51.42 (8) (h) of the statutes is amended to read:

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51.42 (8) (h) Each board established under either ~~s. 51.42~~ this section or 51.437, or both shall apply all funds it receives under pars. (a) to (d) to provide the services enumerated in ss. 51.42 (5), 51.437 (5) and 51.45 (2) (g) to meet the needs for service quality and accessibility of the persons in its jurisdiction, except that the board may pay for inpatient treatment only with funds designated by the department for this purpose. The board may expand programs and services with county ~~and other local or private~~ funds not used to match state funds under this subsection at the discretion of the board and with other local or private funds subject to the approval of the department. The board shall report to the department all county funds allocated to the board and the use of such funds. Moneys collected under s. 46.10 shall be applied to cover the costs of primary services, exceptional and specialized services or to reimburse supplemental appropriations funded by counties. Boards shall include 100% of collections made by the department under s. 46.10 on or after January 1, 1975, for care in county hospitals, as revenues on their grant-in-aid expenditure reports to the department.

SECTION 621. 51.42 (8) (j) and (k) (intro.) of the statutes are amended to read:

51.42 (8) (j) The department shall review each such annual program budget to ~~insure~~ ensure uniform costing of services. The department shall approve such budget unless it determines, after reasonable notice ~~and an opportunity for hearing,~~ that the budget includes proposed expenditures inconsistent with the purposes of this subsection. The joint committee on finance may require the department to submit contracts between boards established under this section or s. 51.437 and providers of service to the committee for review and approval.

(k) (intro.) After a board's budget has been approved, the department, after reasonable notice ~~and an opportunity for hearing,~~ may withhold a portion of the appropriation allocable to the board under this subsection if the department determines that such portion of the allocable appropriation:

SECTION 621m. 51.42 (8) (L) of the statutes is amended to read:

51.42 (8) (L) ~~At any hearing under par. (k), the department shall have the burden of proof, but the board shall be required to furnish the department with information necessary for a determination.~~ If the department withholds a portion of the allocable appropriation, pursuant to under par. (k), the board may submit an amendment to its annual program budget to rectify the deficiency found by the department. The department shall not provide state aid to any board for excessive inpatient treatment. For each board in each calendar year, sums expended for the 29th and all subsequent average days of care shall be deemed excessive inpatient treatment. No inpatient treatment provided to children, adolescents, chronically mentally ill patients, patients requiring specialized care at a mental health institute, or patients at the colonies for the developmentally disabled shall be deemed excessive. If a patient is discharged or released and then readmitted within 60 days after such



discharge or release from an inpatient facility, the number of days of care following readmission shall be added to the number of days of care before discharge or release for the purpose of calculating the total length of such patient's stay in the inpatient facility.

SECTION 622. 51.42 (8m) of the statutes is created to read:

51.42 (8m) AUDIT EXPENSES. Funds recovered from audit adjustments for any month of a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of an audit adjustment.

SECTION 623. 51.42 (9) (b) of the statutes is amended to read:

51.42 (9) (b) ~~Where~~ If a state hospital has provided a board established under this section with service, the department shall regularly bill the board. ~~Where~~ If collections for such care exceed current billings, the difference shall be remitted to the board through the appropriation under s. 20.435 (2) (d) ~~or (gm), as appropriate.~~ Payment shall be due from the board within 60 days of the billing date subject to provisions of the contract. If any payment has not been received within 60 days, the department shall deduct all or part of the amount from any payment due from the department to the board. ~~Any bill outstanding on July 31, 1975 shall be due within 60 days after July 31, 1975.~~

SECTION 623m. 51.42 (10) (b) of the statutes is amended to read:

51.42 (10) (b) Review and approve required annual program plans and budgets but shall not approve budgets for amounts in excess of available revenues. ~~It may certify to the desirability of programs or services above the approved level of services which are not included in the approved budget.~~

SECTION 623p. 51.42 (10) (f) of the statutes is created to read:

51.42 (10) (f) Report to the governor and the joint committee on finance on estimated 3rd-party collections prior to the start of each calendar year, during the calendar year if earlier estimates appear inaccurate and after the close of the calendar year when actual 3rd-party collections have been determined.

SECTION 625. 51.437 (2) of the statutes is repealed and recreated to read:

51.437 (2) DUTIES OF THE COUNCIL ON DEVELOPMENTAL DISABILITIES. (a) The council on developmental disabilities shall:

1. Designate appropriate state or local agencies for the administration of programs and fiscal resources made available to the council on developmental disabilities under federal legislation affecting the delivery of services to the developmentally disabled.

2. Perform the following responsibilities related to the state plan for the delivery of services, including the construction of facilities:

a. Develop, approve, and continue modification of the statewide plan.

b. Monitor and evaluate the implementation of the statewide plan.

3. Review and advise the department on community budgets and give preliminary approval on community plans for programs affecting persons with developmental disabilities. Preliminary approval means that the plan meets minimum criteria established by the council for services to persons with developmental disabilities. After the council completes its review the plan shall go to the department for review and approval by the department.

4. Participate in the development of, review, comment on, and monitor all state plans in the state which relate to programs affecting persons with developmental disabilities.

5. Serve as an advocate for persons with developmental disabilities.

6. Provide continuing counsel to the governor and the legislature.

(b) The council may establish such reasonable procedures as are essential to the conduct of the affairs of the council.

SECTION 626. 51.437 (4) (intro.) and (10) (a) 3 of the statutes are amended to read:

51.437 (4) (intro.) The county boards of supervisors have the primary governmental responsibility for the well-being of those developmentally disabled citizens residing within their respective counties and the families of the mentally retarded insofar as the usual resultant family stresses bear on the well-being of the developmentally disabled citizen. County liability for care and services purchased through or provided by a board established under this section shall be based upon the client's county of residence except for emergency services for which liability shall be placed with the county in which the individual is found. For the purpose of establishing county liability, "emergency" services means those services provided under the authority of s. 51.15 (1), 55.05 (4) or 55.06 (11) (a). Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other statute creating liability upon the individual receiving a service or any other designated responsible party. Adjacent counties, lacking the financial resources and professional personnel needed to provide or secure such services on a single-county basis, may and shall be encouraged to combine their energies and financial resources to provide these joint services and facilities with the approval of the ~~council on developmental disabilities~~ department. This responsibility includes:

(10) (a) 3. Such other reports as are required by the ~~council on developmental disabilities~~ department and the county board of supervisors.

SECTION 627. 51.437 (11) of the statutes is amended to read:

51.437 (11) PROGRAM BUDGETING. Boards established under this section shall be funded pursuant to s. 51.42 (8). Plans and budgets shall be submitted and approved under s. 46.031.

SECTION 628. 51.437 (12) (c) of the statutes is amended to read:

51.437 (12) (c) ~~Where~~ If a center for the developmentally disabled has provided a board established under this section with service, the department shall regularly bill the board. ~~Where~~ If collections for such care exceed current billings, the difference shall be remitted to the board through the appropriation under s. 20.435 (2) (d) or (gm), as appropriate. Payment shall be due from the board within 60 days of the billing date subject to provisions of the contract. If any payment has not been received within 60 days, the department shall deduct all or part of the amount due from any payment due from the department to the board. ~~Any bill outstanding on July 31, 1975 shall be due within 60 days after July 31, 1975.~~

SECTION 628m. 51.437 (14) (b) of the statutes is amended to read:

51.437 (14) (b) Review and approve required annual program plans and budgets but shall not approve budgets for amounts in excess of available revenues. ~~The department may certify to the desirability of programs or services above the approved level of services which are not included in the approved budget.~~

SECTION 628p. 51.437 (14) (f) of the statutes is created to read:

51.437 (14) (f) Report to the governor and the joint committee on finance on estimated 3rd-party collections prior to the start of each calendar year, during the calendar year if earlier estimates appear inaccurate and after the close of the calendar year when actual 3rd-party collections have been determined.

SECTION 629. 51.45 (4) (n) of the statutes is amended to read:

51.45 (4) (n) Cooperate with the ~~highway safety coordinator and~~ [highway safety coordinator and] ~~highway commission~~ department of transportation in establishing and conducting programs designed to deal with the problem of persons operating motor vehicles while intoxicated. Vetoed  
in Part

SECTION 630. 51.45 (12) (c) 2 and (13) (b) 2 and (d) of the statutes are amended to read:

51.45 (12) (c) 2. Assure that the person sought to be committed is represented by counsel and, if the person is claims or appears to be indigent, appoint counsel refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 977.

(13) (b) 2. Assure that the person is represented by counsel and, if the person is claims or appears to be indigent, appoint counsel shall refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 977. The person shall be represented by counsel at the preliminary hearing under par. (d). The person may, with the approval of the court, waive his or her right to representation by counsel at the full hearing under par. (f).

(d) Whenever it is desired to involuntarily commit a person, a preliminary hearing shall be held under this paragraph. The purpose of the preliminary hearing shall be to determine if there is probable cause for believing that the allegations of the petition under par. (a) are true. The person shall be represented by counsel at the preliminary hearing and, if the person is indigent, counsel shall timely be appointed at county public expense, as provided in s. 967.06 and ch. 977. Counsel shall have access to all reports and records, psychiatric and otherwise, which have been made prior to the preliminary hearing. The person shall be present at the preliminary hearing and shall be afforded a meaningful opportunity to be heard. Upon failure to make a finding of probable cause under this paragraph, the court shall dismiss the petition and discharge the person from the custody of the community board.

SECTION 631. 51.45 (16) (c) of the statutes is created to read:

51.45 (16) (c) Payment of attorney's fees for appointed attorneys in the case of indigents shall be in accordance with ch. 977.

~~SECTION 631m. 52.01 (1) (a) of the statutes is amended to read:~~

~~52.01 (1) (a) The parent and spouse and adult children of any dependent person (as defined in s. 49.01) who is unable to maintain himself or herself shall maintain such the dependent person, so far as able, in a manner approved by the authorities having charge of the dependent, or by the board in charge of the institution where such the dependent person is; but no parent shall may be required to support a child 18 years of age or older. The requirement to support a parent imposed on adult children under this paragraph shall extend only to the amount of gifts in excess of \$200 per year made by a parent or parents to the child within 2 years immediately prior to the parent's application for aid. This paragraph shall apply to all parents, spouses and adult children of dependent persons residing in this state, whether or not such relatives live within this state.~~ Vetoed  
in Part

~~SECTION 631r. 52.01 (4) of the statutes is amended to read:~~

~~52.01 (4) The county court shall in a summary way hear the allegations and proofs of the parties and by order require maintenance from such relatives, if of sufficient ability (having due regard for their own future maintenance and making reasonable allowance for the protection of the property and investments from which they derive their living and their care and protection in old age) in the following order: First the husband or wife; then the father, and lastly then the mother, and finally the adult children. Such order shall specify a sum which will be sufficient for the support of such the dependent person, to be paid weekly or monthly during a period fixed~~ Vetoed  
in Part

Vetoed  
in Part

~~therein, or until the further order of the court. If satisfied that any such relative is unable wholly to maintain such the dependent person, but is able to contribute to the person's support, the court may direct 2 or more such relatives to maintain the person and prescribe the proportion each shall contribute and if satisfied that such relatives are unable together wholly to maintain such the dependent person, but are able to contribute something therefor, the court shall direct a sum to be paid weekly or monthly by each such relative in proportion to ability. Contributions directed by court order, if for less than full support, shall be paid to the department of health and social services and distributed as required by state and federal law. Upon application of any party affected thereby and upon like notice and procedure, the court may modify such the order. Obedience to such the order may be enforced by proceedings as for a contempt.~~

SECTION 631v. 53.01 of the statutes is amended to read:

**53.01 Names of prisons.** The penitentiary at Waupun is named "Wisconsin State Prison". The correctional treatment center at Waupun is named "Wisconsin Treatment Institution". The penitentiary at Oregon is named "Wisconsin Correctional Institution - Oakhill". The medium security penitentiary near Fox Lake is named "Wisconsin Correctional Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional Institution". The penitentiary at Green Bay is named "Wisconsin State Reformatory". The medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution". The institutions named in this section, the Wisconsin correctional camp system and the Wisconsin correctional reception and treatment center, when established under s. 46.043, are state prisons.

SECTION 631x. 53.02 (4n) of the statutes is created to read:

53.02 (4n) WISCONSIN CORRECTIONAL INSTITUTION - OAKHILL. For all purposes of discipline and for judicial proceedings, the Wisconsin correctional institution - Oakhill and the precincts thereof are deemed to be in Dane county, and the courts of that county shall have jurisdiction of all crimes committed within the same. Every activity conducted under the jurisdiction of and by such correctional institution wherever located is a precinct of the institution.

SECTION 634m. 53.055 of the statutes is created to read:

**53.055 Taycheedah correctional institution; female youthful offender facility.** The Taycheedah correctional institution shall be designated a female youthful offender facility. Female youthful offenders and criminal offenders may commingle within the institution.

SECTION 659m. 54.17 (6) of the statutes is amended to read:

54.17 (6) After July 1, ~~1977~~ 1978, the department shall maintain full separation of criminal and youthful offenders.

SECTION 660. 56.07 (7) of the statutes is amended to read:

56.07 (7) If any inmate of a reforestation camp, in the performance of work in connection with the maintenance of the camp, is injured so as to be permanently incapacitated, or to have materially reduced earning power, the inmate may upon discharge be allowed and paid such compensation as the department of industry, labor and human relations finds the inmate entitled to. The inmate shall be compensated on the same basis as if the injury had been covered by ~~the worker's compensation act~~ ch.102, except that the total paid to any such inmate shall not exceed \$1,000 and may be paid in instalments. If the inmate is from an adjoining county such county shall pay such compensation. In case of dispute the procedure for hearing, award and appeal shall be as set forth in ss. 102.16 to 102.26.

SECTION 661. 56.21 of the statutes is amended to read:

**56.21 Compensation to injured prisoners.** If an inmate of a state institution, in the performance of assigned work is injured so as to be permanently incapacitated or to have materially reduced earning power, the inmate may, upon being released from such institution, either upon parole or upon final discharge, be allowed and paid such compensation as the department of industry, labor and human relations finds the inmate entitled to. The inmate shall be compensated on the same basis as if the injury had been covered by ~~the worker's compensation act ch.102~~, except that the total paid to any such inmate shall not exceed \$5,000 and may be paid in instalments. If the injury results from employment in a prison industry, the payment shall be made from the revolving appropriation for its operation. If there is no revolving appropriation, payment shall be made from the general fund. In case of dispute the procedure for hearing, award and appeal shall be as set forth in ss. 102.16 to 102.26.

SECTION 662. 57.06 (3) of the statutes is repealed and recreated to read:

57.06 (3) Every paroled prisoner remains in the legal custody of the department unless otherwise provided by the department. If the department alleges that any condition or rule of parole has been violated by the prisoner, the department may take physical custody of the prisoner for the investigation of the alleged violation. If the department is satisfied that any condition or rule of parole has been violated it shall afford the prisoner such administrative hearings as are required by law held before hearing examiners who are licensed to practice law in this state. The hearing examiners shall recommend to the secretary whether parole should be revoked. If the secretary finds that the prisoner has violated the rules or conditions of parole, the secretary may order the prisoner to return to prison to continue serving his or her sentence, or to continue on parole, and in either case, may order that the prisoner forfeit good time as provided in s. 53.11 (2a). If the prisoner claims or appears to be indigent, the department shall refer the prisoner to the state public defender for an indigency determination and appointment of counsel under ch. 977.

SECTION 663. 57.06 (3m) of the statutes is created to read:

57.06 (3m) If the convicting court is informed by the department that a prisoner on parole has absconded and that the prisoner's whereabouts are unknown, the court may issue a capias for execution by the sheriff.

SECTION 664. 57.075 of the statutes is amended to read:

**57.075 (title) Probationer and parolee loan fund.** The department shall create a revolving fund out of any moneys in its hands belonging to probationers and parolees who absconded, or whose whereabouts are unknown. ~~Said funds~~ The fund shall be used to defray the expenses of clothing ~~and other necessities and for transporting, transportation, maintenance and other necessities for~~ probationers and parolees who are without means to secure ~~the same those necessities~~. All payments made from ~~such funds~~ the fund shall be repaid by probationers or parolees for whose benefit they are made whenever possible; and any moneys belonging to them so paid into the revolving fund shall be repaid to them in accordance with law, in case a claim therefor is filed with the department upon showing the legal right of the claimant to such money.

SECTION 665. 58.065 of the statutes is created to read:

**58.065 Institutions subject to chapter 150.** Any institution created under s. 58.05 or 58.06 which meets the definition of health care institutions in s. 150.001 (6) is subject to ch. 150.

SECTION 666. 59.07 (18m) of the statutes is amended to read:

59.07 (18m) **TRUCKERS, HAWKERS, PEDDLERS AND TRANSIENT MERCHANTS, LICENSING.** Except in counties having a population of 500,000 or more, to enact ordinances providing for the licensing of truckers, hawkers, peddlers and transient merchants, ~~except in the case of ex-soldiers under s. 440.82~~, and provide for the

enforcement of such the ordinances. Such The ordinances shall not provide for licensing of fuel vendors or those engaged in the delivery of petroleum products or farmers or truck gardeners who sell farm products grown by themselves.

SECTION 667. 59.07 (99) of the statutes is created to read:

59.07 (99) COMMUNITY ACTION AGENCIES. Appropriate funds for promoting and assisting any community action agency designated by the U.S. community services administration pursuant to the community service act of 1974.

SECTION 667m. 59.083 (1) of the statutes is amended to read:

59.083 (1) Except as elsewhere specifically provided in these statutes, the county board of any county ~~with a population of 250,000 or more,~~ is hereby vested with all powers of a local, legislative and administrative character, including without limitation ~~or restriction~~ because of enumeration, the subject matter of water, sewers, streets and highways, fire, police, and health, and to carry out these powers in districts which it may create for different purposes, or throughout the county, and for such purposes to levy county taxes, to issue bonds, assessment certificates and improvement bonds, or any other evidence of indebtedness. The powers hereby conferred may be exercised by the county board in any town, city or village, or part thereof located in such county upon the request of any such town, city or village, evidenced by a resolution adopted by a majority vote of the members-elect of its governing body, designating the particular function, duty or act, and the terms, if any, upon which the same shall be exercised by the county board or by a similar resolution adopted by direct legislation in such the town, city or village in the manner provided in s. 9.20. Such The resolution shall further provide whether the authority or function is to be exercised exclusively by the county or jointly by the county and the town, city or village, and shall also find that the exercise of such power by the county would be in the public interest. Upon the receipt of the resolution, the county board may, by a resolution adopted by a majority vote of its membership, elect to assume the exercise of such function, upon the terms and conditions set forth in the resolution presented by the town, city or village.

SECTION 668. 59.17 (8) of the statutes is amended to read:

59.17 (8) SAME. Keep all of the accounts of the county and all such books of account as the county board directs. Books of account shall be maintained on a calendar year basis, which shall be the fiscal year in every county.

SECTION 669. 59.20 (5) of the statutes is renumbered 59.20 (5) (a) and amended to read:

59.20 (5) (a) ~~Transmit~~ Except as provided in par. (b), transmit to the state treasurer at the time ~~he is~~ required by law to pay the state taxes a particular statement, certified by his personal affidavit indorsed upon or attached thereto, of all moneys received by him or her during the preceding year and which are payable to the state treasurer for licenses, fines, penalties, or on any other account, and at the same time pay to the state treasurer the amount thereof after deducting the legal fees.

SECTION 670. 59.20 (5) (b) of the statutes is created to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury and the amounts required by s. 165.87 for the penalty assessment surcharge, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit indorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 671. 59.395 (5) of the statutes is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state tax required to be paid on each civil action, cognovit judgment and special proceeding filed during the preceding month, after adjustments for transfer of cases between the circuit and county courts, and pay monthly to the county treasurer for the use of the state the amount for court imposed fines and forfeitures required by law to be deposited in the state treasury and the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge. Such payments shall be made by the 15th day of the month following receipt thereof. The clerk shall take duplicate receipts from the treasurer and shall forward one receipt to the secretary of administration within 10 days with a certificate of the number of actions, cognovit judgments and special proceedings filed during the preceding month.

SECTION 672. 59.42 (2) (intro.) of the statutes is amended to read:

59.42 (2) CIVIL ACTIONS. (intro.) In civil actions and cognovit judgments at the times indicated below, for all necessary filing, entering, docketing and recording, drawing of jurors, swearing of witnesses, jurors and officers to take charge of jurors, placing cases on the calendar and taxing costs (but no fee other than suit tax shall be paid by counties, municipalities or school districts initially or upon change of venue, nor shall fees other than suit tax be paid in judicial reviews of department of industry, labor and human relations orders or awards of the department of industry, labor and human relations or of the labor and industry review commission; the state shall pay fees but no suit tax):

Kind of action or proceeding (At time of filing initial document required for commencement of action or proceeding in addition to state tax)

SECTION 673. 59.965 (11) of the statutes is repealed.

SECTION 674. 60.067 of the statutes is created to read:

**60.067 Town fiscal year.** The town fiscal year shall be the calendar year.

~~SECTION 674. 60.175 of the statutes is repealed.~~

Vetoed  
in Part

SECTION 679. 60.19 (1) (a) of the statutes is amended to read:

60.19 (1) (a) Biennially, in the odd-numbered years, at the annual town meeting each town shall elect the following officers: 3 supervisors except when the number of supervisors has been increased under par. (am), one of whom shall be designated on the ballots as chairman, a town clerk, a treasurer, an assessor (the number of assistant assessors for which the town board before such election made provisions), if election of the assessor is provided, and so many constables, not exceeding 3, as were ordered by the last preceding annual town meeting. No person not an elector of the town shall may hold any town office, except that the town may appoint a corporation as an assistant to the assessor under s. 70.05 (2), or employ a corporation or the department of revenue as expert help under s. 70.055, and no person shall may hold the offices of treasurer and assessor at the same time. The electors may at a referendum election held at the time of any regular or special election, vote to combine the offices of assessor and clerk to take effect at the expiration of the current terms of such officers. No assessor shall may be elected in towns appointing such officers under civil service under subs. (2) and (3) and no assessor shall may be elected in any town after such the town comes within the jurisdiction of a county assessor under s. 70.99. The corporation or the department of revenue appointed under s. 70.055 shall designate the person who shall serve with the assessor as the assessment board. The designee shall file the official oath as prescribed in s. 19.01, and sign the affidavit of the assessor attached to the assessment roll under s. 70.49. No person may be designated by any corporation or the department of revenue unless he the person has been granted the appropriate certification under s. 73.03 (2).

SECTION 680. 60.20 of the statutes is amended to read:

**60.20 Notice of election; official oath.** Within 5 days after the election of any town officer the town clerk shall transmit a notice ~~thereof of election~~ to the person elected, unless ~~he the person~~ voted at the meeting; ~~and every.~~ Every person elected or appointed to any town office, except municipal justices, shall, within 5 days after his election or appointment, or notification thereof, if required, take and file the official oath. The neglect to file ~~such the~~ oath, or an official bond when required, within the time prescribed ~~therefor~~ shall be deemed a refusal to serve in ~~such~~ office. Elected assessors shall take and file the official oath or bond within 5 days before June 1.

Vetoed  
in Part

~~SECTION 680p. 61.46 (3) of the statutes is repealed.~~

SECTION 684. 62.09 (9) (i) of the statutes is repealed.

Vetoed  
in Part

~~SECTION 684p. 62.12 (4m) of the statutes is repealed.~~

~~SECTION 687. 65.07 (2) of the statutes is repealed.~~

SECTION 691. 66.013 (2) (a) of the statutes is repealed and recreated to read:

66.013 (2) (a) "Department" means the department of local affairs and development.

SECTION 692. 66.013 (2) (b) and (c) of the statutes are amended to read:

66.013 (2) (b) "Population" means the population of a local unit as shown by the last federal census or by any subsequent population estimate certified as acceptable by the ~~head of the planning function department.~~

(c) "Metropolitan community" means the territory consisting of any city having a population of 25,000 or more, or any 2 incorporated municipalities whose boundaries are within 5 miles of each other whose populations aggregate 25,000, plus all the contiguous area which has a population density of 100 persons or more per square mile, or which the ~~head of the planning function department~~ has determined on the basis of population trends and other pertinent facts will have a minimum density of 100 persons per square mile within 3 years.

SECTION 693. 66.014 (8) (b) and (9) (title), (a), (b), (d), (e) (intro.) and 3 and (f) to (h) of the statutes are amended to read:

66.014 (8) (b) On the basis of the hearing the circuit court shall find if the standards under s. 66.015 are met. If the court finds that the standards are not met, the court shall dismiss the petition. If the court finds that the standards are met the court shall refer the petition to the ~~head of the planning function department~~ and thereupon the ~~latter department~~ shall determine whether or not the standards under s. 66.016 are met.

(9) (title) FUNCTION OF THE DEPARTMENT. (a) Upon receipt of the petition from the circuit court the ~~head of the planning function department~~ shall make such investigation as may be necessary to apply the standards under s. 66.016.

(b) Within 20 days after the receipt by the ~~head of the planning function department~~ of the petition from the circuit court, any party in interest may request a hearing. Upon receipt of the request, the ~~head of the planning function department~~ shall schedule a hearing at a place in or convenient to the territory sought to be incorporated.

(d) Unless the court sets a different time limit, the ~~head of the planning function department~~ shall prepare ~~his its~~ findings and determination citing the evidence in support thereof within 90 days after receipt of the reference from the court. The findings and determination shall be forwarded by the ~~head of the planning function department~~ to the circuit court. Copies of the findings and determination shall be sent by certified or registered mail to the designated representative of the petitioners, and



to all town and municipal clerks entitled to receive mailed notice of the petition under sub. (4).

(e) (intro.) The determination of the ~~head of the planning function~~ department made in accordance with the standards under ss. 66.015, 66.016 and 66.021 (11) (c) shall be either:

3. The petition as submitted shall be dismissed with a recommendation that a new petition be submitted to include more or less territory as specified in the ~~head of the planning function's department's~~ findings and determination.

(f) If the ~~head of the planning function~~ department determines that the petition shall be dismissed, the circuit court shall issue an order dismissing the petition. If the ~~head of the planning function~~ department grants the petition the circuit court shall order an incorporation referendum as provided in s. 66.018.

(g) The findings of both the court and the ~~head of the planning function~~ department shall be based upon facts as they existed at the time of the filing of the petition.

(h) Except for an incorporation petition which describes the territory recommended by the ~~head of the planning function~~ department under s. 66.014 (9) (e) 3, no petition for the incorporation of the same or substantially the same territory shall ~~may~~ be entertained for one year following the date of the denial of the petition or the date of any election at which incorporation was rejected by the electors.

SECTION 694. 66.015 (intro.) of the statutes is amended to read:

**66.015 Standards to be applied by the circuit court.** (intro.) Before referring the incorporation petition as provided in s. 66.014 (2) to the ~~head of the planning function~~ department, the court shall determine whether the petition meets the formal and signature requirements and shall further find that the following minimum requirements are met:

SECTION 695. 66.016 (title), (1) (intro.) and (b) and (2) (intro.) of the statutes are amended to read:

**66.016 (title) Standards to be applied by the department.** (1) (intro.) The ~~head of the planning function~~ department may approve for referendum only those proposed incorporations which meet the following requirements:

(b) *Territory beyond the core.* The territory beyond the most densely populated one-half square mile specified in s. 66.015 (1) or the most densely populated square mile specified in s. 66.015 (2) shall have an average of more than 30 housing units per quarter section or an assessed value, as defined in s. 66.021 (1) (b) for real estate tax purposes, more than 25% of which is attributable to existing or potential mercantile, manufacturing or public utility uses. The territory beyond the most densely populated square mile as specified in s. 66.015 (3) or (4) shall have the potential for residential or other urban land use development on a substantial scale within the next 3 years. The ~~head of the planning function~~ department may waive these requirements to the extent that water, terrain or geography prevents such development.

(2) (intro.) In addition to complying with each of the applicable standards set forth in sub. (1) and s. 66.015, any proposed incorporation in order to be approved for referendum must be in the public interest as determined by the ~~head of the planning function~~ department upon consideration of the following:

SECTION 696. 66.017 (title), (2) and (4) of the statutes are amended to read:

**66.017 (title) Review of the action of the circuit court and the department.**

(2) The decision of the ~~head of the planning function department~~ made pursuant to s. 66.014 (9) shall be subject to judicial review by the circuit court of Dane county as provided in ch. 227.

(4) Where an incorporation referendum has been ordered by the circuit court under s. 66.014 (9) (f), such referendum shall not be stayed pending the outcome of further litigation, unless the supreme court, upon appeal or upon the filing of an original action in supreme court, concludes that a strong probability exists that the order of the circuit court or the decision of the ~~head of the planning function department~~ will be set aside.

SECTION 697. 66.02 of the statutes is amended to read:

**66.02 Consolidation.** Any town, village or city may be consolidated with a contiguous town, village or city, by ordinance, passed by a two-thirds vote of all the members of each board or council, fixing the terms of the consolidation and ratified by the electors at a referendum held in each municipality. The ballots shall bear the words, "for consolidation," and "against consolidation," and if a majority of the votes cast thereon in each municipality ~~shall be~~ are for consolidation, the ordinances shall then be in effect and have the force of a contract. The ordinance and the result of the referendum shall be certified as provided in s. 66.018 (5); if a town the certification shall be preserved as provided in ss. 60.05 and 66.018 (5), respectively. Consolidation shall not affect the ~~pre-existing~~ preexisting rights or liabilities of any municipality and actions thereon may be commenced or completed as though no consolidation had been effected. Any consolidation ordinance proposing the consolidation of a town and another municipality shall, within 10 days after its adoption and prior to its submission to the voters for ratification at a referendum, be submitted to the circuit court and ~~head of the planning function in~~ the department of local affairs and development for a determination whether such proposed consolidation is in the public interest. The circuit court shall determine whether the proposed ordinance meets the formal requirements of this section and shall then refer the matter to the ~~head of the planning function in the~~ department of local affairs and development, ~~who~~ which shall find as prescribed in s. 66.014 whether the proposed consolidation is in the public interest in accordance with the standards in s. 66.016. The ~~head of the planning function's department's~~ findings shall have the same status as incorporation findings under ss. 66.014 to 66.019.

SECTION 698. 66.021 (7) (a), (11) (a) and (c) (intro.), (12) and (15) of the statutes are amended to read:

66.021 (7) (a) An ordinance for the annexation of the territory described in the annexation petition may be enacted by a two-thirds vote of the elected members of the governing body not less than 20 days after the publication of the notice of intention to circulate such petition and not later than 60 days after the date of filing with the city or village clerk of the petition for annexation or of the referendum election if favorable to the annexation. If the annexation is subject to sub. (11) the governing body shall first review the reasons given by the ~~head of the planning function in the~~ department of local affairs and development that the proposed annexation is against the public interest. Such ordinance may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance containing such temporary classification, the proposed classification shall be referred to and recommended by the plan commission. The authority to make such temporary classification shall not be effective when the county ordinance prevails during litigation as provided in s. 59.97 (7).

(11) (a) *Annexations within populous counties.* No annexation proceeding within a county having a population of 50,000 or more as shown by the last federal census shall be valid unless the person causing a notice of annexation to be published pursuant

to sub. (3) shall within 5 days of the publication mail a copy of the notice and a scale map of the proposed annexation to the clerk of each municipality affected and the ~~head of the planning function in the~~ department of local affairs and development. The ~~head of the planning function department~~ may within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that in ~~his~~ its opinion the annexation is against the public interest. No later than 10 days after mailing the notice, the ~~head of the planning function department~~ shall advise the clerk of the town in which the territory is located and the clerk of the village or city to which the annexation is proposed of the reasons the annexation is against the public interest as defined in par. (c). The annexing municipality shall review such advice before final action is taken.

(c) *Definition of public interest.* (intro.) For purposes of this subsection public interest is determined by the ~~head of the planning function in the~~ department of local affairs and development after consideration of the following:

(12) UNANIMOUS APPROVAL. If a petition for direct annexation signed by all of the electors residing in such territory and the owners of all of the real property in such territory is filed with the city or village clerk, and with the town clerk of the town or towns in which such territory is located, together with a scale map and a description of the property to be annexed, showing the boundaries of such territory and the relation of the territory to the municipalities to which annexation is requested, an annexation ordinance for the annexation of such territory may be enacted by a two-thirds vote of the elected members of the governing body of the city or village without compliance with the notice requirements of sub. (3). In such annexations, subject to ~~the provisions of~~ sub. (11), the person filing the petition with the city or village clerk and the town clerk shall, within 5 days of such filing, mail a copy of the scale map and a description of the territory to be annexed to the ~~head of the planning function in the~~ department of local affairs and development and the governing body shall review the advice of the ~~head of the planning function department~~, if any, before enacting the annexation ordinance.

(15) ANNEXATION OF TOWN ISLANDS. Upon its own motion, a city or village by a two-thirds vote of the entire membership of its governing body may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a description of the territory sufficiently accurate to determine its location, and the name of the town or towns from which such territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 5 certified copies of the ordinance in the office of the secretary of state, together with 5 copies of a scale map showing the boundaries of the territory annexed. The secretary of state shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of revenue and one copy to the ~~director of the planning function in the~~ department of local affairs and development. This subsection does not apply if the town island was created only by the annexation of a railroad right-of-way or drainage ditch. This subsection ~~shall~~ does not apply to land owned by a town government which has existing town government buildings located thereon. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. After December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by ~~said~~ the city or village.

SECTION 699. 66.03 (13) (a) of the statutes is amended to read:

66.03 (13) (a) *General property taxes.* Whenever any territory is annexed, detached or incorporated ~~after April 30~~ in any year, general property taxes levied against ~~said~~ the territory shall be collected by the treasurer of the municipality in

which the territory was located on ~~May~~ January 1 of such year, and all moneys collected from the tax levied for local municipal purposes shall be allocated to each of the municipalities on the basis of the portion of the calendar year the territory was located in each of the municipalities, and paid accordingly.

SECTION 700. 66.03 (13) (bb) of the statutes is amended to read:

66.03 (13) (bb) *Apportionment when court returns territory to former status.* Whenever territory which has been annexed, consolidated, detached or incorporated returns to its former status by reason of a final court determination, there shall be an apportionment of general property taxes and current aids ~~and~~, shared taxes and shared revenues to adjust such assets between the municipalities, and no other apportionment of assets and liabilities. The basis of the apportionment shall be determined by the apportionment board subject to appeal to the circuit court, but the apportionment shall insofar as practicable equitably adjust such assets between the municipalities involved on the basis of the portion of the calendar year the territory was located in the respective municipalities.

SECTION 701. 66.04 (2) of the statutes is amended to read:

66.04 (2) INVESTMENTS. Any county, city, village, town, school district, drainage district, vocational, technical and adult education district or other governing board as defined by s. 34.01 (4) may invest any of its funds not immediately needed in time deposits in any bank, savings bank, trust company or savings and loan association which is authorized to transact business in this state, such time deposits maturing in not more than one year, or in bonds or securities issued or guaranteed as to principal and interest of the U.S. government, or of a commission, board or other instrumentality of the U.S. government, or bonds or securities of any county, city, drainage district, vocational, technical and adult education district, village, town or school district of this state or, in the case of a town, city or village, in any bonds or securities issued under the authority of such municipality, whether the same create a general municipality liability or a liability of the property owners of such municipality for special improvements, and may sell or hypothecate the same. Any ~~county, city, village or town~~ local government as defined under s. 25.50 (1) (d) may also invest surplus funds in the local government pooled-investment fund or the local government trust-investment fund. Cemetery perpetual care funds, pension funds under s. 62.13 (9) or (10), or endowment funds including gifts where the principal is to be kept intact may also be invested under ch. 881.

SECTION 702. 66.041 (title) of the statutes is amended to read:

**66.041 (title) Local government audits and reports.**

SECTION 703. 66.041 of the statutes is ~~renumbered 66.041 (1) and~~ amended to read:

66.041 ~~(1)~~ Notwithstanding any other provision of the statutes statute, the governing body of any county, city or village or town may require or authorize a financial audit of any municipal activity, including any or county officer, department, board, commission ~~or~~, function or activity financed in whole or part from municipal or county funds, or ~~where if~~ any portion of the funds thereof are the funds of such county, city or village or town. The governing body may likewise require submission of periodic financial reports by any such officer, department, board, commission ~~or~~, function or activity.

SECTION 704. 66.041 (2) of the statutes is created to read:

66.041 (2) One copy of the report on each audit required by section 9 of P.L. 94-488, except reports of audits conducted by the department of revenue, shall be submitted within 30 days after receipt of the report by the clerk of each county, city, village or town.

SECTION 705. 66.06 (2) of the statutes is amended to read:

66.06 (2) LIMITATION. Nothing in ~~sections ss. 66.06 to 66.078~~ shall be construed as depriving the transportation commission, department of transportation or public service commission of any power conferred by ~~sections ss. 195.05, 195.07 and 196.01 197.01~~ to 197.10 and ch. 196.

SECTION 706. 66.061 (2) (a) of the statutes is amended to read:

66.061 (2) (a) Cities and villages may contract for furnishing light, heat, water, motor bus or other systems of public transportation to the municipality or to the inhabitants thereof for a period of not more than 30 years or for an indeterminate period if the prices are subject to adjustment at intervals of not greater than 5 years. The public service commission and transportation commission shall have jurisdiction relative to the rates and service to any city or village where light, heat, water, motor bus or other systems of public transportation are furnished to such city or village under any contract or arrangement, to the same extent ~~that it has~~ they have jurisdiction where such service is furnished directly to the public.

SECTION 712. 66.07 (7) of the statutes is created to read:

66.07 (7) For the purpose of this section, the transportation commission has jurisdiction over transportation systems and the public service commission has jurisdiction over public utilities as defined in s. 196.01.

SECTION 713. 66.076 (9) of the statutes is amended to read:

66.076 (9) ~~Upon complaint to the public service commission by~~ If any user of the a service complains to the public service commission that rates, rules and practices are unreasonable or unjustly discriminatory, or ~~upon complaint of~~ if a holder of a mortgage bond or mortgage certificate or other evidence of debt, secured by a mortgage on the sewerage system or any part thereof or pledge of the income of sewerage service charges, complains that rates are inadequate, the public service commission shall investigate ~~said the~~ the complaint, ~~and if~~ if there appears to be sufficient cause therefor appears for the complaint, the commission shall set the matter for a public hearing upon 10 days' notice to the complainant and the town, village or city. After ~~such the~~ the hearing, if the public service commission ~~shall determine~~ determines that the rates, rules or practices complained of are unreasonable or unjustly discriminatory, it shall determine and by order fix reasonable rates, rules and practices and shall make such other order respecting ~~such the~~ the complaint as may be just and reasonable. The proceedings ~~herein~~ under this subsection shall be governed, as far as applicable, by ss. 196.26 to 196.40. The commission shall bill any expense of the commission attributable to a proceeding under this subsection to the town, village or city under s. 196.85 (1).

SECTION 717. 66.119 (1) (b) 7. c of the statutes is amended to read:

66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does not appear in court, either he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment imposed by s. 165.87 not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

SECTION 718. 66.119 (1) (b) 7. d of the statutes is amended to read:

66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture and the penalty assessment imposed by s. 165.87.

SECTION 719. 66.119 (1) (c) of the statutes is amended to read:

66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of cash deposits which are to be required for the various ordinance violations, and for the penalty assessment imposed by s. 165.87, for which a citation may be issued. The ordinance shall also specify the court, clerk of court or other official to whom cash deposits are to be made and shall require that receipts be given for cash deposits.

SECTION 720. 66.119 (3) of the statutes is amended to read:

66.119 (3) VIOLATOR'S OPTIONS; PROCEDURE ON DEFAULT. (a) The person named as the alleged violator in a citation may appear in court at the time specified in the citation or may mail or deliver personally a cash deposit in the amount, within the time and to the court, clerk of court or other official specified in the citation. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified in the citation, provided that the cash deposit may be retained for application against any forfeiture or penalty assessment which may be imposed.

(b) If a person appears in court in response to a citation, the citation may be used as the initial pleading, unless the court directs that a formal complaint be made, and such appearance confers personal jurisdiction over the person. The person may plead guilty, no contest or not guilty. If the person pleads guilty or no contest, the court shall accept the plea, enter a judgment of guilty and impose a forfeiture and the penalty assessment imposed by s. 165.87. A plea of not guilty shall put all matters in such the case at issue, and the matter shall be set for trial.

(c) If the alleged violator makes a cash deposit and fails to appear in court, the citation may serve as the initial pleading and the violator shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and the penalty assessment imposed by s. 165.87 not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly or reject the plea. If the court accepts the plea of no contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fees shall may be taxed against the violator, but a penalty assessment shall be assessed. If the court rejects the plea of no contest or if the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, an action for collection of the forfeiture and penalty assessment may be commenced. A city or village may commence action under s. 66.12 (1) and a county may commence action under s. 288.10. The citation may be used as the complaint in the action for the collection of the forfeiture and penalty assessment.

SECTION 721. 66.12 (1) (b) of the statutes is amended to read:

66.12 (1) (b) Local ordinances, except as provided in ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under such ordinances, and may designate the manner in which such the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. 165.87 to the designated official, such the person need not appear in court and no witness fees or other additional costs shall may be taxed unless the local ordinance so provides. The official receiving the penalty penalties shall remit all moneys collected to the treasurer of the county, city, town or village in whose behalf the sum was paid within 20 days after its receipt by him or her; and in case of any failure in such the payment, such the treasurer may collect the same payment of such the officer by action, in his the name of the office, and upon the official bond of such the officer, with interest at the rate of 12 % per annum from the time when it should have been paid. In the case of the penalty assessment imposed by s. 165.87, the treasurer of the county, city, town or

village shall remit to the state treasurer the sum required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the county, city, town, village or other municipal subdivision shall by ordinance designate the official to receive such the penalties and the terms under which ~~he~~ the official shall qualify.

SECTION 722. 66.12 (1) (c) of the statutes is amended to read:

66.12 (1) (c) In case of conviction the court shall enter judgment against the defendant for the costs of prosecution, and for the penalty or forfeiture, if any, and for the penalty assessment imposed by s. 165.87, if any, and that ~~he~~ the defendant be imprisoned for such time, not exceeding 90 days, unless otherwise provided by the ordinance, resolution or bylaw, as the court deems fit unless the judgment is sooner paid. Such judgment or the imposition of any penalty, including the penalty assessment imposed by s. 165.87, or costs may be suspended or deferred for not more than 30 days in the discretion of the court. Prisoners confined in the county jail or in some other penal or correctional institution for violation of a city or village ordinance, resolution or bylaw shall be kept at the expense of the city or village.

SECTION 723. 66.12 (3) (b) of the statutes is amended to read:

66.12 (3) (b) All forfeitures and penalties recovered for the violation of any ordinance, resolution or bylaw of any city or village shall be paid into the city or village treasury for the use of such the city or village, except as otherwise provided in ~~s. sub. (1) (b) and ss. 62.13 (9) (a) and 165.87.~~ The municipal justice or judge shall report and pay into the treasury, quarterly, or at more frequent intervals if so required, all moneys collected by him or her belonging to such the city or village, which report shall be certified and filed in the office of the treasurer; and he or she shall be entitled to duplicate receipts for such moneys, one of which he or she shall file with the city or village clerk.

SECTION 723m. 66.293 (3) (intro.) and (m) of the statutes are amended to read:

66.293 (3) (intro.) Every municipality, before making a contract by direct negotiation or soliciting bids on a contract, for any project of public works except highway, street or bridge construction, shall apply to the department of industry, labor and human relations to ascertain the prevailing wage rate, hours of labor and hourly basic pay rates in all trades and occupations required in the work contemplated. The department shall determine the prevailing wage rate, hours of labor and hourly basic pay rates for each trade or occupation ~~pursuant to~~ under s. 103.49, make its determination within 30 days after receiving the request and file the same with the municipality applying therefor. A request for the review of a wage determination may be made within 30 days from the determination date if evidence is submitted with the request showing that the wage rate or hours of labor for any given trade or occupation included in the determination does not represent the prevailing wage rate or hours of labor for that trade or occupation in the area. Such evidence shall include wage rate and hours of labor information for the contested trade or occupation on at least one similar project located in the municipality where the proposed project is located and on which some work has been performed during the current or any of the previous 12 months. The department shall affirm or modify the original determination within 15 days from the date on which the department receives the request for review. Reference to such prevailing wage rates and hours of labor determined by the department or a municipality exempted under par. (d) shall be published in the notice issued for the purpose of securing bids for the project. ~~Whenever~~ If any contract for a project of public works except highway, street or bridge construction is entered into, the wage rates and hours determined by the department or exempted municipality shall be incorporated into and made a part of the contract. No laborer, ~~workman~~ worker or mechanic employed directly upon the site of the project by the contractor or by a

subcontractor, agent or other person, doing or contracting to do any part of the work, may be paid less than the prevailing wage rate in the same or most similar trade or occupation; nor may he or she be permitted to work a greater number of hours per day or per calendar week than the prevailing hours of labor determined under this subsection, unless he or she is paid for all hours in excess of the prevailing hours at a rate of at least 1-1/2 times his or her hourly basic rate of pay.

(m) ~~Upon the request of~~ If requested by any person, the department shall inspect the payroll records of the contractors, subcontractors or agents to ensure compliance with this section. The cost of ~~this the~~ inspection shall be paid by the person making the request, if the contractor, subcontractor, or agent subject to the inspection is found to be in compliance.

SECTION 724. 66.434 of the statutes is created to read:

**66.434 Community action agencies.** A city, village or town may appropriate funds for promoting and assisting any community action agency designated by the U.S. community services administration pursuant to the community services act of 1974.

SECTION 724m. 66.46 (2) (j) of the statutes is amended to read:

66.46 (2) (j) "Tax incremental base" means the aggregate value, as equalized by the department of revenue, of all taxable property located within a tax incremental district on the date as of which such district is created, determined as provided in sub. (5) (b) except that the value of merchants' stock-in-trade, manufacturers' materials and finished products and livestock included in the tax incremental base shall be adjusted as provided in s. 70.57 (5).

SECTION 725. 66.46 (11) (b) of the statutes is amended to read:

66.46 (11) (b) All tax increments which have accrued to school districts under this section shall be determined and such amounts shall be paid on March 1 of each year out of the appropriation under s. 20.255 ~~(5) (a) (1) (fo)~~ to all school districts which have territory in a tax incremental district.

SECTION 726. 66.47 (2) of the statutes is amended to read:

66.47 (2) COUNTY-CITY HOSPITALS. Any county and city or cities partly or wholly within the county may by ordinance jointly construct or otherwise acquire, equip, furnish, operate and maintain a general county-city hospital. Such hospital is subject to ch. 150.

SECTION 727. 66.60 (4) of the statutes is amended to read:

66.60 (4) A copy of the report when completed shall be filed with the municipal clerk for public inspection, and if property of the state may be subject to assessment under s. 66.64, a copy of the report shall also be filed with the board of commissioners of public lands and the department of administration.

SECTION 728. 66.64 of the statutes is amended to read:

**66.64 Special assessments for local improvements.** The property of the state, except that held for highway right of way purposes, and the property of every county, city, village, town, school district, sewerage district or commission, sanitary or water district or commission, or any public board or commission within this state, and of every corporation, company or individual operating any railroad or street railway, telegraph, telephone, electric light or power system, or doing any of the business mentioned in ch. 76, and of every other corporation or company whatever, shall be in all respects subject to all special assessments for local improvements. Certificates and improvement bonds therefor may be issued and the lien thereof enforced against such property, except property of the state, in the same manner and to the same extent as the property of individuals. Such assessments shall not extend to the right, easement or franchise to operate or maintain railroads, street railways, telegraph, telephone or



electric light or power systems in streets, alleys, parks or highways. The amount represented by any certificate or improvement bond issued as aforesaid shall be a debt due personally from such corporation, company or individual, payable in the case of a certificate when the taxes for the year of its issue are payable, and in the case of a bond according to the terms thereof. In the case of a special assessment upon property of the state, the clerk of the municipality levying the assessment shall notify the board of commissioners of public lands of the amount of the assessment and a description of the property. If the board finds that the assessment is just and legal it shall order the same paid. It shall transmit a certified copy of its order to the department of administration, and upon its audit and warrant drawn upon the state treasurer the amount of the assessment shall be paid out of the appropriation under s. 20.865 (3) ~~(a)~~ (b), and when paid shall be charged to the general, conservation or state highway funds as equitably as possible in the judgment of the board when considering the agencies or departments occupying or having jurisdiction over the state property involved.

SECTION 729. 66.92 (3) of the statutes is amended to read:

66.92 (3) The department of veterans affairs shall furnish any county, city, village, town or agency thereof with information and assistance to facilitate housing for veterans and ~~servicemen~~ military personnel and the department shall call upon the ~~head of the planning function in the~~ department of local affairs and development for assistance in carrying out the purpose of this subsection. ~~He~~ The department shall furnish such assistance when requested and the salaries and expenses therefor shall be paid out of the appropriation for the department of veterans affairs.

SECTION 730. 66.941 of the statutes is repealed.

SECTION 731. 66.945 (1) of the statutes is amended to read:

66.945 (1) DEFINITIONS. For the purpose of this section "local governmental units" or "local units" includes cities, villages, towns and counties, and "governing body" means the town, village or county board or the legislative body of a city. "Population" means the population of a local unit as shown by the last federal census or by any subsequent population estimate certified as acceptable by the ~~head of the planning function in the~~ department of local affairs and development.

SECTION 732. 67.035 of the statutes is amended to read:

**67.035 Tax limitations not applicable to debt levies.** All taxes levied or to be levied by any municipality proceeding under this chapter for the purpose of paying principal and interest on valid bonds or notes now or hereafter outstanding shall be and the same are hereby declared to be without limitation notwithstanding the limitations imposed by s. ~~60.175, 61.46 (3), 62.12 (4m), 65.07 (2), 70.62 (4)~~ [60.175, 61.46 (3), 62.12 (4m), 65.07 (2), 70.62 (4)] 38.29 or subch. IV VII of ch. 121, or any legislative limitation now or heretofore existing, and all such limitations are hereby repealed insofar as they apply to taxes levied or to be levied to pay principal and interest upon such bonds or notes.

Vetoed  
in Part

SECTION 733. 67.05 (6m) (a) of the statutes is amended to read:

67.05 (6m) (a) A resolution adopted by a vocational, technical and adult education district board for an issue of bonds in an amount of money not exceeding ~~\$100,000~~ \$500,000 for purposes specified in s. 38.16 (2) need not be submitted to the electors of the district for approval. ~~A resolution adopted by a vocational, technical and adult education district board for an issue of bonds in an amount of money in excess of \$100,000 for purposes specified in s. 38.16 (2) need not be submitted to the electors of the district for approval,~~ unless within 30 days after the resolution is adopted there is filed with the vocational, technical and adult education district secretary a petition signed by ~~1,000 electors in the district~~ requesting a referendum thereon. Such a petition shall be signed by electors from each county lying wholly or partially within

the district. The number of electors from each county shall equal at least 1.5% of the population of the county as determined under s. 16.96 (2) (c). If a county lies in more than one district, the state board of vocational, technical and adult education shall apportion the county's population as determined under s. 16.96 (2) (c) to the districts involved and the petition shall be signed by electors equal to the appropriate percentage of the apportioned population. Any resolution adopted under sub. (1) in an amount of money not exceeding \$500,000 at the discretion of the district board, may be submitted to the electors without waiting for the filing of a petition. All resolutions adopted under sub. (1) in an amount of money in excess of \$500,000 or more for purposes specified in s. 38.16 (2) shall be submitted to the electors of the district for approval. If a referendum is duly petitioned or required under this subsection, bonds may not be issued until the electors of the district have approved the issue as provided in sub. (2) (e).

SECTION 734. 67.05 (6m) (d) of the statutes is amended to read:

67.05 (6m) (d) A copy of any resolution of the district board under par. (a) which requires a referendum shall be promptly transmitted by the secretary of the district board to the county clerk or board of election commissioners of each county any part of which is contained within the district. The district board shall provide the election officials of each city, village and town having territory in the district with all necessary election supplies, and, for a special election, shall provide or arrange with affected municipalities for the necessary ballot boxes and booths or voting machines and select the selection of the necessary election officials. Extra labor costs necessitated by a special election shall be assumed by the district board. The form of the ballot shall correspond substantially with form "D" annexed to s. 5.64 (2). The ballot need not embody a copy of the resolution, but shall contain a statement of the purpose and the amount of the bonds proposed to be issued.

SECTION 735. 67.12 (12) (e) 5 of the statutes is amended to read:

67.12 (12) (e) 5. Within 10 days of the adoption by a vocational, technical and adult education district board of a resolution to incur an indebtedness under this section for the purchase or construction of buildings or for additions, enlargements or improvements to buildings or for the acquisition of sites or equipment a purpose under s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption as a class 1 notice, under ch. 985. The notice need not set forth the full contents of the resolution, but shall state the amount proposed to be borrowed, the method of borrowing, the purpose thereof, that the resolution was adopted pursuant to this subsection and the place where and the hours during which the resolution can be inspected. The If the amount proposed to be borrowed for a purpose under s. 38.16 (2) does not exceed \$500,000, the district board need not submit the resolution to the electors for approval unless within 30 days after the publication or posting there is filed with the secretary of the district board a petition requesting a referendum thereon at a special election to be called for that purpose. Such petition shall be signed by electors from each county lying wholly or partially within the district. The number of electors from each county shall equal at least 2.5% 1.5% of the population of the county as determined under s. 16.96 (2) (c), except if the district includes a city of the 1st class the petition shall be signed by electors from each county equal to at least 2% of the population of the county as determined under s. 16.96 (2) (c). If a county lies in more than one district, the board of vocational, technical and adult education shall apportion the county's population as determined under s. 16.96 (2) (c) to the districts involved and the petition shall be signed by electors equal to the appropriate percentage of the apportioned population. In lieu of a special election or a referendum under this subdivision, the district board may specify that the referendum shall be held at the next succeeding spring primary or election or September primary or general election. Any resolution to borrow amounts of money in excess of \$500,000 for a purpose under s. 36.16 (2) shall be submitted to the electors of the district for

approval. If a referendum is held, ~~the resolution shall not be effective unless adopted or required under this subdivision, no promissory note may be issued until the issuance is approved~~ by a majority of the district electors voting at such referendum. The referendum shall be noticed, called and conducted pursuant to s. 67.05 (6a) insofar as applicable, except that the notice of special election and ballot need not embody a copy of the resolution and the question which shall appear on the ballot shall be "Shall ... (name of district) be authorized to borrow the sum of \$... for (state purpose) by issuing its general obligation promissory note (or notes) pursuant to s. 67.12 (12), Wis. Stats.?"

SECTION 736. 67.12 (12) (e) 6 of the statutes is repealed and recreated to read:

67.12 (12) (e) 6. A copy of any resolution of the district board under subd. 5 which requires a referendum shall be promptly transmitted by the secretary of the district board to the county clerk or board of election commissioners of each county any part of which is contained within the district. Costs shall be apportioned as provided in s. 67.05 (6m) (d).

SECTION 737. 67.12 (12) (e) 7 of the statutes is amended to read:

67.12 (12) (e) 7. Notes issued by vocational, technical and adult education districts under the authority of this subsection prior to ~~June 9, 1974~~ the effective date of this act (1977) and without approval thereof by the electors of such districts ~~shall are not be deemed~~ invalid because of the absence of such approval, ~~and such. Such~~ notes are ~~herewith declared to be~~ valid and binding obligations of such district if in all other respects issued in accordance with the law pertaining thereto.

SECTION 738. 67.13 (3) of the statutes is amended to read:

67.13 (3) The proceeds of county bonds issued under this section shall be used only for road and bridge construction performed under ch. 83 or deposited with the ~~highway commission~~ department of transportation to be used for road or bridge construction performed under ch. 84. ~~The amount to be received from the state in any year pursuant to s. 84.03 (3) shall, as required by s. 84.03 (4), be used by the county board to reduce the county levy necessary to be made for paying the principal of the bonds maturing in such year in accordance with the bonding resolution, and such action by any county board shall in no way invalidate the bond issue. The amount to be received from the state in any year pursuant to s. 84.03 (6) shall be used by the county board to reduce the county levy necessary to be made for paying the interest maturing in such year in accordance with the bonding resolution, and such action by any county board shall in no way invalidate the bond issue.~~

SECTION 739. 69.06 (6) of the statutes is repealed.

SECTION 740. 69.65 of the statutes is amended to read:

**69.65 Statistics compiled, use of; county clerk's duties.** The statistics for each calendar year shall be compiled by assessment districts and by counties in tabular form, and the compilations shall be filed and carefully preserved in the department of revenue for use in the performance of its duties. An abstract or copy of ~~such~~ the compilations of so much as is used by the department in arriving at the true value for each county shall be furnished to the county clerk of such county in each subsequent year as soon as practicable after the ~~same shall be~~ compilations are completed for ~~such~~ the year. The county clerk shall ~~cause same to be laid before~~ submit the abstract or copy to the county board at its next annual meeting.

SECTION 741. 70.055 (title) and (intro.) of the statutes are amended to read:

**70.055 (title) Expert assessment help.** (intro.) ~~Whenever~~ If the governing body of any town, village or city not subject to assessment by a county assessor under s. 70.99 determines that ~~an emergency exists in the assessment of the property of the taxation district and deems it necessary, after consultation with the department of revenue, it is~~

in the public interest to employ expert help to aid in making an assessment in order that ~~such the~~ assessment may be equitably made in compliance with law, ~~such the~~ governing body may employ such necessary help from persons currently certified by the department of revenue as ~~an expert appraiser~~ appraisers. If the help so employed is the department of revenue, the department shall designate the persons in its employ responsible for the assessment. If the emergency help so employed is a corporation the corporation shall designate the persons in its employ responsible for the assessment.

SECTION 742. 70.055 (3) (a) of the statutes is amended to read:

70.055 (3) (a) The department of revenue shall prescribe standard specifications relating to assessment work performed by expert appraisers other than the department of revenue. No contract for expert help may be approved by the department of revenue unless ~~such the~~ contract is submitted on standard contract forms prescribed by the department. If the department of revenue acts as the expert help it shall perform the assessment duties in accordance with the standard specifications.

SECTION 743. 70.055 (5) of the statutes is created to read:

70.055 (5) DEPARTMENT OF REVENUE COSTS. All costs of the department of revenue in connection with assessment under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on October 1 of each year and included in the next apportionment of state special charges to local units of government.

SECTION 744. 70.075 of the statutes is created to read:

**70.075 Functions of board of assessors in cities of the 2nd class.** (1) In cities of the 2nd class the common council may by ordinance provide that objections to property tax assessments shall be processed through a board of assessors. In such cases, the city assessor shall publish a class 3 notice, under ch. 985, that on the days named in the notice, the assessments for the city will be open for examination by the taxable inhabitants of the city. On the 2nd Monday of July the city assessor shall call together all of the members of the board of assessors as created in sub. (2) and they together with the city assessors shall constitute an assessment board.

(2) In cities of the 2nd class which have elected to have a board of assessors, the board shall have at least 3 members and no more than 7 members, and shall consist of the city assessor, assistant assessors, appraisers or other expert technical personnel appointed by the city assessor and approved by the common council.

(3) To the end that all valuations throughout the city shall be made on a uniform basis, such board of assessors, under the direction and supervision of the city assessor, shall compare the valuations so secured, making all necessary corrections and all other just and necessary changes to arrive at the true value of property within the city. The city assessor may direct that all objections to valuations filed with the city assessor in writing, in the manner provided in s. 70.47 (13), shall be investigated by the board.

(4) The concurrence of a majority of the board of assessors is necessary to determine any matter upon which the city assessor requires it to act. No notice need be given to the owners of the property assessed of any corrections or changes in assessments which are made prior to the day or days fixed in the notice specified under sub. (1) on which the assessments are to be open for examination, but any changes made thereafter and before the assessment roll is delivered to the board of review can only be made upon notice by 1st class mail to the person assessed if a resident of the city or, if a nonresident, an agent if there is one resident in the city or, if neither, the possessor of the property assessed if any, if the residence of the owner, agent or possessor is known to any member of the board of assessors.

(5) The city assessor may provide for committees of the board of assessors to make investigations including the investigations mentioned in sub. (3) and perform such

other duties as may be prescribed. The city assessor shall chair the board of assessors, and may appoint as a member or chairperson of the various committees, himself or herself, an assistant assessor, or other officer or employe in the office of the city assessor.

(6) The board of assessors shall remain in session until all corrections and changes have been made, including all those resulting from investigations by committees of objections to valuations filed with the city assessor as provided in this section, after which the city assessor shall prepare the assessment rolls as corrected by the board of assessors and submit them to the board of review not later than the last Monday in October. A person assessed who has been notified of the determination of the board of assessors as required in sub. (4) is deemed to have accepted such determination unless the person notifies the city assessor in writing, within 10 days, of a desire to present testimony before the board of review. After the board of review meets, the city assessor may appoint committees of the board of assessors to investigate any objections to the amount or valuation of any real or personal property which are referred to the city assessor by the board of review. The committees so appointed may at the city assessor's direction report their investigation and recommendations to the board of review and any member of any such committee shall be a competent witness in any hearing before the board of review.

(7) This section does not apply to a city of the 2nd class if it is contained within a county which adopts a county assessor system under s. 70.99.

SECTION 745. 70.10 of the statutes is amended to read:

**70.10 Assessment, when made, exemption.** The assessor shall ~~begin as soon as practicable after the April election, if he is elected at such election, otherwise as soon as practicable after January 1, to~~ assess all the real and personal property as of the close of ~~May~~ January 1 of each year. Except in cities of the 1st class, ~~such~~ the assessment shall be finally completed before the first Monday in ~~July~~ April. All real property conveyed by condemnation or in any other manner to the state, any county, city, village or town by gift, purchase, tax deed or power of eminent domain before ~~May~~ January 2 in such year shall not be included in ~~such~~ the assessment. Assessment of manufacturing property subject to s. 70.995 shall be made according to that section.

SECTION 745m. 70.11 (4m) of the statutes is amended to read:

70.11 (4m) **NONPROFIT HOSPITALS.** ~~Property which is~~ Real property owned and used and personal property used exclusively for the purposes of any hospital of 10 beds or more devoted primarily to the diagnosis, treatment or care of the sick, injured, or deformed, which hospital is owned and operated by a corporation, voluntary association, foundation or trust, no part of the net earnings of which inures to the benefit of any shareholder, member, director or officer, and which hospital is not operated principally for the benefit of or principally as an adjunct of the private practice of a doctor or group of doctors. ~~The exemption herein granted shall be effective and apply to assessments of property for taxation made, or permitted to be made pursuant to s. 70.44, in the year 1957 and subsequent years~~ This exemption does not apply to property used for commercial purposes or as a doctor's office. The exemption for residential property shall be limited to dormitories of 12 or more units which house student nurses enrolled in a state accredited school of nursing affiliated with the hospital.

Vetoed  
in Part

SECTION 746. 70.111 (17) of the statutes is created to read:

70.111 (17) **MERCHANTS' STOCK-IN-TRADE; MANUFACTURERS' MATERIALS AND FINISHED PRODUCTS; LIVESTOCK.** As of January 1, 1981, merchants' stock-in-trade, manufacturers' materials and finished products and livestock.

SECTION 747. 70.119 (3) (e) and (4) to (6) of the statutes are amended to read:

70.119 (3) (e) "Municipal services" means police and fire protection, extraordinary police services, garbage and trash disposal and collection not paid for under sub. (1) and, subject to approval by the committee acting under s. 13.101, any other direct general government service provided to state facilities by municipalities.

(4) The department shall be responsible for negotiating with municipalities on payments for municipal services and may delegate certain responsibilities of negotiation to other state agencies. Prior to negotiating with municipalities the department shall submit guidelines for negotiation to the committee acting under s. 13.101 for approval.

(5) Upon approval of guidelines by the committee acting under s. 13.101, the department shall proceed with negotiations. In no case may a municipality withhold services to the state during negotiations.

(6) The department shall report the results of its negotiations to the committee acting under s. 13.101 at its December meeting and report the total payments to be made in the subsequent calendar year. Upon approval of the total payment by the committee acting under s. 13.101, the department may make payments to individual municipalities.

SECTION 748r. 70.32 (2) (d) of the statutes is created to read:

70.32 (2) (d) *Commencing with the 1978 assessment, improvement assessments, as defined in s. 79.25, shall be set forth separately on the assessment roll for the purpose of administering s. 79.25.*

Partial  
Veto  
Overruled

SECTION 749. 70.337 (1) (a) of the statutes is amended to read:

70.337 (1) (a) On or before ~~May 1, 1973~~ January 1, 1983, and each 5th year thereafter, each person who, under any statute, claims a real property tax exemption, except an exemption for highway rights-of-way, or makes a payment in lieu of taxes shall file with the assessor of the taxation district in which the property is located a report in duplicate, on forms prescribed and furnished by the department of revenue. ~~Such~~ The report shall contain the name and address of the owner of the property, the location or street address of the property and the legal description and parcel number ~~thereof~~ as shown on the assessment roll, the nature of the person owning the property, the uses made of the property, the date of acquisition of the property, a description of any structures on the land comprising the property, the extent, if any, to which the property or any part ~~thereof~~ was rented out.

SECTION 750. 70.35 (3) of the statutes is amended to read:

70.35 (3) Each return shall be filed with the assessor on or before ~~May 25~~ March 1 of the year in which ~~such return is received from such assessor~~ the assessment provided by s. 70.10 is made. The assessor, for good cause, may allow a reasonable extension of time for filing ~~such~~ the return. All returns filed under this section shall be the confidential records of the assessor's office, except that ~~such~~ the returns shall be available for use before the board of review ~~hereinafter~~ as provided in this chapter. No return required under this section ~~shall be~~ is controlling on the assessor in any respect in the assessment of any property.

SECTION 750g. 70.40 of the statutes is created to read:

**70.40 Occupational tax on iron ore concentrates.** (1) Except as provided in sub. (6), every person operating an iron ore concentrates dock in this state, shall on or before December 15 of each year pay an annual occupational tax equal to 5 cents per ton upon all iron ore concentrates handled by or over the dock during the preceding year ending April 30 except that as of December 15, 1979, such tax shall apply to the year ending on the preceding December 31. Iron ore concentrates taxed under s. 70.91

are exempt from taxation under this section. In this section "dock" means a wharf or platform for the loading or unloading of materials to or from ships.

(2) Every person on whom a tax is imposed by sub. (1) shall, on May 1 of each year, furnish to the assessor of the town, city or village in which the dock is situated, a full and true list or statement of all iron ore concentrates received or handled by the person during the year ending on April 30 of such year. Beginning in 1979, the list shall be furnished on February 1 and apply to the year ending on the preceding December 31. Any such person who wilfully fails or refuses to furnish the list or statement or who knowingly makes or furnishes a false or incorrect list or statement, shall be fined not exceeding \$1,000.

(3) The tax provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by the assessor to the town, village or city clerk and shall be entered by the clerk on the tax roll. The tax shall be paid and collected as taxes on personal property are paid and collected in the town, city or village where the dock is situated, and shall be deductible from gross income for income tax purposes as personal property taxes are deductible under s. 71.04 (3). Taxes collected under this section shall be divided as follows: 30% to the state and 70% to the town, city or village in which the taxes are collected, which shall be remitted and accounted for in the same manner as the state and county taxes collected from property are remitted and paid.

(4) If the assessor or board of review has reason to believe that the list or statement made by any person is incorrect, or when any such person fails or refuses to furnish a list or statement as required by law, the assessor or board of review shall place on the assessment roll such assessment against the person as they deem true and just. If such change or assessment is made by the assessor, the assessor shall give written notice of the amount of the assessment at least 6 days before the first or some adjourned meeting of the board of review. If such change or assessment is made by the board of review, notice shall be given in time to allow the person to appear and be heard before the board of review in relation to the assessment. Notice may be served as a circuit court summons is served or by registered mail.

(5) All laws not in conflict with this section relating to the assessment, collection and payment of personal property taxes and the correction of errors in assessment and tax rolls, shall apply to the tax imposed in this section.

(6) This section does not apply to a municipally owned or operated dock or a dock used solely in connection with an industry and handling no iron ore concentrates except that utilized by the industry.

SECTION 751. 70.41 (2) of the statutes is amended to read:

70.41 (2) STATEMENT FOR ASSESSMENT OF GRAIN STORAGE. Every ~~such~~ person ~~operating a grain elevator or warehouse within the state except elevators and warehouses on farms for the storage of grain raised by the owner thereof, on whom a tax is imposed by sub. (1) shall on May first February 1~~ of each year furnish to the assessor of the town, city or village within which ~~such the~~ grain elevator or warehouse is situated, a full and true list or statement of all grain specifying the respective amounts and different kinds ~~thereof~~ received in or handled by ~~such the~~ elevator or warehouse during the year immediately preceding ~~May first January 1~~ of ~~such the~~ year in which ~~such the~~ list or statement is ~~so~~ to be made. Any such operator of an elevator or warehouse who ~~shall fail fails~~ or ~~refuse refuses~~ to furnish ~~such the~~ list or statement or who ~~shall~~ knowingly ~~make makes~~ or ~~furnish furnishes~~ a false or incorrect list or statement, shall be ~~punished by a fine fined~~ not exceeding \$1,000.

SECTION 752. 70.415 (2) of the statutes is amended to read:

70.415 (2) Every person on whom a tax is imposed by sub. (1) shall, on ~~May~~ February 1 of each year, furnish to the assessor of the town, city or village in which ~~such the~~ scrap iron or scrap steel dock or other steel dock is situated, a full and true list or statement of all scrap iron or scrap steel or other steel, specifying the respective amounts and different kinds ~~thereof~~, received or handled by ~~such the~~ person during the year ending on ~~April 30 of such year~~ the preceding December 31. Any ~~such~~ person who ~~shall~~ wilfully ~~fail~~ fails or ~~refuse~~ refuses to furnish ~~such the~~ list or statement or who ~~shall~~ knowingly ~~make~~ makes or ~~furnish~~ furnishes a false or incorrect list or statement, shall be fined not exceeding \$1,000.

SECTION 752g. 70.415 (3) of the statutes is amended to read:

70.415 (3) The tax ~~herein~~ provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by ~~such the~~ assessor to the town, village or city clerk and shall be entered by ~~said the~~ clerk on the tax roll. ~~Such~~ The tax shall be paid and collected in the same manner as taxes on personal property are paid and collected in the town, city or village where ~~such the~~ scrap iron or scrap steel dock or other steel dock is situated, and the entire proceeds of ~~said the~~ tax shall be retained by ~~such the~~ town, city or village. The tax when paid shall be deductible from gross income for income tax purposes as personal property taxes are deductible under s. 71.04 (3).

SECTION 752r. 70.42 (1) of the statutes is amended to read:

70.42 (1) Every person operating a coal dock in this state, other than a dock used solely in connection with an industry and handling no coal except that consumed by ~~such the~~ industry, shall on or before December 15 of each year pay an annual occupation tax of a sum equal to ~~4-1/2~~ 5 cents per ton upon all bituminous and subbituminous coal, coke and briquettes, and upon all petroleum carbon, coke and briquettes, and 2 7 cents per ton upon all anthracite coal, coke and briquettes handled by or over such coal dock, during the preceding year ending April 30; ~~and such except that as of December 15, 1979, such tax shall apply to the year ending on the preceding December 31. Such~~ coal, petroleum carbon, coke and briquettes shall be exempt from all other taxation, either state or municipal.

SECTION 753. 70.42 (2) of the statutes is amended to read:

70.42 (2) Every ~~such person operating a coal dock within the state, other than a dock used solely in connection with an industry and handling no coal except that consumed by such industry,~~ on whom a tax is imposed by sub. (1) shall on ~~May first~~ February 1 of each year furnish to the assessor of the town, city or village within which ~~such the~~ coal dock is situated, a full and true list or statement of all coal, specifying the respective amounts and different kinds ~~thereof~~, received in or on, or handled by or over ~~such the~~ coal dock during the year immediately preceding ~~May first~~ January 1 of ~~such the~~ year in which ~~such the~~ list or statement is ~~so~~ to be made. Any ~~such~~ operator of a coal dock who ~~shall~~ fail fails or ~~refuse~~ refuses to furnish ~~such the~~ list or statement or who ~~shall~~ knowingly ~~make~~ makes or ~~furnish~~ furnishes a false or incorrect list or statement, shall be ~~punished by a fine~~ fined not exceeding \$1,000.

SECTION 753g. 70.42 (3) of the statutes is amended to read:

70.42 (3) The tax ~~herein~~ provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by ~~such the~~ assessor to the town, village or city clerk and shall be entered by ~~said the~~ clerk on the tax roll. ~~Such~~ The tax shall be paid and collected in the same manner as taxes on personal property are paid and collected in the taxing district where ~~such the~~ coal dock is situated, and when paid ~~may be credited to or offset against~~ shall be deductible from gross income for income taxes in the same manner tax purposes as personal property taxes are ~~credited or offset as provided in s. 71.21 [Stats. 1923]~~ deductible under s. 71.04 (3). Taxes collected under ~~the~~



~~provisions of this section shall be divided as follows, to wit: Ten per cent: 10% to the state, 20 per cent % to the county, and 70 per cent % to the town, city or village in which such the taxes are collected, which shall be remitted and accounted for in the same manner as the state and county taxes collected from property are remitted and paid.~~

SECTION 753r. 70.421 (1) of the statutes is amended to read:

70.421 (1) Every person operating a crude oil refinery in this state, shall on or before December 15 of each year pay an annual occupation tax of a sum equal to ~~2 1/2~~ 5 cents per ton upon all crude oil handled during the preceding year ending April 30; ~~and all except that as of December 15, 1979, such tax shall apply to the year ending the preceding December 31.~~ All such crude oil so handled and all petroleum products refined therefrom, in the possession of such the refinery, shall be exempt from all personal property taxation, either state or municipal.

SECTION 754. 70.421 (2) of the statutes is amended to read:

70.421 (2) Every ~~such~~ person ~~operating a refinery within the state, on whom a tax is imposed by sub. (1)~~ shall on ~~July 1, 1957 and May~~ February 1 of each year ~~thereafter~~ furnish to the assessor of the town, city or village within which ~~such the~~ refinery is situated, a full and true list or statement of all ~~such~~ crude oil ~~so~~ handled and all petroleum products refined ~~therefrom~~ specifying the respective amounts and different kinds ~~thereof~~, refined by such the refinery during the year immediately preceding ~~May~~ January 1 of ~~such the~~ year in which ~~such the~~ list or statement is to be made. Any ~~such~~ operator of a refinery who fails or refuses to furnish ~~such the~~ list or statement or who knowingly makes or furnishes a false or incorrect list or statement, shall be fined not exceeding \$1,000.

SECTION 754m. 70.423 (3) of the statutes is amended to read:

70.423 (3) At the request of the department of agriculture, trade and consumer protection, the clerk of the taxation district shall furnish ~~said the~~ department a list of the names and addresses of the beekeepers in ~~his the~~ taxation district.

SECTION 754p. 70.425 (3) of the statutes is amended to read:

70.425 (3) At the request of the department of agriculture, trade and consumer protection the clerk of the taxation district shall furnish ~~said the~~ department a list of the names and addresses of the domestic mink farmers in ~~his the~~ taxation district.

SECTION 755. 70.47 (1) of the statutes is amended to read:

70.47 (1) TIME AND PLACE OF MEETING. The board of review shall meet annually on the 2nd Monday of ~~July, except in towns where the town board so determines it may meet on the last Monday of June~~ April. In towns and villages the board shall meet at the town or village hall or some place designated by the town or village board. If there is no such hall, it shall meet at the clerk's office, or in towns at the place where the last annual town meeting was held. In cities the board shall meet at the council chamber or some place designated by the council and in cities of the 1st class in some place designated by the tax commissioner of such cities. A majority shall constitute a quorum except that 2 members may hold any hearing of the evidence required to be held by such board under subs. (8) and (10), if the requirements of sub. (9) are met.

SECTION 756. 70.50 of the statutes is amended to read:

**70.50 Delivery of roll.** Except in cities of the first 1st class the assessor shall, on or before the first Monday in ~~July or in towns, where the board of review meets on the last Monday of June, on or before the second last Monday in June~~ April, deliver the completed assessment roll ~~so completed~~ and all the sworn statements and valuations of

personal property to the clerk of the town, city or village, who shall file and preserve the same in ~~his~~ the clerk's office.

SECTION 757. 70.503 of the statutes is amended to read:

**70.503 Civil liability of assessor or member of board of review.** If any assessor, or person appointed or designated under s. 70.055 or 70.75, or any member of the board of review of any assessment district is guilty of any violation or omission of duty as specified in ss. 70.501 and 70.502, ~~he~~ such persons shall be liable in damages to any person who may sustain loss or injury thereby, to the amount of such loss or injury; and any person sustaining such loss or injury shall be entitled to all the remedies given by law in actions for damages for tortious or wrongful acts. This section does not apply to the department of revenue or its employes when appointed or designated under s. 70.055 or 70.75.

SECTION 758. 70.511 of the statutes is amended to read:

**70.511 (title) Delayed action of reviewing authority.** (1) VALUE TO BE USED IN SETTING TAX RATE. If the ~~local board of review, or manufacturing property district board of review, or both, have~~ reviewing authority has not completed ~~their~~ its work prior to the time set by a municipality for establishing its current tax rate, the municipality shall use the total value, including contested values, shown in the assessment roll in setting its tax rate.

(2) TAX LEVIES, REFUNDS. If the ~~local board of review, or manufacturing property district board of review, or both, have~~ reviewing authority has not made a determination prior to the time of the tax levy with respect to a particular objection to value, the tax levy on ~~such~~ the property or person shall be based on the contested assessed value of the property. A tax bill shall be sent to, and paid by, the person subject to ~~such~~ the tax levy as though there had been no objection filed, except that the payment shall be considered to be made under protest. The entire tax bill shall be paid even though the ~~local or district board of review~~ reviewing authority has reduced the assessment prior to the time for full payment of the tax billed. If the ~~local or district board of review~~ reviewing authority reduces the value of the property in question, the taxpayer may file a claim for refund of taxes resulting from the reduction in value. Such ~~The~~ claim for refund shall be filed with the clerk of the municipality on or before November 1 ~~and~~ The clerk of the municipality may charge each taxing district for which taxes were collected from the taxpayer its proportionate share of the claim for refund. The claim shall be payable to the taxpayer from the municipality no later than January of the succeeding year, plus interest thereon at the rate of eight-tenths of one percent 0.8% per month. If the local or district board of review reviewing authority increases the value of the property in question, such the increase in value shall in the case of manufacturing property assessed by the department of revenue under s. 70.995 be assessed as omitted property as prescribed under s. 70.995 (12). In the case of all other property s. 70.44 shall apply.

SECTION 759. 70.52 of the statutes is renumbered 70.52 (1).

SECTION 760. 70.52 (2) of the statutes is created to read:

70.52 (2) For the years 1977 to 1980 the value of merchants' stock-in-trade, manufacturers' materials and finished products and livestock as determined by the assessor and board of review shall be computed and entered at the following percentages on the personal property assessment roll as prescribed by the department of revenue:

- (a) In 1977 at 90%.
- (b) In 1978 at 70%.
- (c) In 1979 at 50%.

(d) In 1980 at 30%.

SECTION 761. 70.57 (2) of the statutes is amended to read:

70.57 (2) The department ~~shall have the power to~~ of revenue may make such rules, and orders and regulations for making and filing complaints by counties, the attendance of witnesses, the production of books, records and papers and the mode of procedure as may be deemed necessary, ~~not inconsistent with the laws of the state. If it appears to the department from such complaint that the valuation of any county, or any city, village or town within a county, is radically out of proportion to the valuation of all other counties or cities, villages or towns within the same county, it shall make that determination and shall make the correction in the next succeeding county assessment as provided in sub. (1). Appeal from the determination of the department shall be by writ of certiorari to the circuit court of Dane county within 90 days after the determination and shall be placed at the head of the circuit court calendar for an early hearing.~~

SECTION 762. 70.57 (5) of the statutes is created to read:

70.57 (5) For the years 1977 to 1980, the value of merchants' stock-in-trade, manufacturers' materials and finished products and livestock included in the value determined under this section shall be the following percentages of the full value that would have otherwise been certified:

- (a) In 1977, 90%.
- (b) In 1978, 70%.
- (c) In 1979, 50%.
- (d) In 1980, 30%.

SECTION 763. 70.575 of the statutes is amended to read:

**70.575 State assessment, time.** The department, not later than ~~the first day of November~~ September 15 in each year, shall total the assessments of counties made by the department of revenue ~~pursuant to~~ under s. 70.57, and such total shall be known as the state assessment and shall be the full market value of all general property of the state liable to state, county and local taxes in the then present year. The department shall enter upon its records such state assessment.

SECTION 764. 70.58 (2) of the statutes is amended to read:

70.58 (2) There is levied an annual tax of two-tenths of one mill for each dollar of the assessed valuation of the property of the state as determined by the department of revenue ~~pursuant to~~ under s. 70.57, for the purpose of acquiring, preserving and developing the forests of the state and for the purpose of forest crop law and county forest law administration and aid payments, the proceeds of ~~such~~ the tax to be paid into the conservation fund. ~~But such mill~~ The tax shall not be levied in any year in which ~~the legislature has provided~~ general funds are appropriated for the purposes specified in this section, equal to or in excess of the amount which ~~such mill~~ the tax would produce.

SECTION 765. 70.61 of the statutes is renumbered 70.61 (1).

SECTION 766. 70.61 (2) of the statutes is created to read:

70.61 (2) The valuations determined by the board shall reflect the adjustments for merchants' stock-in-trade, manufacturers' materials and finished products and livestock under s. 70.57 (5).

~~SECTION 766. 70.62 (4) of the statutes is repealed.~~

SECTION 767. 70.665 of the statutes is renumbered 70.665 (1).

SECTION 768. 70.665 (2) of the statutes is created to read:

Vetoed  
in Part  
Partial  
Veto  
Overruled

Partial  
Veto  
Overruled

70.665 (2) *The real and personal property tax bills prepared by the clerks of each taxation district, after January 1, 1978, shall show the amount of improvement assessment, as defined in s. 79.25 (1) (c).*

SECTION 770. 70.75 (1) (a) of the statutes is amended to read:

70.75 (1) (a) ~~Whenever~~ If it satisfactorily appears to the department of revenue upon written complaint made by the owners, or their legal representatives, of taxable property in any taxation district, other than an assessment district within the corporate limits of any city of the 1st class, the aggregate assessed valuation of which is not less than 5% of the assessed valuation of all of the property in such district, according to the assessment sought to be corrected and upon full investigation, that the assessment of property in ~~such the~~ taxation district is not in substantial compliance with the law and that the interest of the public will be promoted by a reassessment thereof, the department may order a reassessment of all or of any part of the taxable property in ~~such the~~ district to be made by one or more persons to be appointed for that purpose by the department. ~~The~~ If the department performs the reassessment or special supervision under sub. (3) the department shall designate the person responsible for the reassessment. ~~If the department may appoint~~ appoints a corporation for the ordered reassessment or special supervision under sub. (3). ~~The, the~~ corporation shall designate the person responsible for the reassessment. The corporate or departmental designee shall file the official oath under s. 19.01. The filing in the office of the department of the application for such reassessment, signed by the required number of taxpayers or their legal representatives, shall impose upon the department the duty, under the powers conferred by s. 73.03 (1), to review the assessment complained of and if, in its judgment upon full investigation, it finds such assessment not in substantial compliance with law and that public interest will be promoted by a reassessment, to correct such assessment by a reassessment as ~~herein~~ provided in this section and such duty is not impaired or set aside by any action, subsequent to such filing, of any one or more taxpayers represented in the application. As a part of its investigation of the assessment complained of, the department shall hold a hearing at some convenient place within or near the taxation district which is sought to be reassessed. At such hearing testimony may be offered as to the inequality or equality of the assessment, whether or not the public interest will be promoted by a reassessment and as to such other matters as may be desired by the department. Notice of ~~such the~~ hearing specifying the time and place ~~thereof of the hearing~~ shall be mailed to the clerk of the taxation district and the first signer of the application for reassessment, not less than 8 days before the time fixed for ~~such the~~ hearing. The order directing such reassessment and naming the persons appointed to make the ~~same reassessment~~ shall be filed in the office of the department, and a duplicate ~~thereof of the order~~ shall be filed with the clerk of ~~such the~~ taxation district. A copy of ~~such the~~ order shall be transmitted to the supervisor of assessments of the county in which ~~such the~~ district is located and to each of the persons appointed to make such reassessment and to serve on the board for the review ~~thereof of the reassessment~~, which shall be legal notice to such persons respectively, of their appointment. No person ~~shall~~ may be authorized by the department to make a reassessment or to provide special supervision instead of reassessment unless ~~such the~~ person is willing and able to use the assessment manual.

SECTION 771. 70.75 (4) of the statutes is amended to read:

70.75 (4) COSTS. All costs of the department of revenue in connection with reassessment or special supervision under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on October 1 of each year and included in the next apportionment of state special charges to local units of government.

SECTION 772. 70.85 (3) of the statutes is amended to read:

70.85 (3) A filing fee in the amount of \$25 shall be required and submitted with any complaint filed with the department under this section. All the costs related to the department's revaluation, less the filing fee paid by the complainant shall be borne by the taxation district. The filing fee and the receipts from the taxation district shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on October 1 of each year and included in the next apportionment of state special charges to local units of government.

SECTION 773. 70.90 (1) (a) of the statutes is amended to read:

70.90 (1) (a) ~~Ten~~ Ninety-six percent to the state general fund;

SECTION 774. 70.90 (1) (d) of the statutes is repealed.

SECTION 776. 70.995 (7) (a) of the statutes is amended to read:

70.995 (7) (a) Each manufacturing property assessed by the department of revenue shall be entered on a state manufacturing property assessment roll for each municipality that has manufacturing property as set forth in subs. (1) and (2). ~~Prior to October 31 of each year, the department of revenue shall deliver the assessment roll to the district board of review under sub. (8) and notification~~ Notification of the individual manufacturing property assessments contained in the roll shall be furnished by the department to the municipal clerk.

SECTION 776m. 70.995 (7) (d) of the statutes is amended to read:

70.995 (7) (d) To determine the amount and value of any machinery and specific processing equipment exempt under s. 70.11 (27) any person owning such property shall report the amount and value of ~~such the~~ property on schedules prescribed by the department of revenue and shall be included with the standard manufacturing report form required under sub. (12). ~~If any~~ Any person, including an officer of a corporation, required by law to make, file, render, sign or verify said schedules who wilfully overstates the amount or value of any manufacturing machinery or specific processing equipment exempt under s. 70.11 (27), ~~such person~~ may be fined not more than \$500 or imprisoned not more than 6 months or both. ~~Such~~ The person shall also be required to pay the cost of prosecution. In addition, ~~such the~~ person shall be required to pay to the department of revenue the taxes due for the amount of ~~such~~ overstatement together with interest at the rate of one percent per month or fraction thereof from January 1, 1975 the date when the payment is due, to the date the overstatement is discovered by the department of revenue.

Partial  
Veto  
Overruled

SECTION 777. 70.995 (8) (a) of the statutes is repealed.

SECTION 778. 70.995 (8) (b), (bd), (c), (d) and (e) of the statutes are renumbered 70.995 (8) (a), (d), (e), (b) and (c), respectively, and amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors which shall be comprised of such members of the department of revenue as the secretary ~~of revenue~~ designates. The state board of assessors shall investigate any objection referred to it by direction of ~~a board of review~~ the tax appeals commission. The state board of assessors shall, after having made the investigation, notify the person assessed or the person's agent and the appropriate municipality of its determination by 1st class mail, and a copy of ~~such the~~ determination shall be transmitted to the ~~district board of review~~ tax appeals commission. The person assessed or the municipality having been notified of the determination of the state board of assessors shall be deemed to have accepted such determination unless the person or municipality notifies the ~~district board of review~~ tax appeals commission in writing, within 15 days of issuance of the notice of a desire to present testimony before the ~~district board of review~~ commission. If an assessment is reduced by the state board of assessors, the municipality affected may seek review of the reduction before the tax

appeals commission even though the municipality did not file an objection to the assessment with the tax appeals commission prior to the referral to the board. If an assessment is increased by the board, the person assessed may seek review of the increase before the commission even though the person did not file an objection to the assessment with the commission prior to the referral to the board.

(b) The department of revenue shall annually notify each manufacturer assessed under this section and the municipality in which the manufacturing property is located of the full value of all real and personal property owned by ~~such~~ the manufacturer. The notice shall be in writing and shall be sent by 1st class mail. In addition, the notice shall specify that objections to valuation must be filed with the ~~district board of review~~ tax appeals commission within 30 days of issuance of the notice of assessment. A statement shall be attached to the assessment roll indicating that the notices required by this section have been mailed and failure to receive ~~such~~ the notice ~~shall in no way does not~~ affect the validity of the assessments, the resulting tax on real or personal property, the procedures of the ~~board of review~~ tax appeals commission or the enforcement of delinquent taxes by statutory means.

(c) All objections to the amount or valuation of real or personal property shall be first made in writing on a form prescribed by the department of revenue and shall be filed with the ~~district board of review~~ clerk of the tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission within the time prescribed in par. (d). ~~No person may in any action or proceeding question the amount or valuation of real or personal property in the manufacturing property assessment roll unless objections have been so filed (b).~~ The board commission may not waive the requirement that such objections be in writing. If such objections have been investigated by the board of assessors as provided under par. ~~(b) (a),~~ the board of review commission may adopt the recommendation of the board of assessors.

(d) ~~Commencing with assessments made in 1975 and thereafter, a~~ A municipality may file an objection with the ~~district board of review~~ tax appeals commission seeking an increase in assessment made under this section of a specific property having a situs in the municipality, whether or not the owner of the specific property in question has filed an objection. The objections of the municipality shall be limited to valuation of the property. Objection shall be made on a form prescribed by the department of revenue and shall be filed with the ~~board~~ commission within 30 days of the date of the issuance of the assessment in question. The board commission shall forthwith notify the person assessed ~~and the department of revenue~~ of the objection to the assessment filed by the municipality. ~~The board shall give the person assessed, the municipality and the department of revenue at least 48 hours' notice of the hearing on the objections and they shall be parties to the proceeding. The proceedings shall be conducted in the same manner as proceedings for review where objections are filed by persons assessed, except that the municipality shall be required to present its evidence of value first. The 3 parties to the proceedings may cross-examine one another's witnesses. If The person assessed shall be a party to the proceeding and if the person assessed has also objected to the assessment, both objections shall be heard as one proceeding. At the conclusion of a hearing, where there has been an objection filed by a municipality seeking an increase in the assessment, the assessment may be increased by the board without further notice to the parties.~~

(e) Upon completion of and review by the board of review tax appeals commission and receipt of the statement of assessments required under s. 70.53, the department of revenue shall be responsible for equating all full-value manufacturing property assessments entered in the manufacturing property assessment roll to the general level of assessment of all other property within the individual taxation district. Thereafter, the manufacturing property assessment roll shall be delivered to the municipal clerk and annexed to the municipal assessment roll containing all other property.

SECTION 780. 70.995 (9) of the statutes is repealed and recreated to read:

70.995 (9) Any aggrieved party may appeal a determination by the tax appeals commission under sub. (8) (c) to the circuit court for the county in which the property is located or to the circuit court of Dane county under s. 73.015.

SECTION 781. 70.995 (10) of the statutes is repealed and recreated to read:

70.995 (10) All local assessors shall have access to all manufacturing property for the purpose of making appraisals of valuation of such property.

SECTION 782. 70.995 (12) to (13) of the statutes are amended to read:

70.995 (12) The department of revenue shall prescribe a standard manufacturing property report form to be submitted annually on or before May 25 by all manufacturers included in a classification specified in sub. (2). The report shall contain all information deemed necessary by the department and shall include, without limitation, income and operating statements, fixed asset schedules and a report of new construction or demolition. Submission of the report shall be mandatory and failure to submit the report shall result in denial of any right of ~~abatement redetermination~~ by the ~~board of review tax appeals commission~~. If any real or personal property is ~~intentionally or inadvertently~~ omitted or understated in the assessment roll in any of the next 5 previous years except 1973, 1972, 1971, 1970 and 1969, the value of the omitted or understated property shall be entered by the assessor once for each previous year of such omission or understatement designating each such additional entry as omitted or understated for the year 19.. (giving year of omission or understatement) and affixing a just valuation to each entry for a former year as the same should have been assessed according to the assessor's best judgment, and taxes shall be apportioned and collected on the tax roll for such entry.

(12m) Any property assessment increased by the ~~manufacturing property district board of review~~ reviewing authority under s. 70.511 shall be entered in the assessment roll as prescribed under sub. (12).

(13) In the sections of this chapter relating to assessment of property, when the property involved is a manufacturing property subject to assessment under this section, the terms "local assessor" or "assessor" shall be deemed to refer also to the department of revenue ~~and the term "board of review" shall be deemed to refer to the board of review established under this section except as provided in sub. (10).~~

SECTION 782g. 70.996 (1) (a) (intro.) of the statutes is renumbered 70.996 (1) ~~and~~ amended to read:

70.996 (1) On or about April 20, 1975 1979, and annually thereafter, counties, towns, villages and cities shall be paid by the state from the appropriation under s. 20.835 (2) (ds) an amount equal to 50% of the May 1, 1974, preceding year's value of manufacturing machinery and equipment exempted from local taxation under s. 70.11 (27) multiplied by the local or county tax rate as the case may be. The "value of manufacturing machinery and equipment" shall be the value determined according to s. 70.995 equated to the May 1, 1974, preceding year's general level of assessment of all other property within the taxation district. Payments to towns, villages and cities shall be determined using the local tax rate that was applied to the May 1, 1974, preceding year's assessment of all taxable property within the taxation district. Payments to counties shall be determined using the county tax rate that was applied to the May 1, 1974, preceding year's assessment of all taxable property within the county. Subsequent payments shall be made annually on or before April 20 according to the following schedule:

SECTION 782r. 70.996 (1) (a) 1 to 9 and (b) of the statutes are repealed.

SECTION 783. 70.996 (1) (b) of the statutes is amended to read:

Partial  
Veto  
Overruled

Partial  
Veto  
Overruled

70.996 (1) (b) Beginning in 1976, and for each year thereafter, the amount of the reduction in total state payment under this section shall be placed in the shared tax account prior to July 1, 1977, and thereafter in the shared revenue account for distribution to counties, towns, villages and cities in accordance with subch. I of ch. 79.

SECTION 784. 70.996 (2) of the statutes is amended to read:

70.996 (2) Errors and omissions in the April 20, 1975, payment to counties, towns, villages and cities, including errors in tax rate produced by unintentional underestimation of property taxes required to meet 1975 expenses normally to be anticipated, resulting from unintentional overestimation of revenue to be received from the state in 1975, may be corrected and adjusted in any subsequent determination by the department of revenue. Such corrections or adjustments shall not require a recalculation of the shared tax payments already made under subch. I of ch. 79 for 1975 and thereafter.

SECTION 785. 71.01 (4) (g) of the statutes is renumbered 71.01 (4) (g) 1 and amended to read:

71.01 (4) (g) 1. For purposes of this subsection, "internal revenue code" means the federal internal revenue code as effective November 5, 1971, except that for taxable year 1976 ~~and subsequent years~~ "internal revenue code" means the federal internal revenue code as amended to December 31, 1975, or such code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the insurance company; and "life insurance" includes annuities.

SECTION 786. 71.01 (4) (g) 2 of the statutes is created to read:

71.01 (4) (g) 2. For taxable year 1977 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1976, or the code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the insurance company; and "life insurance" includes annuities.

SECTION 787. 71.02 (1) (a) of the statutes is amended to read:

71.02 (1) (a) "Net income" means, for corporations, "gross income" less allowable deductions, except ~~that for~~ as follows:

1. For taxable years 1972, 1973, 1974 and 1975 for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1972, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of ~~such the~~ corporation or trust as determined under the internal revenue code as amended to December 31, 1972, ~~and except that for.~~

2. For taxable year 1976 ~~and subsequent years~~, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1975, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of ~~such the~~ corporation or trust as determined under the internal revenue code as amended to December 31, 1975.

SECTION 788. 71.02 (1) (a) 3 of the statutes is created to read:

71.02 (1) (a) 3. For taxable year 1977 and subsequent years, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1976, or such code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the corporation or



trust, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1976, or the code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of such corporation or trust. The same version of the internal revenue code shall be used by the corporation or trust under this subdivision to determine its qualification and to define its "net income".

SECTION 789. 71.02 (1) (e) of the statutes is created to read:

71.02 (1) (e) "Entertainment corporation" means a domestic or foreign corporation which derives income from amusement, entertainment or sporting events in this state or from the services of an entertainer as defined in sub. (2) (p).

SECTION 790. 71.02 (2) (b) 2 of the statutes, as affected by chapter 1, laws of 1977, is amended to read:

71.02 (2) (b) 2. For the taxable year 1976 ~~and thereafter~~, "internal revenue code" means the federal internal revenue code in effect on December 31, 1975 and the amendments thereto enacted by P.L. 94-267 (relating to certain employer retirement plan distributions). Except for those amendments enacted by P.L. 94-267, amendments to the internal revenue code enacted after December 31, 1975, shall not apply to this subsection with respect to the taxable year 1976 ~~and thereafter~~.

SECTION 791. 71.02 (2) (b) 3 of the statutes is created to read:

71.02 (2) (b) 3. For the taxable year 1977 and thereafter "internal revenue code" means the federal internal revenue code in effect on December 31, 1976, except that it includes section 214 of the code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 and it does not include the changes to the code enacted in 1976 by section 2112 (relating to tax treatment of certain pollution control facilities) of P.L. 94-455. Amendments to the internal revenue code enacted after December 31, 1976, shall not apply to this subsection with respect to the taxable year 1977 and thereafter.

SECTION 792. 71.02 (2) (p) of the statutes is created to read:

71.02 (2) (p) "Entertainer" means a nonresident natural person who, for consideration, furnishes amusement or entertainment, or performs in one or more sporting events in this state and includes both employes and independent contractors.

SECTION 792m. 71.09 (7) (a) 3 of the statutes is amended to read:

71.09 (7) (a) 3. "Household income" means all income received by all persons of a household in a calendar year while members of such household. For claims filed in 1978 and thereafter and based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year, household income shall be reduced by \$600 if the claimant, spouse or any dependent of the claimant, as claimed under sub. (6p), is 65 years of age or older.

Partial  
Veto  
Overruled

SECTION 795. 71.09 (7) (a) 8 of the statutes is amended to read:

71.09 (7) (a) 8. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1964 or any calendar year thereafter pursuant to ch. 70, less the tax credit, if any, afforded in respect of such property by s. 79.10 (3). ~~When~~ If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead (reduced by the tax credit ~~hereinbefore referred to under s. 79.10 (3)~~) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. ~~When~~ If a homestead is sold during

the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the homestead or, if not so provided for in the closing agreement, the tax levy shall be prorated between seller and buyer in proportion to months of their respective ownership, provided that the seller and buyer occupy the homestead during the periods of their respective ownership. ~~When~~ If a household owns and occupies 2 or more homesteads in the same calendar year "property taxes accrued" shall be the sum of the prorated taxes attributable to the household for each of such homesteads. If the household owns and occupies the homestead for part of the calendar year and rents a ~~household~~ homestead for part of the calendar year, it may include both the proration of taxes on the homestead owned and "rent constituting property taxes accrued" with respect to the months the homestead is rented, in computing the amount of the claim under pars. (g), (gm) ~~and~~, (gn) ~~and~~ (go). ~~Whenever~~ If a homestead is an integral part of a larger unit such as a farm, or a multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value, except that the claimant may use the total property taxes accrued for the larger unit, but not exceeding 120 acres of land, except as the limitations of par. (h) apply. For claims for 1967 and subsequent years, monthly parking permit fees collected under s. 66.058 (3) (c) shall be considered property taxes.

SECTION 795m. 71.09 (7) (gn) (intro.) of the statutes is amended to read:

71.09 (7) (gn) (intro.) The amount of any claim filed in 1976 and 1977 and based upon property taxes accrued or rent constituting property taxes accrued in 1975, ~~or claims filed in later calendar years based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year and 1976,~~ respectively, shall be limited as follows:

SECTION 796. 71.09 (7) (go) of the statutes is created to read:

71.09 (7) (go) The amount of any claim filed in 1978 and based upon property taxes accrued or rent constituting property taxes accrued in 1977, or claims filed in later calendar years based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year shall be limited as follows:

1. If the household income was \$4,000 or less in the year to which the claim relates, the claim shall be limited to 80% of the property taxes accrued, or rent constituting property taxes accrued, or both, in the year on the claimant's homestead.
2. If the household income was more than \$4,000 in the year to which the claim relates, the claim shall be limited to 80% of the amount by which the property taxes accrued, or rent constituting property taxes accrued, or both, in such year on the claimant's homestead is in excess of 15% of household income exceeding \$4,000.
3. No credit may be allowed if the household income of a claimant exceeds \$9,300.

SECTION 798. 71.09 (7) (h) 1 of the statutes is amended to read:

71.09 (7) (h) 1. In any case in which property taxes accrued, or rent constituting property taxes accrued, or both, in calendar year ~~1975~~ 1977 or any subsequent calendar year in respect of any one household exceeds ~~\$535~~ \$800, the amount thereof shall, for purposes of this subsection, be deemed to have been ~~\$535~~ \$800.

SECTION 799. 71.09 (7) (h) 3 of the statutes is created to read:

71.09 (7) (h) 3. In any case in which property taxes accrued, or rent constituting property taxes accrued, or both, in calendar year 1975 or 1976 in respect of any one household exceeds \$535, the amount thereof shall, for purposes of this subsection, be deemed to have been \$535.

SECTION 799d. 71.09 (7) (i) of the statutes is amended to read:

71.09 (7) (i) In administering this subsection, the department of revenue shall make available suitable forms with instructions for claimants, including a form which may be included with or a part of the individual income tax blank. In preparing homestead credit forms for the taxable year 1977 and thereafter, the department of revenue shall provide a space for identification of the school district, county and city, village or town in which the claimant resides.

Vetoed  
in Part

SECTION 799g. 71.09 (7) (t) of the statutes is created to read:

71.09 (7) (t) No claim for credit under this section may be allowed to any claimant who at the time of filing the claim:

1. Resides in housing which is exempt from taxation under ch. 70, except housing for which payments in lieu of taxes are made under s. 66.40 (22).
2. Resides in a nursing home and receives assistance under s. 49.45.

SECTION 799m. 71.09 (11) of the statutes is created to read:

71.09 (11) FARMLAND PRESERVATION CREDIT. The purpose of this subsection is to provide credit to owners of farmland which is subject to agricultural use restrictions, through a system of income tax credits and refunds and appropriations from the general fund.

(a) In this subsection:

1. "Claimant" means an owner of farmland, as defined in s. 91.01 (9), domiciled in this state during the entire year for which a credit under this subsection is claimed who reports farm income on a farm business schedule or corporate income schedule in filing a Wisconsin income or franchise tax report for the year. When 2 or more individuals of a household are able to qualify individually as a claimant, they may determine between them who the claimant shall be. If they are unable to agree, the matter shall be referred to the secretary of revenue, whose decision is final. If any person in a household has claimed or will claim credit under sub. (7), all persons from that household are ineligible to claim any credit under this subsection for the year to which the credit under sub. (7) pertained.

2. "Department" means the department of revenue.

3. "Farmland" means 35 or more acres of real property in this state owned by the claimant at the close of the income year for which a credit under this section is claimed which, during that year, produced not less than \$6,000 in gross farm profits as determined for tax purposes in accordance with federal schedule F (farm income and expenses) or which, during that year and the 2 years immediately preceding that year, produced not less than \$18,000 in such profits, and as to which either or both of the following conditions apply:

a. The lands were zoned for exclusively agricultural use under an ordinance certified under subch. V of ch. 91 at the close of the year for which a credit under this subsection is claimed.

b. The lands were subject to a farmland preservation agreement under subch. II or III of ch. 91 at the close of the year for which a credit under this subsection is claimed.

4. "Household" means an individual and his or her spouse and all minor dependents.

5. "Household income" means all of the income of the claimant, the claimant's spouse and all minor dependents attributable to the income year while members of the household.

6. "Income" for an individual means income as defined under sub. (7) (a) 1 plus the amount of real property taxes deducted from reported business income, including a proportionate share of real property taxes reported by partnerships, but not to exceed \$4,000. "Income" for a corporate claimant means the same as for an individual claimant except that income as defined under s. 71.02 (1) (a) shall be included instead of income under sub. (7) (a) 1 and "income" of a corporate claimant shall include all household income of each of its corporate shareholders of record at the end of its income year.

7. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's farmland and improvements in any calendar year under ch. 70, less the tax credit, if any, afforded in respect of the property by s. 79.10 (3). "Property taxes accrued" shall not exceed \$4,000. If farmland is owned by 2 or more persons or entities as joint tenants, tenants in common or partners and one or more such persons or entities is not a member of the claimant's household, "property taxes accrued" is that part of property taxes levied on the farmland (reduced by the tax credit under s. 79.10 (3)) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this paragraph, property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If farmland is sold during the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the farmland or, if not so provided for in the closing agreement, the tax levy shall be prorated between the seller and buyer in proportion to months of their respective ownership.

(am) Subject to the limitations provided in this subsection, a claimant may claim as a credit against Wisconsin income taxes otherwise due, the amount derived under par. (b). If the allowable amount of claim exceeds the income taxes otherwise due on claimant's income or if there are no Wisconsin income taxes due on claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant by check drawn on the general fund. No such check and no offset against income taxes otherwise payable, or refund of income taxes paid in respect of any such claim shall be charged against any town, city, village or county in the distribution of income taxes under this chapter. No interest shall be allowed on any payment made to a claimant under this subsection.

(b) The amount of any claim filed in 1978 and based upon property taxes accrued in 1977, or claims filed in later calendar years based upon property taxes accrued in the preceding calendar year shall be determined as follows:

1. The amount of excessive property taxes shall be computed by subtracting from property taxes accrued the amount of 3% of the first \$5,000 of household income plus 5% of the 2nd \$5,000 of household income plus 7% of the 3rd \$5,000 of household income plus 10% of the 4th \$5,000 of household income plus 15% of the 5th \$5,000 of household income plus 20% of household income in excess of \$25,000. The maximum excessive property tax which can be utilized is \$4,000.

2. The credit allowed under this subsection shall be limited to 80% of the first \$1,000 of excessive property taxes plus 70% of the 2nd \$1,000 of excessive property taxes plus 60% of the 3rd \$1,000 of excessive property taxes plus 50% of the 4th \$1,000 of excessive property taxes. The maximum credit shall not exceed \$2,600 for any claimant.

3. a. If the claimant owns farmland which is located in a county which has a certified agricultural preservation plan under subch. IV of ch. 91 and is in an area zoned by a county, city or village for exclusive agricultural use under ch. 91 at the

close of the year for which credit is claimed, the amount of the claim shall be that as specified in subd. 2.

b. If the claimant owns farmland which is subject to a transition area agreement under subch. II of ch. 91 and is located in a city or village which has a certified exclusive agricultural use zoning ordinance under subch. V of ch. 91 in effect at the close of the year for which credit is claimed, or in a town which is subject to a certified county exclusive agricultural use zoning ordinance under subch. V of ch. 91 in effect at the close of the year for which credit is claimed, the amount of the claim shall be that as specified in subd. 2.

c. If the claimant is ineligible for credit under subd. 3. a or b but owns farmland which is subject to a farmland preservation agreement or a transition area agreement under subch. II of ch. 91, the amount of the claim shall be limited to 70% of that specified in subd. 2.

d. If the claimant owns farmland which is located in an agricultural district under a certified county agricultural preservation plan under subch. IV of ch. 91, and is located in an area zoned for exclusive agricultural use under a certified town ordinance under subch. V of ch. 91, the amount of the claim shall be limited to 70% of that specified in subd. 2.

e. If the claimant owns farmland which is located in an area zoned for exclusive agricultural use under a certified county, city or village ordinance under subch. V of ch. 91, but the county in which the farmland is located has not adopted an agricultural preservation plan under subch. IV of ch. 91, the amount of the claim shall be limited to 70% of that specified in subd. 2.

f. If the claimant owns farmland which is subject to a farmland preservation agreement under subch. III of ch. 91 at the close of the year for which credit is claimed, the amount of the claim shall be limited to 50% of that specified in subd. 2.

(c) All amounts allowed as credits under this subsection constitute income for individual income and corporate franchise and income tax purposes and are reportable as such in the year of receipt.

(d) No credit shall be allowed under this subsection unless a claim therefore is filed with the department within 12 months following the close of the income year in which the property taxes accrued.

(e) The amount of any claim otherwise payable under this subsection may be applied by the department against any liability outstanding on the books of the department against the claimant or against any other individual who was a member of the claimant's household in the year to which the claim relates.

(f) The department may disallow any claim under this subsection if it determines that ownership of the farmland has been transferred to the claimant primarily for the purpose of maximizing benefits under this subsection.

(g) The department shall prepare a table under which claims under this subsection shall be determined.

(h) Every claimant under this subsection shall supply, at the request of the department, in support of the claim, a copy of the property tax bill relating to the farmland, a copy of the farmland preservation agreement or a certificate of the appropriate zoning authority. The certificate of the zoning authority shall certify:

1. That the lands are within the boundaries of an agricultural zoning district which is part of an adopted ordinance meeting the standards of subch. V of ch. 91 and certified under s. 91.06.

2. That the ordinance has been approved, where necessary, by the board of the town within which the lands are situated, as required by s. 59.97, and shall indicate the date of approval.

3. That each structure or improvement on the lands conforms to the requirements of the exclusive agricultural use ordinance.

4. The portion of the claimant's farmland which is within the area zoned for exclusive agricultural use.

(i) Whenever an audit of any claim filed under this subsection indicates that an incorrect claim was filed, the department shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor. Notice of the determination shall be given to the claimant within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, or credited against income taxes otherwise payable, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and such assessment shall bear interest at 9% per annum from the due date of the claim. Any person feeling aggrieved by the determination may, within 30 days after receipt, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant. If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

(j) A claimant who has filed a timely claim under this subsection may file an amended claim with the department within 4 years of the last day prescribed by law for filing the original claim.

(k) In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full and, if the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid may be recovered by assessment as income taxes are assessed and such assessment shall bear interest from the due date of the claim, until refunded or paid, at the rate of 1.5% per month. The claimant in such case, and any person who assisted in the preparation or filing of the excessive claim or supplied information upon which the excessive claim was prepared, with fraudulent intent, shall be guilty of a misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed and, if the claim has been paid or credited against income taxes otherwise payable, the credit shall be reduced or canceled and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and the assessment shall bear interest at 1.5% per month from the due date of the claim.

(n) Any person aggrieved by the department's redetermination under this subsection may appeal the redetermination to the tax appeals commission by filing a petition with the commission within 30 days after the redetermination, as provided under s. 73.01 (5) with respect to income tax cases, and review of the commission's decision may be had under s. 73.015. For appeals brought under this paragraph, the filing fee required under s. 73.01 (5) (a) shall not apply.

(o) No credit may be allowed under this subsection if the claimant has been notified of a violation of s. 91.13 (8) (d).

SECTION 800. 71.10 (18) of the statutes is created to read:

71.10 (18) (a) Every resident employer of an entertainer or entertainment corporation which performs in this state for a contract price which exceeds \$1,950 shall, within 90 days of such performance, furnish the department of revenue with a written statement showing the following:

1. The name of the employer and the employer's Wisconsin income tax identification number, if any.
2. The name and address of the entertainer and the entertainer's social security number, if any.
3. The pseudonym or stage name of the entertainer, if any.
4. The name and address of the entertainment corporation, if any.
5. The total amount of remuneration received by the entertainer or entertainment corporation for each performance and the date and place of each performance. If the total contract price is not readily determinable, an estimate of the total remuneration shall be provided.

(b) In this subsection, "employer" means the resident person or firm which engages the services of an entertainer or an entertainment corporation or, in the absence of the above, the resident person last having receipt, custody or control of the proceeds of the entertainment event.

(c) Any employer who fails to comply with par. (a) shall be fined \$25 per entertainer or entertainment corporation for each entertainment event.

SECTION 800m. 71.11 (44) (cm) of the statutes is repealed.

SECTION 802m. 71.14 (1) to (7) of the statutes are repealed.

SECTION 803. 71.14 (8) of the statutes is renumbered 71.14 and amended to read:

**71.14 (title) Distribution of revenue.** All taxes imposed and collected under this chapter on and after November 1, 1971, other than those imposed on urban transit companies under s. 71.18, shall become a part of the general fund for use of the state, except that 25.17% for the period November 1, 1971, to July 31, 1972, 24.66% for the period August 1, 1972 to July 31, 1973 and 24.845% for the period August 1, 1973 to July 31, 1974, and 25.25% for the period August 1, 1974 to June 30, 1975, and 25.14% for the period July 1, 1975 to June 30, 1976 and 25.16% ~~thereafter for the period July 1, 1976, to June 30, 1977,~~ of collections of income of persons other than corporations and 43.98% for the period August 1, 1974 to June 30, 1975, 38.79% for the period July 1, 1975, to June 30, 1976, and 37.81% ~~thereafter for the period July 1, 1976, to June 30, 1977,~~ of collections of income and franchise taxes of corporations shall be entered in the municipal and county shared tax account and distributed under subch. I of ch. 79.

SECTION 804. 71.18 (3) of the statutes is amended to read:

71.18 (3) PAYMENT OF TAX. The special income tax assessed under this section shall be reported in an income tax return filed in accordance with this chapter, except as modified by this section. The tax so reported and assessed shall be payable to the department of revenue. ~~Taxes collected prior to November 1, 1971, shall be apportioned to the state, counties, towns, cities and villages in the same manner as taxes are apportioned pursuant to s. 76.28, 1969 stats. Taxes collected on or after November 1, 1971, but prior to July 1, 1977, shall be deposited in the general fund, and 83% thereof shall be entered in the municipal and county shared tax account and distributed under subch. I of ch. 79. Taxes collected on or after July 1, 1977, shall be deposited in the general fund for use of the state.~~

SECTION 807g. 71.20 (4) of the statutes is amended to read:

71.20 (4) Every employer who deducts and withholds any amount under this section shall deposit such amount on a quarterly basis, except that ~~effective July 1, 1967,~~ if the amount deducted and withheld in any quarter ~~ended before or after this date exceeded~~ exceeds \$300, the department may require by written notice to the employer, that amounts deducted and withheld on and after the date indicated on such

notice shall be deposited on a monthly basis. Employers who are required to file reports and deposit withheld taxes on a monthly, quarterly, or annual basis, as the case may be, shall file such reports and deposit such taxes on or before the last day of the month next succeeding the withholding period. If the amount deducted and withheld in any quarter ~~exceeded~~ exceeds \$5,000, the department may require by written notice to the employer, that for amounts deducted and withheld from the first day of the month through the 15th day of the month, the employer shall file reports and deposit such taxes on or before the last day of such month; that for amounts deducted and withheld from the 16th day of the month through the last day of the month the employer shall file reports and deposit such taxes on or before the 15th day of the next succeeding month. Employers shall file reports and deposit taxes with such public depository in Wisconsin as the investment board designates a public depository therefor under s. 25.17 (61) to the credit of the general fund. ~~Such deposits shall be deemed collected as of the date on which they are required to be deposited by this section, and available for distribution to counties, cities, villages and towns under s. 71.14 if they are received by the state by the 5th day of the 2nd succeeding calendar month after the close of each calendar quarter.~~ With each deposit the employer shall include a deposit report on a form to be provided by the department. The department may, when satisfied that the revenues will be adequately safeguarded, permit an employer whose withheld taxes do not exceed \$50 per month to deposit withheld taxes and reports for other than quarterly periods. The department may revoke such permission at any time. The department, if it deems it necessary in order to insure payment to or facilitate the collection by the state of the amount of taxes, may require reports or payments of the amount of withheld taxes for other than quarterly periods. The public depository shall record on such deposit report the amount deposited and shall then forward such report to the department in such manner and at such time as the department by rule prescribes. On or before January 31 of each year every employer shall file with the department at its offices in Madison, or at such other place as the department by rule prescribes, a withholding report on a form to be provided by the department showing the amount withheld from the wages paid each employe in the previous calendar year, the amount deposited in respect to each employe on wages paid in the previous calendar year and a reconciliation of the aggregate of the amounts deposited in respect to each employe on wages paid in the previous calendar year with the aggregate of the amounts shown on the semimonthly, monthly and quarterly deposit reports filed in respect to such withholding. Every employer who discontinues business prior to the end of a calendar year shall, within 30 days of such discontinuance, deposit withheld taxes not previously deposited and submit a deposit report concerning such deposit with the public depository and file a withholding report with the department covering the period from the beginning of the calendar year to the date of discontinuance. No employe shall have any right of action against an employer in regard to money deducted from wages and deposited with the public depository in compliance or intended compliance with this section.

SECTION 807r. 71.20 (4m) (a) of the statutes is repealed.

SECTION 808. 71.21 (12) and (14) (c) (intro.) of the statutes are amended to read:

71.21 (12) For ~~purposes of~~ sub. (11), the ~~amount of the~~ underpayment shall be the excess of the amount of the instalment which would be required to be paid if the total estimated tax were equal to ~~70 per cent~~ 80% of the tax shown on the return for the taxable year (or, if no return was filed, ~~70 per cent~~ 80% of the tax for ~~such the~~ year) reduced by the aggregate of wages withheld under s. 71.20, over the amount, if any, of the instalment paid on or before the last date prescribed for payment.

(14) (c) (intro.) An amount equal to ~~70 per cent~~ 80% of the tax for the taxable year computed by placing on an annualized basis the taxable income:



SECTION 809. 71.22 (9) (intro.) and (10) (c) (intro.) of the statutes are amended to read:

71.22 (9) (intro.) For ~~purposes of sub. (8),~~ the underpayment shall be the excess of the amount of the instalment which would be required to be paid if the total estimated tax were equal to ~~70 per cent~~ 80% of the tax shown on the return for the taxable year (or, if no return was filed, ~~70 per cent~~ 80% of the tax for ~~such the~~ year) over the amount, if any, of the instalment paid on or before the last date prescribed for payment. The period of the underpayment shall run from the date the instalment was required to be paid to whichever of the following dates is the earlier:

(10) (c) (intro.) An amount equal to ~~70 per cent~~ 80% of the tax for the taxable year computed by placing on an annualized basis the taxable income:

SECTION 810. 71.23 of the statutes is amended to read:

**71.23 Penalties not deductible.** No penalty imposed by this chapter, including penalties imposed under ~~ss. s. 71.20 and or 71.21, or by subch. III of ch. 77~~ may be deducted from gross income in arriving at net income taxable under this chapter.

SECTION 811. 72.23 (1) of the statutes is amended to read:

72.23 (1) RATE. If the tax imposed by this subchapter is not paid within one year of the decedent's date of death, interest is due and payable at the rate of ~~8%~~ 9% per year from date of death. In computing time under this section, the day of death is excluded.

SECTION 812. 72.34 (1) of the statutes is amended to read:

72.34 (1) (a) The department shall supervise the administration of the tax imposed by this subchapter and shall investigate and cause to be investigated the administration of this tax and the transfers to which these laws apply. The department shall make and file in its offices reports of such investigations and specific information and facts requiring special consideration by the department of justice.

(b) Whenever necessary, the department of revenue may employ accountants, appraisers or other special assistants including counsel in appraising or determining the value of property transferred. Upon certification of the department, the state treasurer shall issue payment to such persons.

SECTION 813. 72.85 (3) of the statutes is amended to read:

72.85 (3) PAYMENT; INTEREST; PENALTY. If the tax imposed is not timely paid, interest shall be charged and collected on the tax due at the rate of ~~8%~~ 9% per year from the date due until it is paid. In addition, if the required tax return is not timely filed, a penalty of 5% of the tax is imposed. If the tax is not paid by the due date, the donee and donor are jointly and severally liable for this tax, penalty and interest. ~~Where~~ If one person pays the tax, there is no right of contribution unless the person paying reserves it in writing on the filed tax return.

SECTION 813m. 72.86 (1) of the statutes is amended to read:

72.86 (1) ADDITIONAL ASSESSMENT. No later than 4 years after the report required by s. 72.85 is filed, the department shall audit it and assess any additional tax which may be due. Interest shall be charged and collected at the rate of ~~8%~~ 9% per ~~annum~~ year for the period from the date on which the report was due until payment. If no report of a transfer is filed, an assessment may be made any time after the report was due. Notice of an assessment shall be given to both the donor and donee by certified mail. If the additional tax is not paid within 30 days from the receipt of the notice, an additional penalty of 5% of the tax shall be imposed and collected.

SECTION 814. 72.87 (1) of the statutes is repealed and recreated to read:

72.87 (1) CREDITS AND REFUNDS. When a transfer is taxed under subch. IV and then becomes taxable under subch. II or III:

(a) If the donee paid the tax under subch. IV, the tax paid shall apply as a credit for that donee against the tax imposed under subch. II or III, with the excess, if any, refunded to the donee or any other person entitled thereto without interest; or

(b) If the donor paid the tax under subch. IV, the amount of tax paid shall be included as an asset in the inventory of the estate and shall be considered an advance payment under s. 72.22 (2) with the excess, if any, to be refunded under s. 72.24 without interest.

SECTION 815. 73.01 (4) (a) and (b) and (5) (a) of the statutes are amended to read:

73.01 (4) (a) Subject to the provisions for judicial review contained in ~~the statutes s. 73.015,~~ the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under ~~the tax laws of the state, except such as may be otherwise expressly designated~~ sub. (5) and ss. 70.64, 70.88 (3), 70.94 (3), 70.995 (8), 71.12, 72.86 (4), 76.38 (12) (a), 76.39 (4) (c), 76.48 (6) and 77.59 (6) (b). Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, ~~pursuant to~~ under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the department's position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of ~~such an~~ order of dismissal as to any pending appeal settled by the department without the approval of the commission.

(b) Any matter required to be heard by the commission may be heard by any member of the commission or its hearing examiner and reported to the ~~full~~ commission ~~for determination,~~ and hearings of matters pending before it shall be assigned to members of the commission or its hearing examiner by the ~~chairman~~ chairperson. Unless a majority of the commission decides that the full commission should decide a case, cases shall be decided by a panel of 3 members assigned by the chairperson prior to the hearing. Two members of the commission shall be assigned primarily to manufacturing property assessment appeals. If the parties have agreed to an oral decision, the member or members conducting the hearing may render an oral decision. Hearings shall be open to the public and all proceedings shall be conducted in accordance with ~~the~~ rules of practice and procedure prescribed by the commission, ~~the power to make such rules being expressly here conferred upon it.~~

Vetoed  
in Part

(5) (a) Any person who has filed a petition for redetermination with the department of revenue and who is aggrieved by the redetermination of the department may, within 30 days after ~~such~~ the redetermination but not thereafter, file a petition for review of the action of the department and 4 copies ~~thereof~~ of the petition with the clerk of the commission. The clerk of the commission shall transmit one ~~of the copies~~ copy to the department of revenue and to each party. In the case of appeals from manufacturing property assessments, the person assessed shall be a party to a proceeding initiated by a municipality. At the time of filing ~~said~~ the petition, the petitioner shall pay to the ~~tax appeals~~ commission a \$5 filing fee which the commission shall deposit in the general fund. Within 30 days after such transmission the department, ~~except for petitions objecting to manufacturing property assessments,~~ shall file an original and 3 copies of an answer to ~~said~~ the petition with the clerk of the commission and shall serve one copy ~~thereof~~ on the petitioner or the petitioner's attorney or agent. Within 30 days after service of ~~such~~ the answer, the petitioner may file and serve a reply in the same manner as the petition is filed. Any person entitled

to be heard by the commission under s. 76.38 (12) (a), 76.39 (4) (c) or 76.48 may file a petition with the commission within the time and in the manner provided for the filing of petitions in income tax cases. Such papers may be served as a circuit court summons is served or by certified mail. For the purposes of this subsection, a petition for review is considered timely filed if mailed by certified mail in a properly addressed envelope, with postage duly prepaid, which envelope is postmarked before midnight of the 30th day.

SECTION 816. 73.01 (5) (c) of the statutes is repealed.

SECTION 817. 73.015 (2) of the statutes is amended to read:

73.015 (2) ~~Determinations~~ Any adverse determination of the commission ~~shall be~~ is subject to review in the manner provided in ch. 227, except that proceedings ~~therefor~~ for review involving taxes of persons other than corporations shall be instituted in the circuit court of the county where the taxpayer resides, and proceedings involving taxes of nonresident individuals or fiduciaries shall be instituted in the circuit court of the county which includes the situs of the property or income assessed, or if there ~~be~~ is more than one such county, to the circuit court of any one of such counties, and all proceedings involving manufacturing property taxes under s. 70.995 (8) shall be instituted in the circuit court for the county in which the property is located or in the circuit court of Dane county. If the circuit court construes a statute adversely to the contention of the department of revenue, the department shall be deemed to acquiesce in the construction so adopted unless an appeal to the supreme court is taken, and the construction so acquiesced in shall thereafter be followed by the department.

SECTION 818. 73.08 of the statutes is renumbered 73.08 (1).

SECTION 819. 73.08 (2) of the statutes is created to read:

73.08 (2) All costs of the department of revenue in connection with the review of assessment practices under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on October 1 of each year and included in the next apportionment of state special charges to local units of government.

SECTION 820. 73.10 (5) and (6) of the statutes are amended to read:

73.10 (5) The department shall inquire into the system of accounting of public funds in use by towns, villages, cities, counties, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies except school districts and boards of education; devise, prescribe and at the request of any town, village, city, county, vocational, technical and adult education districts or other local public body, board, commission, department or agency except school districts and boards of education, install a system of accounts which is as nearly uniform as practicable and when so installed the system shall be retained in use and at the request of school districts and boards of education, install accounting systems which conform to the uniform financial accounting system prescribed by s. 115.28 (13); and audit the books of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency upon the request of the governing board, council, commission or body thereof, or upon its own motion or under a contractual arrangement with a state agency which has statutory authority and responsibility for auditing specified activities of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts, or other local public bodies, boards, commissions, departments or agencies and has sufficient funds to pay the department amounts specified by the contract. Nothing in this subsection may be construed to be exclusive and prevent a local governing body from employing an auditor of its own choice duly licensed under ch. 442.

(6) The department shall establish a scale of charges for system installations, audits, inspections and other services rendered by the department in connection with financial records or procedures of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies. Upon the completion of such work the department shall transmit to the clerk of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency, ~~or any state agency contracting for audit services, a statement of such charges, except that charges for the installation of cost accounting systems for county highway departments shall be transmitted to the highway commission and paid from the appropriation made by s. 20.395 (4) (q).~~ Duplicates of such the statements shall be filed in the offices of the state treasurer. Within 60 days after the receipt of the above statement of charges, the same shall be audited as other claims against towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts, and other local public bodies, boards, commissions, departments or agencies ~~and the highway commission~~ are audited, and shall be paid into the state treasury and credited to the appropriation under s. 20.566 (2) (g). Past due accounts of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies shall be certified on October 1 of each year and included in the next apportionment of state special charges to local units of government.

SECTION 821. 74.76 (4m) of the statutes is created to read:

74.76 (4m) NOTICES OF SATISFIED LIENS REMOVED. Every year on January 1, the secretary of state and the register of deeds in every county shall submit to the U.S. secretary of the treasury a list of all federal tax lien notices in their file and shall request the secretary of the treasury to certify those liens which remain unsatisfied. Those liens not certified as unsatisfied within 30 days after the request is sent shall be removed from the files and the request to the U.S. secretary of the treasury shall state this procedure.

SECTION 822. 76.02 (2) of the statutes is amended to read:

76.02 (2) Any person, association, company or corporation, owning and operating a railroad, or operating a railroad in this state, or owning or operating any station, depot, track, terminal, or bridge, in this state, for railroad purposes, shall be deemed a railroad company, except that any such property owned by any county, city, village, town or combination thereof is exempt from taxation under this chapter.

SECTION 823. 76.13 (2) of the statutes is amended to read:

76.13 (2) Every tax roll upon completion shall ~~thereupon forthwith~~ be delivered to the state treasurer and a copy ~~thereof~~ of the tax roll filed with the secretary of administration. The state treasurer shall immediately notify, by certified mail, the several companies taxed ~~therein~~ to pay the tax extended ~~thereon~~ upon the tax roll to the state treasurer, as follows: In the case of companies assessed on or before June 15, not less than one-half of the amount of such tax on or before July 10 and the remainder on or before October 15 of the same year; and in the case of all other companies on or before December 1 in the year 1971, and thereafter November 10 of each year. The payment dates in this subsection shall be applicable to the calendar year 1975 and prior years. Thereafter, the payment dates provided for in sub. (2a) shall apply. The payment of one-half of the 2nd instalment in the case of a company assessed on or before June 15 and the payment of one-fourth of the tax in the case of any other company may, if ~~said the~~ company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which such appeal becomes final, but any

part ~~thereof~~ of the tax ultimately required to be paid shall bear interest from the original due date to the date such appeal became final at the rate of ~~6%~~ 9% per annum and at ~~one per cent~~ 1.5% per month thereafter until paid. The taxes extended against any company after the same become due, with interest, shall be a lien upon all the property of ~~such~~ the company prior to all other liens, claims and demands whatsoever, which lien may be enforced in an action in the name of the state in any court of competent jurisdiction against the property of ~~such~~ the company within the state as an entirety.

SECTION 824. 76.13 (2a) of the statutes is amended to read:

76.13 (2a) Beginning with the calendar year 1976, taxes levied under this section shall be paid to the department in semiannual instalments, on May 10 and November 10, on a partially estimated basis. Companies assessed under s. 76.07 (1) in calendar year 1976 on or before June 15, 1976, and thereafter shall adjust the remaining semiannual payment made on November 10 so as to properly reflect and pay the total amount of tax assessed. Companies assessed under s. 76.07 (1) in calendar year 1976 on or before August 15, 1976, and thereafter shall adjust the remaining semiannual payment made on November 10 so as to properly reflect and pay the total amount of tax assessed. The semiannual instalments may be reduced by a pro rata share of the property tax credit provided by s. 79.10 (1a) (c) and any difference between the credit certified under s. 79.10 (1a) (c) and the total tax credit reductions in prior semiannual payments for the year shall be added to or subtracted from the November 10 payment in each year. If any company fails to make semiannual payments, prior to the assessment date, of at least 50% of either the total tax assessed less tax credit under s. 79.10 (1a) (c) for the previous calendar year or 80% of the tax assessed before applying the tax credit under s. 79.10 (1a) (c) for the current calendar year, ~~it shall be liable in addition to the amount due for interest in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid any amounts not paid when due shall become delinquent and shall be subject to interest under s. 76.14.~~ The payment of 25% of the tax of any company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which such appeal becomes final, but any part thereof ultimately required to be paid shall bear interest from the original due date to the date ~~on which the time for filing an such appeal has expired becomes~~ final at the rate of ~~6%~~ 9% per annum and at ~~one per cent~~ 1.5% per month thereafter until paid.

SECTION 825. 76.13 (3) of the statutes is amended to read:

76.13 (3) If the Dane county circuit court, after such roll ~~has been~~ is delivered to the state treasurer, increases or decreases the assessment of any company, the department shall ~~forthwith~~ immediately redetermine the tax of ~~such~~ the company on the basis of ~~such~~ the revised assessment, and shall certify and deliver the ~~same~~ revised assessment to the state treasurer as a revision of the tax roll. If the amount of tax upon the assessment as determined by the court is less than the amount paid by the company, the excess shall be refunded to ~~such~~ the company with interest at the rate of ~~6%~~ 9% per annum upon the certification of the redetermined tax and for that purpose the secretary of administration, upon the certification and delivery of the revised tax roll, shall draw a warrant upon the state treasurer for the amount to be so refunded. If the amount of the tax upon the assessment as determined by the court is in excess of the amount of the tax as determined by the department, interest shall be paid on the additional amount at the rate of ~~6%~~ 9% per annum from the date of entry of judgment to the date ~~such~~ the judgment becomes final, and at ~~one per cent~~ 1.5% per month thereafter until paid.

SECTION 826. 76.14 of the statutes is amended to read:

**76.14 Remedies for nonpayment of taxes.** All taxes levied ~~pursuant to~~ under this chapter upon the property of any company defined in s. 76.02, which are not paid at the time provided by law, shall thereupon become delinquent and bear interest at the rate of ~~one per cent~~ 1.5% per month until actually paid. The neglect of any such company to pay the taxes and interest so required of ~~it~~ the company within 60 days after the entry of final judgment dismissing in whole or in part any action of ~~such the~~ such the company to restrain or set aside a tax, or the neglect of ~~any such the~~ such the company within 60 days after the entry of final judgment in favor of the state for the taxes and interest to pay the judgment shall be cause for forfeiture of all the rights, privileges and franchises granted by special charter or obtained under general laws, by or under which ~~such the~~ such the company is organized and its business is operated. The attorney general upon such neglect shall proceed by action to have forfeiture of such rights, privileges and franchises of ~~such the~~ such the company duly declared. Any such company, at any time before the final judgment for forfeiture of such rights, privileges and franchises is rendered, may be permitted upon good cause shown to pay ~~such the~~ such the taxes, interest and the costs of the action upon special application to the court in which the action is pending upon such terms as the court directs.

SECTION 827. 76.24 (2) of the statutes is amended to read:

76.24 (2) The taxes paid into the state treasury by any air carrier defined in s. 76.02 shall be deposited in the ~~general fund and appropriated therefrom to the department of transportation for the purposes specified in s. 20.395 (6)~~ transportation fund.

SECTION 828. 76.24 (3) of the statutes is amended to read:

76.24 (3) Of taxes paid by any light, heat and power company, conservation and regulation company or pipeline company, defined by s. 76.02, except taxes on property valued separately under s. 76.16, 83%, except that beginning July 1, 1974, and ~~thereafter continuing until November 30, 1976, 93.3%~~, before reduction by the credit provided in s. 79.10 (1a) (b), shall be entered in the municipal and county shared tax account and distributed under subch. I of ch. 79. ~~To the extent that the shared tax supplement, under s. 20.835 (1) (aa), must be increased because of any delayed utility tax payments under this section, such delayed payments, when received, shall be entered in the general fund rather than in the shared tax account.~~ For purposes of distributions to municipalities and counties in July and November 1976 and ~~subsequent years~~ July 1977 under subch. I of ch. 79, the allocation under this subsection to the municipal and county shared tax account shall be determined by applying the 93.3% to the amount of taxes such companies would have paid to the state if the provision for semiannual payments under s. 76.13 (2a) had not been enacted. All such taxes paid on or after December 1, 1976, shall be deposited to the general fund for use of the state.

SECTION 829. 76.38 (3) of the statutes is amended to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4), (5) and (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each telephone company of the amount of the license fee assessed. On or before May 15 of each year, ~~such the~~ such the license fees shall be paid to the department. ~~Such The~~ Such The fees shall become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of ~~one per cent~~ 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days. Upon payment in full as determined by the May 1 assessment of the license fees ~~herein~~ prescribed in this section, each telephone company shall receive a receipt from the department which shall constitute a license to carry on its business for the 12-month period commencing with May 15 or May 10 as the case may be except that the receipt received by each

telephone company with respect to the May 15, 1976, payment date shall constitute a license to carry on its business for a period commencing May 15, 1976, and ending May 10, 1977. With respect to the license fees assessed May 1, 1977, and each May 1 thereafter the payment dates provided for in sub. (3a) shall apply.

SECTION 830. 76.38 (3a) of the statutes is amended to read:

76.38 (3a) Beginning with the calendar year 1976, the license fees prescribed by this section shall be paid to the department on an estimated basis. Payment of the first instalment for ~~one-half~~ 50% of the total estimated liability of the May 1, 1977, assessment is due on or before May 10, 1976, and payment of semiannual instalments of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and November 10, 1976. Thereafter, remittances of semiannual instalments of the total estimated payments for the then current calendar year shall be due on or before May 10, and November 10 of the current year. With respect to the May 1, 1977, license fee assessment under sub. (3) and each May 1 assessment thereafter each telephone company shall on May 10, 1977, and each May 10 thereafter pay or be credited an amount which is equal to the difference between the May 1 assessment and the sum of the semiannual instalment payments made in the preceding calendar year. ~~Such~~ The additional amount shall be added to the semiannual instalment due on May 10; if there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. The semiannual instalments may be reduced by a pro rata share of the property tax credits provided by s. 79.10 (1a) (c) and any difference between the credit certified under s. 79.10 (1a) (c) and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. The receipt received by each telephone company with respect to the May 10, 1977, payment date and each May 10 payment date thereafter shall constitute the license provided by sub. (3). If any telephone company fails to make semiannual payments of at least 50% of either the total assessed liability less tax credit under s. 79.10 (1a) (c) for the current calendar year or 80% of the actual assessed liability computed before applying the tax credit under s. 79.10 (1a) (c) for the subsequent calendar year, ~~it shall be liable in addition to the amount due for interest in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3).~~

SECTION 831. 76.38 (7) of the statutes is amended to read:

76.38 (7) All telephone license fees shall be deposited in the general fund ~~and for use of the state, except that until June 30, 1977,~~ 77.5% of the license fees on exchange business shall be entered in the municipal and county shared tax account and distributed under subch. I of ch. 79. ~~To the extent that the shared tax supplement, under s. 20.835 (1) (aa), must be increased because of any delayed utility tax payments under this section, such delayed payments, when received, shall be entered in the general fund rather than in the shared tax account.~~ For purposes of distributions to municipalities and counties in July and November 1976 and ~~subsequent years~~ July 1977 under subch. I of ch. 79, the allocation under this subsection to the municipal and county shared tax account shall be determined by applying the 77.5% to the amount of fees such companies would have paid to the state if the provision for semiannual payments under sub. (3a) had not been enacted.

SECTION 832. 76.38 (12) of the statutes is amended to read:

76.38 (12) (a) If after filing the reports specified in sub. (2) it ~~shall~~ is subsequently ~~be~~ determined that the amount of gross revenues reported is in error, the department shall compute the additional license fee to be paid or the amount of the overpayment of license fee to be refunded, as the case may be; ~~in case.~~ If an

additional license fee is due, the department shall give notice to the telephone company against whom ~~such the~~ license fee is to be levied. All such additional assessments and claims for refunds for excess license fees paid are subject to the same procedure for review and final determination as additional income tax assessments and claims for refunds under ~~the provisions of~~ ch. 71 as far as the same may be applicable, and all additional license fees shall be apportioned in the manner provided in sub. (7). ~~Such~~ The additional license fees shall become delinquent 30 days after notice provided in this subsection, except that when timely review proceedings are taken from an additional assessment, ~~such the~~ fees shall not become delinquent until 30 days following final determination of ~~such the~~ review proceedings. All additional license fees shall bear interest at the rate of ~~6 per cent~~ 9% per annum from the time they should have been paid to the date on which ~~such the~~ additional fees shall become delinquent if unpaid.

(b) In the case of overpayments of license fees by any telephone company under par. (a), the department shall certify ~~such the~~ overpayments to the department of administration, which shall audit the amount of ~~such the~~ overpayments and the state treasurer shall pay the amounts so audited. The amount of the overpayment previously paid into the municipal and county shared tax account shall, upon refund of the overpayment, be deducted from the amount in the municipal and county shared tax account. All refunds of license fees under this subsection shall bear interest at the annual rate of ~~6%~~ 9% from the date of the original payment to the date when the refund is made. The time for making additional levies of license fees or claims for refunds of excess license fees paid, in respect to any year, shall be limited to 4 years after the time the report for such year was filed.

SECTION 833. 76.39 (3a) of the statutes is amended to read:

76.39 (3a) Beginning with the calendar year 1976, tax due under this section shall be paid to the department on an estimated basis. Payments of semiannual instalments of the total estimated liability for the calendar year 1977 and thereafter shall be due on or before May 10 and November 10 of the year prior to assessment. On May 10, 1977, and on every May 10 thereafter each railroad company and car line company shall pay any additional amounts due or be credited for any overpayment based upon the actual liability of the current year. If any railroad company or car line company fails to make semiannual payments of at least 50% of either the actual tax liability for the current calendar year or 80% of the actual tax liability for the subsequent calendar year, ~~it shall be liable in addition to the amount due for interest in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (4) (c).~~

SECTION 834. 76.39 (4) (c) of the statutes is amended to read:

76.39 (4) (c) All additional assessments and claims for refund shall be subject to the same procedure for review and final determination as is provided with respect to additional assessments and refunds of income taxes in chs. 71 and 73, except as the same may conflict with this section. Delinquent taxes shall be subject to interest at the rate of ~~one per cent~~ 1.5% per month until paid.

SECTION 835. 76.39 (4) (d) of the statutes is amended to read:

76.39 (4) (d) All refunds shall be certified by the department to the department of administration which shall audit the amount ~~thereof of the refunds~~ and the state treasurer shall pay the amount ~~thereof~~, together with interest at the rate of ~~6%~~ 9% per annum from the date payment was made. All additional taxes shall bear interest at the rate of ~~6%~~ 9% per annum from the time they should have been paid to the date upon which ~~such the~~ additional taxes shall become delinquent if unpaid.



SECTION 836. 76.48 (3) of the statutes is amended to read:

76.48 (3) On or before June 1 in each year, the department of revenue shall compute and assess the license fees provided for in sub. (1) and certify the amounts due to the state treasurer and file a duplicate thereof with the department of administration. The state treasurer shall ~~forthwith~~ immediately notify each association of the amount of the license fees so assessed. On or before July 10 in each year, ~~such the~~ fees shall be paid to the state treasurer. ~~However, except that~~ for the year 1976 and thereafter the department shall compute and assess ~~such the~~ fees on or before May 1 and the fees due for the year 1976 shall be paid on or before May 10, 1976. ~~Such The~~ fees shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of ~~one percent~~ 1.5% per month on the amount of license fee until paid. ~~Such The~~ interest shall be collected by the state treasurer and retained by the state. With respect to taxes assessed for the year 1977 and thereafter the payment dates provided for in sub. (3a) shall apply.

SECTION 837. 76.48 (3a) of the statutes is amended to read:

76.48 (3a) Beginning with the calendar year 1976, license fees due under this section shall be paid to the state treasurer on an estimated basis. Payment of the first instalment for ~~one-half~~ 50% of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and the remaining ~~one-half~~ 50% on November 10, 1976. Thereafter, payments of semiannual instalments of the estimated tax liability for the subsequent year shall be due on or before May 10 and November 10 of the current year. With respect to the May 1, 1977, license fee assessment under sub. (3) and each May 1 assessment thereafter each association shall on May 10, 1977, and each May 10 thereafter pay or be credited an amount which is equal to the difference between the May assessment and the sum of the semiannual instalment payments made in the preceding calendar year. ~~Such The~~ additional amount shall be added to the semiannual instalment due on May 10. If there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. The semiannual instalments may be reduced by a pro rata share of the property tax credits provided by s. 79.10 (1a) (c) and any difference between the credit certified under s. 79.10 (1a) (c) and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made in the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. If any association fails to make semiannual payments at least 50% of either the actual tax assessed less tax credit under s. 79.10 (1a) (c) for the current calendar year or 80% of the actual tax assessed before applying the tax credit under s. 79.10 (1a) (c) for the subsequent calendar year, ~~it shall be liable in addition to the amount due for interest in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid~~ any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3).

SECTION 838. 76.48 (4) of the statutes is amended to read:

76.48 (4) All license fees provided in sub. (1) shall be deposited in the general fund ~~and for use of the state, except that until June 30, 1977, 100% of the fees shall be entered in the municipal and county shared tax account and distributed under subch. I of ch. 79. To the extent that the shared tax supplement, under s. 20.835 (1) (aa), must be increased because of any delayed utility tax payments under this section, such delayed payments, when received, shall be entered in the general fund rather than in the shared tax account.~~ For purposes of distributions to municipalities and counties in July and November 1976 and ~~subsequent years~~ July 1977 under subch. I of ch. 79, the allocation under this subsection to the municipal and county shared tax account shall be in the amount of the license fees such associations would have

paid to the state if the provision for semiannual payments under sub. (3a) had not been enacted.

SECTION 839. 76.48 (5) of the statutes is amended to read:

76.48 (5) Additional assessments may be made, ~~provided if notice thereof of such assessment~~ is given, within 4 years of the date the annual return was filed, but if no return was filed, or if the return filed was incorrect and was filed with intent to defeat or evade the tax, an additional assessment may be made at any time upon the discovery of gross revenues by the department. Refunds may be made ~~provided if a claim therefor for the refund~~ is filed in writing with the department within 4 years of the date the annual return was filed. Refunds shall bear interest at the rate of ~~6%~~ 9% per annum and shall be certified by the department to the secretary of administration who shall audit the amounts of such overpayments and the state treasurer shall pay the amount so audited. Any refund shall be reflected in payments made under ch. 79. Additional assessments shall bear interest at the rate of ~~6%~~ 9% per annum from the time they should have been paid to the date upon which they shall become delinquent if unpaid.

SECTION 840. 77.06 (5) of the statutes is amended to read:

77.06 (5) TAX LEVY ON RIGHT TO CUT TIMBER. The department of natural resources shall assess and levy against ~~such the~~ owner a severance tax on the right to cut and remove wood products covered by reports under this section, at the rate of 10% of the value of ~~such the~~ wood products based upon the stumpage value then in force. Upon making ~~such the~~ assessment, the department of natural resources shall mail a duplicate of ~~such the~~ certificate by registered mail to the owner who made the report of cutting at ~~his last known the owner's last-known~~ post-office address. The tax ~~thereby~~ assessed is due and payable to the department of natural resources on the last day of the next calendar month after mailing ~~such the~~ certificate. The proceeds of the tax shall be paid into the forestry account of the conservation fund for distribution under s. 77.07 (3).

SECTION 841m. 77.07 (3) of the statutes is amended to read:

77.07 (3) (title) DISTRIBUTION OF SEVERANCE TAX. All severance taxes collected ~~in cash under this chapter~~ shall be ~~divided~~ distributed as follows: The state shall retain an amount equal to the total acreage payments on the lands to which the severance taxes relate, made by the state under s. 77.05, and all penalties imposed under ~~sub. (2) and s. 77.06 (1) and sub. (2),~~ and the balance shall be paid to the town treasurer to be apportioned as provided in s. 77.04 (3).

SECTION 842d. 77.10 (2) (b) of the statutes is amended to read:

77.10 (2) (b) Upon receipt of any ~~such~~ taxes under this section by the state, the department of natural resources shall first deduct all moneys paid by the state on account of ~~such the~~ lands under s. ~~20.370 (1) (b) 77.05~~ with interest ~~thereon on the moneys~~ computed according to the rule of partial payments at the rate of 5% per annum. The balance the ~~said~~ department of natural resources shall within 20 days remit to the town treasurer who shall pay 20% to the county treasurer, retain 40% for the town and apportion the remainder to the various common school districts or parts of ~~such common school~~ districts in which the ~~said~~ forest croplands were located, in proportion to the acreage which the ~~said~~ lands within each school district or part ~~thereof of a school district~~ bears to the total acreage of the ~~said~~ lands in the town.

SECTION 842m. 77.11 of the statutes is amended to read:

77.11 Accounts of department of natural resources. The department of natural resources shall keep a set of forest croplands books in which shall always appear as to each description in each town containing any ~~such lands~~ forest croplands, the amount of taxes paid by the state to the town and received by the state from the owner. All

such tax payments shall be paid out of and receipts credited to the general fund forestry account of the conservation fund.

SECTION 842p. 77.22 (1) of the statutes is amended to read:

77.22 (1) CONVEYANCE. There is imposed on the grantor of real estate a real estate transfer fee at the rate of ~~10~~ [10] ~~20~~ cents for each \$100 of value or fraction thereof, on every conveyance not exempted or excluded under this subchapter. Such fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. At the time of such submission the grantee or his or her duly authorized agent or other person acquiring an ownership interest under the instrument shall execute a return in such form as the secretary prescribes setting forth the value of the ownership interest transferred by the instrument, the amount of the fee payable and such other information as the secretary requires. The register shall enter the fee paid on the face of the deed or other instrument of conveyance before recording, and collection by ~~him~~ the register of the fee shall be a prerequisite to acceptance of the conveyance for recording. The register shall have no duty to determine either the correct value of the real estate transferred nor the validity of any exemption or exclusion claimed. If the transfer is not subject to a fee as herein provided in this subchapter, the reason for exemption shall be stated on the face of the conveyance to be recorded by reference to the proper subsection under s. 77.25.

Vetoed  
in Part

SECTION 842r. 77.24 of the statutes is amended to read:

77.24 Division of fee. ~~Fifty~~ [Fifty] ~~per cent~~ Twenty-five percent of all fees collected under this subchapter shall be retained by the county and the balance shall be transmitted to the state. Remittances shall be made monthly by the county treasurers to the department of revenue by the 15th day of the month following the close of the month in which the fee was collected. The remittance to the department shall be accompanied by the returns executed under s. 77.22.

Vetoed  
in Part

SECTION 843. 77.51 (7) (am) of the statutes is amended to read:

77.51 (7) (am) Any person making any retail sale of a motor vehicle, aircraft, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or boat registered or titled, or required to be registered or titled, under the laws of this state.

Vetoed  
in Part

SECTION 844. 77.52 (2) (a) 13 of the statutes is created to read:

77.52 (2) (a) 13. The sale of computer and data processing services, including time sharing, designing or converting systems, programming, consulting, training, reformatting of data and computer printing.

SECTION 845. 77.52 (8) of the statutes is renumbered 77.52 (8) (a).

SECTION 846. 77.52 (10) of the statutes is renumbered 77.52 (8) (b).

SECTION 847. 77.52 (10) of the statutes is created to read:

77.52 (10) (a) Each permit issued on or after September 1, 1977, shall expire every 2 years on the last day of the month of its original issuance. Each permit issued before September 1, 1977, shall expire every 2 years on the last day of the month of its original issuance but in no case before August 31, 1979.

(b) Permits which expire under par. (a) are automatically renewable and the department shall issue a new permit unless, on the date the permit expires, the permittee has a delinquent sales and use tax liability, as described in s. 77.60 (2), including costs, penalties and interest thereon, of \$400 or more, any part of which is delinquent for 5 months or longer. Thirty days prior to the expiration date, the department shall notify in writing any permittee who has such liability on the department's records at that time that the department may refuse to renew the permit.

A person receiving such notice may petition the department for a hearing under sub. (11) (b).

(c) After payment of all delinquent sales and use taxes, including costs, penalties and interest thereon, and after compliance with subs. (7) and (8) and s. 77.61 (2), a person who has been refused renewal of a permit shall be issued a permit.

SECTION 848. 77.52 (11) of the statutes is renumbered 77.52 (11) (a) and amended to read:

77.52 (11) (a) ~~Whenever~~ If any person fails to comply with any provision of this subchapter relating to the sales tax or any rule of the department relating to the sales tax adopted under this subchapter, the department upon hearing, after giving the person 10 days' notice in writing specifying the time and place of hearing and requiring ~~him~~ the person to show cause why ~~his~~ the permit should not be revoked or suspended, may revoke or suspend any one or more of the permits held by the person. The department shall give to the person written notice of the suspension or revocation of any of ~~his~~ the permits. The notices ~~herein~~ required in this paragraph may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination. The department shall not issue a new permit after the revocation of a permit unless it is satisfied that the former holder of the permit will comply with the provisions of this subchapter and the rules of the department relating to the sales tax.

SECTION 849. 77.52 (11) (b) of the statutes is created to read:

77.52 (11) (b) Any person who receives a notice under sub. (10) (b) may, within 10 days after receipt thereof, but not thereafter, petition the department for a review of the decision not to renew the permit. If the permittee so petitions, the permit shall remain valid until 10 days after the petitioner receives the department's decision. Within 10 days after receipt of the petition, the department shall notify the petitioner of the time and place for a hearing. At the hearing, the petitioner may appear in person or by counsel or both and may present statements, testimony, evidence and argument showing why the department's action to not renew the permit should be reversed. After the hearing, the department shall issue a decision in writing and serve it upon the petitioner by certified mail.

SECTION 850. 77.52 (12) of the statutes is amended to read:

77.52 (12) A person who operates as a seller in this state without a permit or after a permit has been suspended, revoked or has expired, and each officer of any corporation, partnership member or other person authorized to act on behalf of a seller who so operates, is guilty of a misdemeanor. Permits shall be held only by persons actively operating as sellers of tangible personal property or taxable services. Any person not so operating shall forthwith surrender ~~his~~ that person's permit to the department for cancellation. The department may revoke the permit of a person found not to be actively operating as a seller of tangible personal property or taxable services.

SECTION 851. 77.53 (17) of the statutes is amended to read:

77.53 (17) This section ~~shall~~ does not apply to tangible personal property purchased outside this state ~~(, other than motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers and airplanes registered or titled or required to be registered or titled in this state) and, which is~~ brought into this state by a nondomiciliary for ~~his~~ the person's own storage, use or other consumption while temporarily within this state when such property is not stored, used or otherwise consumed in this state in the conduct of a trade, occupation, business or profession or in the performance of personal services for wages or fees.

Vetoed  
in Part

SECTION 853. 77.54 (7) of the statutes is amended to read:

77.54 (7) The occasional sales of tangible personal property and services and the storage, use or other consumption in this state of tangible personal property, the

transfer of which to the purchaser is an occasional sale, except that the exemption ~~herein provided shall, in the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers or aircraft registered or titled, or required to be registered or titled, in this state, be limited to motor vehicles, boats, snowmobiles, mobile homes, not exceeding 45 feet in length, trailers, semitrailers or aircraft transferred to the spouse, mother, father parent or child of the transferor and then only if such the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or aircraft has been previously registered or titled in this state in the name of the transferor and the person selling is not engaged in the business of selling the type of property for which exemption is claimed. This exemption shall does not apply to gross receipts from the sale of bingo supplies to players or to the sale, rental or use of regular bingo cards, extra regular cards and special bingo cards.~~

Vetoed  
in Part

SECTION 854. 77.58 (5) of the statutes is amended to read:

77.58 (5) The department, if it deems it necessary ~~in order~~ to ensure payment to or facilitate the collection by the state of the amount of taxes, may require returns and payments of the amount of taxes for other than quarterly periods. The department may, ~~when~~ if satisfied that the revenues will be adequately safeguarded, permit returns and payments of the amount of taxes for other than quarterly periods. Such returns or payments shall be due or payable by the last day of the month next succeeding the end of ~~such the~~ reporting or paying period, except that the department may require by written notice to the taxpayer that ~~such the~~ returns or payments shall be due or payable by the 20th day of the month next succeeding the end of ~~such the~~ reporting or paying period. Any person who discontinues business ~~or whose permit has not been renewed under s. 77.52 (10) or (11) (b)~~ prior to the end of a reporting period shall, within 30 days of such discontinuance ~~or nonrenewal~~, file a return and make payment of the taxes due from the beginning of such reporting period. If a business is discontinued and a final report thereon has been made covering all payments due or refunds claimed as provided in this section, the account shall be closed, the ~~sale~~ seller's permit terminated and, notwithstanding any other provisions of this section, no further reports ~~shall may~~ be required.

SECTION 855. 77.61 (1) (a) and (c) of the statutes are amended to read:

77.61 (1) (a) No motor vehicle, boat, ~~snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer~~ or aircraft shall be registered ~~or titled~~ in this state unless the registrant presents proof that the sales or use taxes imposed by this subchapter have been paid.

Vetoed  
in Part

(c) In the case of motor vehicles, boats, ~~snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers~~ or aircraft registered ~~or titled~~, or required to be registered ~~or titled~~, in this state purchased from persons who are not Wisconsin boat ~~or aircraft, trailer or semitrailer~~ dealers or licensed Wisconsin ~~aircraft, motor vehicle, mobile home or snowmobile~~ dealers, the purchaser shall pay the tax prior to registering ~~such or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer~~ or aircraft in this state.

Vetoed  
in Part

SECTION 879. 78.68 (4) of the statutes is repealed and recreated to read:

78.68 (4) INTEREST. In addition to the penalties imposed by this section, delinquent motor fuel and special fuel taxes shall bear interest at the rate of 1.5 % per month until paid. The taxes imposed by this chapter become delinquent if not paid:

(a) In the case of a timely filed return, by the due date of the return.

(b) In the case of no return filed or a return filed late, by the due date of the return.

(c) In the case of a deficiency redetermination of taxes, 2 months from the date of demand.

SECTION 880. 78.70 (title) of the statutes is amended to read:

**78.70 (title) Actions to collect tax and penalties.**

SECTION 881. 78.70 (1) of the statutes is repealed and recreated to read:

78.70 (1) DEPARTMENT AUTHORITY. The department may collect delinquent motor vehicle fuel taxes in the manner provided for the collection of delinquent income and franchise taxes under ss. 71.13 and 71.135, including proceeding under the authority incorporated by reference in s. 71.13 (3) (i) and the authority to:

- (a) Use the warrant procedures under s. 71.13.
- (b) Release real property from the lien of a warrant.
- (c) Satisfy warrants.
- (d) Approve instalment payment agreements.
- (e) Compromise on the basis of ability to pay.
- (f) Compromise delinquent estimated redeterminations on the basis of fairness and equity.

SECTION 881m. 78.75 (1) (a) of the statutes is amended to read:

Partial  
Veto  
Overruled

78.75 (1) (a) Any person who consumes motor fuel or special fuel, upon which has been paid the tax required under this chapter, *for the purpose of operating a taxicab for the transportation of passengers or for any purpose other than operating a motor vehicle, except a taxicab*, upon the public highways, shall be reimbursed and repaid the amount of the tax so paid upon making and filing a claim with the department, upon forms prescribed and furnished by it. The department shall distribute forms in sufficient quantities to each county clerk.

SECTION 882. 78.77 (2) of the statutes is amended to read:

78.77 (2) Every person transporting motor fuel or special fuel upon the highways of this state, who obtains the motor fuel or special fuel from a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture shall, while transporting the motor fuel or special fuel, ~~have with him~~ carry a copy of the loading ticket or manifest prepared and furnished by the refiner, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture where loaded, which shall be serially numbered and shall show the date of loading, name of refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture where loaded, point of origin, destination, name of shipper, kind of motor fuel or special fuel and number of gallons. Each such shipment of motor fuel or special fuel by truck, trailer, semitrailer or other vehicle shall have one manifest, and only one, covering the entire load. Delivery of any such shipment may be made to one or more unlicensed places of business at the direction of the licensed wholesaler whose name and address appear on the manifest and for whose account ~~such the~~ shipment is made ~~provided his if the licensed wholesaler's~~ copy of the manifest is supported by delivery tickets each showing the manifest number and complete information concerning the delivery and the original or copy of ~~such the~~ delivery ticket is at the time of delivery presented to the person to whom any part of the shipment is delivered, except any remaining balance from such shipment after such deliveries may be delivered to any licensed place of business within this state of the licensed wholesaler for whose account such shipment was made, but no such balance shall be returned to the place of origin. No shipment of motor fuel or special fuel originating at a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture in this state shall be delivered in part to a location within this state and in part to a location without this state. Every

person so transporting motor fuel or special fuel shall keep complete and accurate records of all motor fuel and special fuel so transported.

SECTION 884. Chapter 79 (title) of the statutes is amended to read:

CHAPTER 79

STATE ~~TAX~~ REVENUE SHARING

SECTION 885. Subchapter I (title) of chapter 79 of the statutes is amended to read:

CHAPTER 79

SUBCHAPTER I

MUNICIPAL AND COUNTY SHARED REVENUE ACCOUNT

SECTION 886. 79.01 of the statutes is amended to read:

**79.01 (title) Accounts established.** (1) There is established an account in the general fund entitled the "Municipal and County Shared Tax Account", referred to in this chapter as the "shared tax account". There shall be recorded in such account all taxes and fees apportioned or appropriated ~~thereto~~ to the shared tax account under ss. the following sections of the 1975 statutes: 20.395 (1) (qd), 70.90 (1) (d), 70.996 (1) (b), 71.14 (8), 71.18 (3), 76.24 (3), 76.38 (7), 76.48 (4), 86.35 and 139.13. Except for recording such amounts in the shared tax account, they shall be treated as all other money in the general fund until distributed pursuant to this chapter. No funds shall be entered into the account after the close of the 1977 fiscal year.

SECTION 887. 79.01 (2) of the statutes is created to read:

79.01 (2) There is established an account in the general fund entitled the "Municipal and County Shared Revenue Account", referred to in this chapter as the "shared revenue account". There shall be appropriated to the shared revenue account the sums specified in this subchapter.

SECTION 888. 79.02 (1) of the statutes is repealed.

SECTION 889. 79.02 (2) (a) of the statutes is amended to read:

79.02 (2) (a) ~~Beginning on~~ On the 4th Monday in July, 1976, and ~~annually thereafter on the 4th Monday in July, 1977,~~ the department of administration, upon certification by the department of revenue, shall distribute to each municipality from the shared tax account an amount equal to ~~the lesser of~~ .8375 of the preliminary distribution per capita factor times its population and to each county an amount equal to ~~the lesser of~~ .1625 of the preliminary distribution per capita factor times its population, as defined in s. 79.07. If on June 30 there is not sufficient money in the shared tax account to make such distributions, each municipality and county shall share in the amount then in the shared tax account in the proportion of the payment based on population it would receive to all the payments based on population which would be made if there were sufficient money in the shared tax account.

SECTION 890. 79.02 (2) (am) of the statutes is created to read:

79.02 (2) (am) Beginning on the 4th Monday in July, 1978, and annually thereafter, the department of administration, upon certification by the department of revenue, shall distribute to each municipality from the shared revenue account an amount equal to .8375 of the preliminary distribution per capita factor times its population and to each county an amount equal to .1625 of the preliminary distribution per capita factor times its population, as defined in s. 79.07. If on June 30 there is not sufficient money in the shared revenue account to make the distributions, each municipality and county shall share in the amount then in the shared revenue account in the proportion of the payment based on population it would receive to all

the payments based on population which would be made if there were sufficient money in the shared revenue account.

SECTION 891. 79.02 (2) (b) of the statutes is amended to read:

79.02 (2) (b) For purposes of ~~par. pars.~~ (a) and (am), the "preliminary distribution per capita factor" ~~shall mean~~ means for the 1976 distribution \$40, and thereafter, the lesser of the product of the 1976 population of the state times \$40 divided by the population of the state in the previous year, or \$40.

SECTION 892. 79.02 (2) (c) of the statutes is created to read:

79.02 (2) (c) Beginning on June 30, 1978, and annually thereafter, \$90,000,000 shall be entered from the general fund into the shared revenue account for the preliminary distribution prescribed under this subsection.

SECTION 893. 79.03 (1) and (3) (intro.) of the statutes are amended to read:

79.03 (1) Annually on the 3rd Monday in November, the department of administration, upon certification by the department of revenue, shall distribute to municipalities and counties all funds entered in the shared tax revenue account as of the previous October 31, ~~plus all taxes levied pursuant to ch. 76 against light, heat and power companies, conservation and regulation companies or pipeline companies and entered into the shared tax account as of the previous November 12, after reduction by the amounts necessary to make the payments from the shared revenue account under ss. s. 79.04, 79.05 and 79.055. The distributable share therein of each municipality and county shall consist of an amount determined on the basis of population under sub. (2), plus an amount determined under sub. (3), less the amount distributed in July of that year under s. 79.02. The distributable shares, thus determined, shall be reduced as provided in ss. 60.175 (6), 61.46 (3) (f), 62.12 (4m) (f), 65.07 (2) (f) and 70.62 (4) (f). The amounts of those reductions shall remain in the municipal and county shared tax account and shall become a part of the funds to be distributed from that account in the next distributions under this section and s. 79.02. [The distributable shares, thus determined, shall be reduced as provided in ss. 60.175 (6), 61.46 (3) (f), 62.12 (4m) (f), 65.07 (2) (f) and 70.62 (4) (f). The amounts of those reductions shall remain in the municipal and county shared tax account and shall become a part of the funds to be distributed from that account in the next distributions under this section and s. 79.02.]~~

Vetoed  
in Part

(3) (intro.) The ~~remaining portion of the amount distributable under sub. (1) to each municipality and county before reduction by the amount of the July in the shared revenue account as of the previous October 31, less the November distribution of that year based on population, and less the payments from the shared revenue account under s. 79.04 shall be allocated on the basis of allocable interests, determined as follows:~~

SECTION 894. 79.03 (3) (b) to (d) of the statutes are repealed.

SECTION 895. 79.03 (3) (e) 1 and 2. a, d and f of the statutes are amended to read:

79.03 (3) (e) 1. Distributions for the year 1976 and thereafter shall be determined by multiplying a municipality's or county's aidable revenues by an amount, to be no less than zero, determined by subtracting from the figure 1 the quotient of full valuation divided by standardized valuation. The allocable share of each municipality and county under this subsection shall be in the same proportion as the amount determined under this paragraph for each municipality and county bears to the total amount, thus determined, of all municipalities and counties.

2. a. For a municipality, "aidable revenues" means the average local purpose revenues. For a county, "aidable revenues", for 1976, means one-fourth of the average local purpose revenues. For a county, "aidable revenues", for 1977 ~~and thereafter~~, means the sum of one-fourth of the average local purpose revenues, plus an amount representing the difference between the current year's average local purpose revenues and the 1976 average local purpose revenues and for 1978 and thereafter means the sum of one-fourth of the average local purpose revenues, plus an amount representing



the increase, if any, between the current year's average local purpose revenues and the 1976 average local purpose revenues with this total not exceeding the current year's average local purpose revenues.

d. "Local purpose revenues" means the sum total of the following general revenues according to the definitions set forth in the handbook for local government financial reporting, June 1974, published by the department of revenue: local general purpose taxes, except payments in lieu of taxes by enterprises; regulation and compliance revenues, except judgments and damages; revenues for services to private parties by a county's or municipality's general operations or enterprises, except services by hospitals, nursing and rest homes, mass transit systems, urban development and housing agencies, liquor stores, cemeteries, and electric, gas and water utilities; interest and rental income; and, special assessment revenues, or in the case of enterprises, those special assessment revenues that are transferred to the municipality and county for general operations. In this subdivision: "local general purpose taxes" means those taxes collected to finance the operation of the general purpose government unit, including but not limited to general property taxes for local purposes, occupational taxes, forest cropland taxes, woodland taxes, interest on taxes, mobile home fees, room tax and retained sales tax; "regulation and compliance revenues" means revenue from local licenses, local permits, local law and ordinance violations, local contract and other noncompliance forfeitures; "revenues for services to private parties by a county's or municipality's general operation or enterprises" means those revenues collected from private parties for services provided, including but not limited to: judicial services such as court fees, probate fees and family court commissioner fees; general government services such as license publication fees, sale of publications, clerk's fees, register of deeds' fees, zoning fees and treasurer's fees; public safety services such as copies of accident reports, ambulance fees and fire calls; inspection services such as building, electrical, heat, plumbing, elevator and weights and measures; health and social services such as welfare repayments from individuals, home nursing services, health clinics, mental health services, sanatorium services, public health dispensary services, elderly nutrition program services; transportation services such as private road maintenance, sale of highway materials, parking ramps and meters, airport fees and dock and harbor fees; sanitation services such as refuse collection fees, sewage fees and landfill fees; leisure activity services such as library fines or fees, stadium, museum, zoo, golf, swimming pool and ice arena users or admission fees; conservation and development of natural resources services such as sale of trees, park use fees and weed cutting fees; except those services expressly excluded under this subdivision; "rental income" means rental of municipal facilities or property such as hall rentals and vacant land rentals but excluding rent to municipal departments or enterprises; and "special assessment revenues" means charges assessed against benefitted properties for certain public improvements or upkeep properties placed on the current tax roll for collection or collected during the year in advance of being placed on the tax roll, including but not limited to residential street improvements, sidewalks, storm sewers, curb and gutters, sanitary sewers, water mains, street lighting, snow removal, tree planting and removal, weed control and the interest and penalty charges thereon.

Partial  
Veto  
Overruled

f. "Actual Full valuation" means the full value of all taxable property for the preceding year as equalized for state tax purposes.

SECTION 896. 79.03 (4) of the statutes is repealed and recreated to read:

79.03 (4) (a) On or before September 15, 1977, any funds remaining in the shared tax account shall be transferred to the shared revenue account. On October 31, 1977, \$290,800,000 minus any funds transferred from the shared tax account under this paragraph and minus the amount distributed in July 1977, under s. 79.02 shall be entered into the shared revenue account.

(b) On October 31, 1978, an amount equal to the total of subds. 1 and 2, minus the amount entered into the shared revenue account under s. 79.02 (2) (c), shall be entered into the shared revenue account.

1. \$300,000,000 increased by the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, excluding the amount transferred under s. 86.35, but not more than 12% or less than 5%.

2. The difference between the 1977 and 1978 payments under s. 70.996.

(c) Annually, beginning in 1979, the amount entered into the shared revenue account for total distributions under this subchapter shall increase over the amount entered for the prior year, excluding the amount transferred from the appropriation under s. 20.835 (2) (b) pursuant to s. 79.16, by the same rate as the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, excluding the amount transferred under s. 86.35, but not more than 12% or less than 5%. The amount entered in the shared revenue account in fiscal year 1982-83 under s. 79.17 (7) shall be considered as part of the prior year base amount for the purpose of computing the calendar year 1983 distribution under this paragraph.

SECTION 897. 79.04 (1) (a) of the statutes is amended to read:

Partial  
Veto  
Overruled

79.04 (1) (a) An amount from the shared revenue account determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, the first \$100,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property ~~within a municipality~~ in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue. The amount distributable to a municipality in any year shall not exceed \$300 times the population of the municipality, except for the guaranteed payment under par. (b).

SECTION 897m. 79.04 (1) (c) of the statutes is created to read:

79.04 (1) (c) The payment for any municipality in which a production plant is located, which the public service commission certifies to the department of revenue will produce a nominal rated capacity of 200 megawatts or more, shall be no less than \$75,000 annually, except that the amount distributable to a municipality in any year shall not exceed the per capita limit specified in par. (a).

SECTION 898. 79.04 (1) (d) of the statutes is repealed.

SECTION 899. 79.04 (2) (a) and (3) of the statutes are amended to read:

Partial  
Veto  
Overruled

79.04 (2) (a) Annually, beginning November 15, 1976, the department of administration, upon certification by the department of revenue shall distribute from the shared revenue account to any county having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. 76.07 or by an electric cooperative association assessed under ss. 76.07 and 76.48, respectively, an amount ~~equal to one half of the total amount distributable that year to all of the municipalities of the county under sub. (1), but not including any additions necessary to provide the guaranteed minimums distributable to such municipalities under sub. (1) (b) determined by multiplying by 6 mills the first \$100,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding year for either "production plant, exclusive of land" and "general~~

structures”, or “work in progress” for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property within a town in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and by multiplying by 3 mills times the first \$100,000,000 of the amount as defined in this subsection for all property within a city or village. The amount distributable to a county in any year shall not exceed \$100 times the population of the county.

(3) During each of the first 4 years after commencement of construction of a production plant described in sub. (1), which the public service commission certifies to the department of revenue will produce a nominal rated capacity of 250 megawatts or more, the county shall receive from the shared revenue account a payment of ~~\$50,000~~ \$100,000 and the municipality shall receive a payment of \$100,000 and the county and municipality shall not be subject to the limitations of ~~\$300~~ \$100 multiplied by the population of the county and \$300 multiplied by the population of the municipality. Payments received under this subsection shall be excluded in determining maximum payments under s. 79.06 (1).

SECTION 900. 79.04 (4) of the statutes is repealed.

SECTION 901. 79.05 and 79.055 of the statutes are repealed.

SECTION 902. 79.06 (2) (b) of the statutes is amended to read:

79.06 (2) (b) If the combined payments to any municipality under ss. 79.02, 79.03, 79.04 and 79.06 (2) (a) in 1976 are less than the combined payments under ss. 79.02, 79.03, 79.04 and 79.06 in 1975, each such municipality shall receive a payment from the moneys appropriated under s. 20.835 (1) (bb) equal to its proportion of the total of such decreases in payments made to municipalities, except that such payment shall not exceed 100% of such decrease. If the combined payments to any municipality under ss. 79.02, 79.03 and 79.06 (2) (a) in 1977, 1978 or 1979 are less than the combined payments under ss. 79.02, 79.03 and 79.06 in 1975, each such municipality shall receive a payment from the moneys appropriated under s. 20.835 (1) (bb) equal to its proportion of such decreases in payments made to municipalities, except that such payment shall not exceed 100% of such decrease. If a new municipality has been formed which first affects the 1976 ~~or~~, 1977, 1978 or 1979 distribution the minimum payment to the town from which the new municipality was formed and to the new municipality shall be computed by dividing the 1975 payment between the new municipality and the municipality from which it was formed according to the proportion that the full value of the new municipality and the municipality from which it was formed bear to each other in the first year of assessment of the new municipality.

SECTION 903. 79.06 (2) (c) of the statutes is created to read:

79.06 (2) (c) If the combined payments to any county under ss. 79.02 to 79.06 in 1977 are less than the combined payments under ss. 79.02 to 79.06 in 1976, each such county shall receive a payment from the moneys appropriated under s. 20.835 (1) (j) equal to its proportion of the total such decreases in payments made to counties, except that such payment shall not exceed 100% of such decrease.

SECTION 903m. 79.06 (5) of the statutes is amended to read:

79.06 (5) VOID. This section shall be void after the 1978 distribution except sub. (2) (b) which shall be void after the 1979 distribution.

SECTION 904. 79.08 of the statutes is amended to read:

**79.08 Other distributions; corrections.** With respect to the July 1973 distribution under s. 79.02 or any distribution thereafter under that section or with respect to the November 1973 distributions under s. 79.03 or 79.04 or any distribution under either

such section thereafter, any underpayment or overpayment made in any certification by the department of revenue or resulting from populations changed as a result of a final court determination or special census conducted in accordance with s. 16.96 (2) (dm) or in the distribution by the department of administration shall be corrected by the department of administration upon certification by the department of revenue, and appropriate adjustments to reduce or increase subsequent distributions to municipalities or counties under those sections shall be made to correct for any such underpayment or overpayment. Such corrections shall be made if the department of administration or the department of revenue determines within 3 years after the distribution that there was an overpayment or an underpayment. Such corrections shall be without interest. When the department of revenue determines that delay in correcting for any underpayment in distributions under s. 79.02, 79.03 or 79.04 will withhold 10% or more of the funds due to the municipality or county in that payment, it shall upon the request of the municipality or county, without delay, certify to the department of administration for payment the amount which will correct the error. Within 10 days thereafter, the department of administration shall pay from the ~~then existing balance in the "Municipal and County Shared Tax Account" appropriation under s. 20.835 (1) (k)~~, to any such municipality or county the amount so certified. In the absence of such an advance payment, corrections shall be made as adjustments at the time of the distributions provided in ss. 79.02, ~~79.03 and to~~ 79.04. Corrections under this section shall be paid from the appropriation under s. 20.835 (1) (k), or withheld from subsequent distribution.

SECTION 905. 79.10 (1) of the statutes is amended to read:

79.10 (1) DISTRIBUTION. ~~On March 1, 1973, the amount appropriated under s. 20.835 (2) (a) shall be distributed by the department of administration to towns, villages and cities in allocable shares pursuant to sub. (2), and taxpayers subject to tax under ss. 76.13, 76.38 and 76.48 in allocable shares certified by the department of revenue pursuant to sub. (1a) (b). In addition, commencing with March 1, 1972, and ending March 1, 1973, the amount stated in s. 79.05 shall be distributed on each March 1 by the department of administration to towns, villages and cities in allocable shares pursuant to sub. (2). On the first Monday in March of each year, commencing in March 1974, the amount appropriated under s. 20.835 (2) (a) and the amount stated in s. 79.05 shall be distributed by the department of administration to towns, villages and cities in allocable shares pursuant to under sub. (2), and to taxpayers subject to taxation under ss. 76.13, 76.38 and 76.48, in allocable shares pursuant to under sub. (1a), all as certified by the department of revenue.~~

SECTION 906. 79.10 (1a) (a) of the statutes is amended to read:

79.10 (1a) (a) The department of revenue shall determine the amount of the property tax credit allowable to each taxpayer which is subject to levy of taxes and license fees under ss. 76.13, 76.38 and 76.48. The aggregate of such credit shall be that proportion of the total property tax credit computed in the following manner. The numerator of the fraction shall be the average of the sum of the next 3 preceding year tax payments corresponding to the assessments of such years made pursuant to ss. 76.13, 76.38 and 76.48 except that payments or refunds made on account of delinquencies, additional assessments or contested assessments shall be included in the year of receipt or disbursement. The denominator of the fraction shall be the average of the sum of the next 3 preceding year total general property taxes levied (including state, county, local and school taxes) plus special assessments, plus occupational taxes, plus forest crop taxes, plus woodland taxes, plus the taxes paid, corresponding to the assessments of such years, pursuant to ss. 76.13, 76.38 and 76.48 except that payments or refunds made on account of delinquencies, additional assessments or contested assessments shall be included in the year of receipt or disbursement and all

reduced by the levy on all property entitled to the credit under s. 79.12, 1973 stats. or s. 79.17 of all tax districts.

~~SECTION 907. 79.10 (2) of the statutes is renumbered 79.10 (2) (a) and amended to read:~~

~~79.10 (2) (a) Participation in the 1973 allocation under sub. (1) shall be limited to municipalities having an average computed full value rate in excess of 17 mills. The excess of the average computed full value rate over 17 mills of each participating municipality in 1973 shall be multiplied by the municipality's full value of all taxable property except personal property entitled to tax credit under s. 79.12 for the preceding year, as equalized for state tax purposes. In the case of allocations for the year 1974 and thereafter, the differences between the computed full value rate of the municipality and one-half the state average full value rate for each of the preceding 3 years shall be averaged and, if the 3-year overall computed full value rate of the municipality is in excess of the 3-year overall one-half the state average full value rate, the resulting average shall be multiplied by the municipality's full value of all taxable property except personal property entitled to tax credit under s. 79.12, 1973 stats. or s. 79.17 for the preceding year as equalized for state tax purposes. The amount so derived shall be reduced by a percentage equal to the result, if positive, of subtracting 1.2 from the fraction of a municipality's per capita Wisconsin adjusted gross income to the statewide per capita adjusted gross income, except as provided in par. (b). The allocable share of each participating municipality in the distribution under sub. (1) shall be in the same proportion as the amount determined hereunder for each municipality bears to the total amount, thus determined, of all participating municipalities.~~

Vetoed  
in Part

~~SECTION 907b. 79.10 (2) (b) of the statutes is created to read:~~

~~79.10 (2) (b) In 1978, the amount so derived shall be reduced by one-half of the percentage equal to the result, if positive, of subtracting 1.2 from the fraction of a municipality's per capita Wisconsin adjusted gross income to the statewide per capita adjusted gross income.~~

Vetoed  
in Part

SECTION 907g. 79.10 (4) (a) of the statutes is amended to read:

79.10 (4) (a) "Computed full value rate" means the sum total of all general property taxes (including state, county, local and school taxes, but excluding tax increments paid by any taxing jurisdiction under s. 66.46 unless such tax increments revert in whole or in part to the jurisdiction of origin on termination of the tax incremental district), the total amount of all special assessments made, assessed or levied for the year irrespective of the manner or time of collection, sewer service charges, occupational taxes, forest crop taxes and woodlands taxes levied and extended by a town, village or city, as reported to the department of revenue in its abstract of assessments and taxes, divided by the full value of all taxable property in such the municipality as equalized for state purposes pursuant to under s. 70.57, and the quotient expressed in mills per dollar of valuation.

~~SECTION 907m. 79.10 (4) (d) of the statutes is created to read:~~

~~79.10 (4) (d) "Per capita Wisconsin adjusted gross income" means a municipality's total adjusted gross income as defined in s. 71.02 (2) (e) divided by its population, defined as the total dollar amount of personal exemptions under s. 71.09 (6p) on tax returns taken into account in determining the municipality's adjusted gross income divided by \$20, as determined by the department of revenue. Whenever per capita Wisconsin adjusted gross income is used in this section to determine eligibility for or amount of state aids for a municipality, for the purposes of computation, the tax year used shall be the most recent tax year for which reliable data is available at the time of the determination. For purposes of measurement of per capita adjusted gross income, the per capita adjusted gross income of a municipality~~

Vetoed  
in Part

Vetoed  
in Part

~~which is located in more than one county shall be that amount for the entire municipality notwithstanding par. (c). The department shall make adjustments to the computation of a municipality's per capita Wisconsin adjusted gross income when the department determines that such changes are necessary to improve the accuracy of the data for purposes of the distribution under sub. (1).~~

SECTION 907n. 79.16 of the statutes is created to read:

**79.16 Personal property tax relief provided through school aid and shared revenue account.** (1) APPROPRIATION TRANSFER. Commencing with the 1978-79 fiscal year through the 1981-82 fiscal year, the amounts determined under subs. (2) and (3) shall be transferred annually from the appropriation under s. 20.835 (2) (b) to the appropriations under ss. 20.255 (1) (fj) and 20.835 (1) (h) for the purpose of providing personal property tax relief through general aid and the municipal and county shared revenue account.

(2) SCHOOL AID. (a) Annually, beginning in 1978, on or before the 20th day of October, the state superintendent shall submit to the joint committee on finance for its approval an estimate for the current school year of the amount of general aid to be distributed under s. 121.08 based upon the full value of the taxable property without reduction for fractional assessment under s. 70.57 (5) and estimates of membership under s. 121.004 (8) and shared cost under s. 121.07 (6).

1. If the legislature has established guaranteed valuations under s. 121.07 (7) for the school year for which the computation under this paragraph is to be made, such guaranteed valuations shall be used in computing the estimate.

2. If the legislature has not established guaranteed valuations for the school year for which the computation under this paragraph is to be made, the state superintendent shall estimate guaranteed valuations to distribute an amount consistent with the percentage that state aid is to statewide school costs, as represented by appropriations under s. 20.255 for the current school year, excluding amounts transferred from s. 20.835 (2) (b).

(b) Within the time period under par. (a), the state superintendent of public instruction shall calculate the amount to be transferred by the department of administration from the appropriation under s. 20.835 (2) (b) to the appropriation under s. 20.255 (1) (fj) which shall be equal to the difference of subs. 1 and 2, ~~plus the amount under subd. 3.~~

Vetoed  
in Part

1. The amount of general aid which would be distributed using the valuations certified under s. 121.06 and guaranteed valuations as determined under par. (a).

2. The amount of general aid which would be distributed under par. (a).

~~3. The estimated amount for the current school year as determined under s. 121.11.~~

(3) SHARED REVENUE ACCOUNT TRANSFER. An amount equal to the amount determined under sub. (2) shall be transferred on October 30 by the department of administration from the appropriation under s. 20.835 (2) (b) to the appropriation under s. 20.835 (1) (h) to be distributed under s. 79.03 (3). This amount shall not be included in computations under s. 79.06 and shall not be treated as a shared revenue for purposes of s. 60.175, 61.46, 62.12, 65.07 or 70.62. Annually, the department of revenue shall, with the assistance of the department of public instruction, provide estimates of the amounts to be transferred under this paragraph to counties, towns, villages and cities. The 1978 estimate shall be made on or before October 21, 1977. The estimate for each succeeding year shall be made on the 3rd Friday after the 1st Monday of October.

SECTION 908. 79.17 (1), (2) and (3) (b) of the statutes are amended to read:

79.17 (1) Annually commencing on the 3rd Monday in February, 1977, through 1982, the department of administration shall remit to the treasurer of each taxation

district from the appropriation made under s. 20.835 (2) (b) an amount as certified to the department of administration by the department of revenue under sub. (2).

(2) In the case of allocation for the year years 1977 and thereafter to 1982, the computed full value rate of the municipality for each of the preceding 3 years shall be averaged and the resulting average shall be multiplied by the municipality's full value of taxable merchants' stock-in-trade, manufacturers' materials and finished products, and livestock for the preceding year ~~as equalized for state tax purposes~~. In 1977, the allocable share of each participating municipality in the distribution under sub. (1) shall be the amount determined in this subsection for each municipality multiplied by the lesser of .8 or the factor resulting when the total amount, thus determined, is divided into 107% of the total actual distribution made in the prior year under s. 79.12, 1973 stats., as affected by chapter 39, laws of 1975. In 1978 ~~and thereafter~~ the allocable share of each participating municipality shall be the amount determined in this subsection for each municipality multiplied by the ~~lesser of .8 or the factor resulting when the total amount, thus determined, is divided into 107% of the total actual distribution made in the prior year under this section~~ the appropriation made under s. 20.835 (2) (b). In 1979 to 1982 the allocable share of each participating municipality shall be the amount determined in this subsection for each municipality multiplied by the factor resulting when the total amount thus determined is divided into the amounts in the schedule under s. 20.835 (2) (b) less that portion allocated to general aid and the shared revenue account under s. 79.16.

(3) (b) Every general property taxpayer of the municipality having general property, other than property entitled to tax credit under s. 79.10, shall receive a tax credit in an amount determined by applying a factor to the taxpayer's taxes, such factor resulting when general property taxes on property, other than property entitled to credit under s. 79.10, is divided into the amount of the distribution to be made to the municipality under sub. (1), as stated in the December 1 notification from the department of revenue. However the factor shall not exceed 80% of taxes levied in each of the years from 1977 to 1980.

SECTION 909. 79.17 (3m), (6) and (7) of the statutes are created to read:

79.17 (3m) Whenever a taxation district receives an amount under sub. (1) in excess of the total tax credit applied under sub. (3) (b), the treasurer of the taxation district ~~shall deposit one-half of this excess in the municipal general fund and treat it as all other revenues in the fund. The treasurer of the taxation district shall make the remainder available for relief of taxation to be collected in the same year on property entitled to tax credit under s. 79.10. The municipal clerk shall add this excess to the tax credit for the same year provided under s. 79.10, and shall apply the resulting total as the tax credit distributed according to s. 79.10 (3) (b).~~

Vetoed  
in Part

(6) In this section:

(a) "Computed full value rate" means the sum total of all general property taxes (including state, county, local and school taxes, but excluding tax increments paid by any taxing jurisdiction under s. 66.46, unless such tax increments revert in whole or in part to the jurisdiction of origin on termination of the tax incremental district), the total amount of all special assessments made, assessed or levied for the year irrespective of the manner or time of collection, sewer service charges, occupational taxes, forest cropland taxes and woodlands taxes levied and extended by a town, village or city, as reported to the department of revenue on forms prescribed by it, divided by the full value of all taxable property in the municipality, and the quotient expressed in mills per dollar of valuation.

(b) "Full value of taxable merchants' stock-in-trade, manufacturers' materials and finished products, and livestock" refers to the full value of such property without reduction for fractional assessment under s. 70.57 (5).

(c) "Municipality" means any town, village or city in the state. When a municipality is located in more than one county the portion thereof in each county shall be considered a separate municipality.

(7) In fiscal year 1982-83, equal amounts determined through application of the procedure provided for under s. 79.16 (2) and (3) shall be entered in the shared revenue account for distribution under s. 79.03 and be made available for distribution of general school aid under s. 20.255 (1) (f). For purposes of determination of these amounts, full value of property without reduction for exemption under s. 70.111 (17) may be based upon estimates and shall not require assessment of property exempt under s. 70.111 (17).

SECTION 910. Subchapter III of chapter 79 of the statutes is repealed and recreated to read:

CHAPTER 79  
SUBCHAPTER III  
IMPROVEMENTS TAX RELIEF

**79.25 Improvements tax relief.** (1) DEFINITIONS. *In this section:*

(a) "Department" means the department of revenue.

(b) "Home" means a one- or 2-family dwelling and appurtenant land which has a full valuation of \$50,000 or less, derived by dividing the assessed value by the assessment ratio of the taxation district, and is occupied by the owner.

(c) "Improvement assessment" means the amount of the assessed valuation of a home or rental unit in excess of the previous year's assessment which is directly attributable to improvements made during the previous year.

(d) "Improvements" means any addition to or alteration of a home or rental unit which increases its market value.

(e) "Owner" means the owner of a home or rental unit on the date the property tax roll is delivered to the local treasurer with a warrant for collection.

(f) "Rental unit" means any single-family or multifamily dwelling with a full valuation of \$75,000 or less, derived by dividing the assessed value by the assessment ratio of the taxation district, which is rented or leased to persons by the owner who does not reside in the dwelling and any dwelling for 3 or more families with a full valuation of \$75,000 or less, derived by dividing the assessed value by the assessment ratio of the taxation district, in which the owner resides.

(2) Commencing January 1, 1979, every owner who improves his or her home or rental unit is eligible to receive a tax credit from the state in the amount determined by multiplying the local tax rate, for all purposes, by the improvement assessment on the property. This section does not apply to the owner of a new home or rental unit for which the original building permit was issued within the 10 years preceding application.

(3) Application under this section shall be made on forms prescribed by the department prior to June 30 of the year following the assessment for which credit is claimed. A copy of the owner's property tax statement shall be included with the application.

(4) The department shall calculate the amount of the credit for the year of application by multiplying the owner's improvement assessment by the local tax rate. The amount of the improvement assessment used for this calculation, when added to the improvement assessments for which credit was applied for under this section in the 4 preceding years, shall not exceed \$3,000. Additional instalments, equal in amount to the credit calculated in the year of application shall be paid in the 4 succeeding years, in addition to any further credit granted under this section.

Partial  
Veto  
Overruled



(5) Annually, by September 1, the department shall certify to the department of administration the amount calculated under sub. (4), including any subsequent instalment payments, providing sub. (6) has been complied with. No later than October 1, the department of administration shall issue a check from the appropriation under s. 20.835 (2) (d) to each owner certified to receive a credit under this section.

(6) The department shall, by January 15 of each of the 4 years succeeding an application under sub. (4) which resulted in the granting of credit, mail a form to the applicant who received the credit to verify that such person is still the owner of the home or rental unit for which the credit was granted. Such form shall notify the applicant that, unless it is received by the department by June 30 of the same year, the applicant shall forfeit the instalment of credit due to be received for that year.

(7) If the ownership of a home or rental unit is transferred, other than by death of the owner, within 10 years of any year in which tax credits are granted under this section, not including any year in which only subsequent instalments on an original grant of credit are received, the owner who has received such tax credits shall reimburse the department the full amount of the credits received as of the date of transfer plus interest at 6% per year compounded annually. The credit shall be recovered by assessment as income taxes are assessed.

(8) Improvements made prior to the transfer of ownership of a home or rental unit are not eligible for tax credits under this section subsequent to the transfer of ownership.

(9) The amount of any credit otherwise payable under this section may be applied by the department against any liability outstanding on the books of the department against the applicant.

(10) Whenever an audit of any claim filed under this section indicates that an incorrect claim was filed, the department shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor. Notice of the determination shall be given to the claimant within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and such assessment shall bear interest at 9% per annum from the due date of the claim. Any person feeling aggrieved by the determination may, within 30 days after receipt, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant. If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

(11) A claimant who has filed a timely claim under this section may file an amended claim with the department within 4 years of the last day prescribed by law for filing the original claim.

(12) In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full and, if the claim has been paid, the credit shall be canceled and the amount paid may be recovered by assessment as income taxes are assessed and such assessment shall bear interest from the due date of the claim, until refunded or paid, at the rate of 1.5% per month. The claimant in such case, and any person who assisted in the preparation or filing of the excessive claim or supplied information upon which the excessive claim was prepared, with fraudulent intent, shall be guilty of a misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed and, if the claim has been paid or credited against income taxes otherwise payable, the credit shall be reduced or canceled and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and the assessment shall bear interest at 1.5% per month from the due date of the claim.

Partial  
Veto  
Overruled

Partial  
Veto  
Overruled

(13) Any person aggrieved by the department's redetermination under this section may appeal the redetermination to the tax appeals commission by filing a petition with the commission within 30 days after the redetermination, as provided under s. 73.01 (5) with respect to income tax cases, and review of the commission's decision may be had under s. 73.015. For appeals brought under this subsection, the filing fee required under s. 73.01 (5) (a) shall not apply.

SECTION 914. 83.013 (1) (a) and (c) of the statutes are [is] amended to read:

Vetoed  
in Part

83.013 (1) (a) For each county, the state highway engineer or a designated representative, the county highway commissioner, the chief of the state patrol or a designated representative, the chief county traffic law enforcement officer, the state highway safety coordinator or a designated representative, and [the state highway safety coordinator or a designated representative, and] a representative designated by the county board from each of the disciplines of education, medicine and law and 3 representatives involved in law enforcement, highways and highway safety designated by the secretary of transportation, shall comprise a traffic safety commission that shall meet at least quarterly to review traffic accident data from the county. The commissions shall designate a person to prepare and maintain a spot map showing the locations of traffic accidents on county and town roads and on city and village streets if the population of the city or village is less than 5,000. Upon each review, the commission shall make written recommendations for any corrective actions it deems appropriate to the department of transportation, the county board, where appropriate, to the county highway committee, where appropriate, to the highway commission, where appropriate, and or to any other appropriate branch of local government.

Vetoed  
in Part

(c) The commissions shall file a report on each meeting with the division of highway safety coordination department of transportation.

SECTION 915. 83.015 (3) (c) of the statutes is amended to read:

83.015 (3) (c) Any changes so proposed in order to become effective shall be mutually agreed upon by the accounting division of the highway commission department of transportation and a majority of the county highway departments of the state.

SECTION 916. 83.10 of the statutes is repealed.

SECTION 917. 84.001 (1) and (2) of the statutes are repealed and recreated to read:

84.001 (1) "Department" means the department of transportation.

(2) "Secretary" means the secretary of transportation.

SECTION 918. 84.01 (title) of the statutes is repealed and recreated to read:

**84.01 (title) Department powers and duties.**

SECTION 919. 84.01 (3) of the statutes is repealed and recreated to read:

Vetoed  
in Part

84.01 (3) ~~DIVISION OF HIGHWAYS, DISTRICT OFFICES.~~ Any internal reorganization of the department under s. 15.02 shall include a division of highways, and such reorganization shall provide for maintenance by the department of district offices throughout the state.

SECTION 919m. 84.01 (4) of the statutes is repealed.

SECTION 920. 84.01 (5) of the statutes is amended to read:

84.01 (5) ADVISE LOCAL AUTHORITIES. The ~~highway commission~~ department shall advise towns, villages, cities and counties with regard to the construction and maintenance of any highway or bridge, when requested. On the request of any town, village, city or county board, or county highway committee, any supervision or engineering work necessary in connection with highway improvements by any town, village, city or county may be performed by the ~~highway commission~~ department and charged at cost to such town, village, city or county. ~~The cost of such supervision or engineering work shall be paid from the allotment under s. 20.395 (4) (q) and any moneys paid into the state treasury in payment for such supervision or engineering work shall be added to such allotment.~~

SECTION 921. 84.01 (16) and (17) of the statutes are amended to read:

84.01 (16) (title) NOTICE OF COUNTY TRANSPORTATION AID. Annually, not later than ~~November 1~~ June 30, the ~~highway commission~~ department shall notify each county clerk of the ~~allotments of state transportation aid to the county for the following fiscal year.~~

(17) (title) IMPROVEMENTS AND MAINTENANCE FOR NEXT YEAR. The ~~commission~~ department shall annually determine, as far as possible, what improvements and maintenance will be made during the ~~succeeding~~ following fiscal year, and notify the county clerks prior to ~~November~~ May 1, as to the improvements and maintenance in their respective counties. Such notice shall also be given to the department of natural resources and to the board of soil and water conservation districts.

SECTION 922. 84.01 (21) of the statutes is amended to read:

84.01 (21) MOTOR VEHICLE WEIGHING STATIONS. The ~~commission~~ department, as a part of the improvement and maintenance of highways, ~~is authorized to~~ may acquire, construct and maintain lands and facilities, including scales or weighing stations ~~for use of the division of motor vehicles or other traffic officers,~~ for weighing, measuring or inspecting vehicles and loads operating on any public highway in the state. Lands necessary may be adjacent or contiguous to the highway and weighing station facilities may be constructed and maintained upon the traveled portion of the highway or any other part thereof.

SECTION 923. 84.01 (22) of the statutes is repealed.

SECTION 924. 84.01 (26) of the statutes is amended to read:

84.01 (26) (title) COOPERATIVE AGREEMENTS. The ~~commission~~ department may, by agreement with the appropriate authority of an adjoining state, arrange for performing, financing and sharing of cost of construction, maintenance and operation of any bridge or other transportation project over or upon interstate boundary waters and approaches thereto under joint jurisdiction of the ~~highway commission of this state~~ department and a governmental agency of the adjoining state.

SECTION 925. 84.011 of the statutes is amended to read:

**84.011 Who to sign contracts.** The secretary, or ~~in his absence the vice chairman, of the commission is authorized to~~ secretary's designees, may sign and execute, in its the name, ~~of the department any conveyance or any contract or agreement with the federal government or its departments, subdivisions of the state, corporations, associations, co-partnerships~~ copartnerships and individuals, ~~which has previously been officially determined upon and approved by the commission as a body.~~

SECTION 926. 84.02 (11) of the statutes is repealed and recreated to read:

84.02 (11) CONNECTING HIGHWAYS. The state trunk highway system shall not include the marked routes thereof over the streets or highways in municipalities which the department has designated as being connecting highways. Those municipal streets

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or highways so excluded as state trunk highways but marked as such and designated as connecting highways are further described and the aids determined therefor under s. 86.32.

SECTION 927. 84.025 of the statutes is repealed.

SECTION 928. 84.03 (3) and (5) of the statutes are consolidated and amended to read:

84.03 (3) STATE TRUNK HIGHWAY ALLOTMENT; COUNTY MINIMUM. (a) The appropriations made by s. 20.395 ~~(4) (qf) (3) (qc)~~ shall be allotted by the highway commission department for the construction, reconstruction and improvement of the state trunk highway system, mass transit systems under s. 84.01 (27) and connecting streets highways in the several counties and expended by the highway commission department in accordance with s. 84.06 upon projects which have been approved by the counties, ~~but such allotment shall be so expended subject to sub. (4) relative to the retirement of bonds issued under s. 67.13 or 67.14.~~ All or any part of any such allotment to the credit of any county ~~not required for the retirement of bonds as herein provided~~ may, with the consent of the county involved, be allocated by the highway commission department to match or supplement federal aid for projects on the state trunk highway system or connecting streets highways within the county to which the allotment is credited. \$8,000,000 of such appropriation shall be allotted, 40% in the ratio that the number of motor vehicles registered from each county in the fiscal year ended the previous June 30 bears to the total number registered in the state and 60% in the ratio that the mileage of highways in each county, exclusive of highways and streets in cities and villages, bears to the total mileage of such highways in the state except that in counties having a population of 500,000 or more, 25% of the total mileage of all highways and streets in cities and villages shall be included in the eligible mileage of such counties and in the total mileage in the state.

(b) In counties where more than 60% of the state trunk highway system is constructed and surfaced with high type surfacing, satisfactory to the highway commission, ~~and to the extent that there is no necessity to meet obligations on account of outstanding bonds~~ department, such portion of the allotment under this subsection as the highway commission department approves may be added to the appropriation aids provided for such county by s. ~~83.10 (1) 86.30~~ or used for the acquisition of rights of way for and construction of expressways and federal aid secondary projects in such county.

(c) Under this section no county shall be allotted less than \$40,000 ~~and no county which has constructed portions of its state trunk highway system with the proceeds of bonds issued under s. 67.13 or 67.14, and expended with the approval of the highway commission, shall be allotted for any year less than the amount necessary to pay the principal of such bonds maturing in such year.~~ ~~(5)~~ Allotments under sub. ~~(3)~~ this subsection shall not lapse, but shall stand to the credit of the county for which allotted until expended as provided by law. The highway commission department and a county board, or a county highway committee when authorized by the county board, may agree upon projects on which one or more future years' allotments for such county shall be used. The cost of such projects to the extent so agreed may be advanced by the highway commission department from any funds available in the state highway transportation fund, and the amounts so advanced shall be deducted from subsequent allotments under sub. ~~(3)~~ this subsection becoming available to the credit of the county.

SECTION 929. 84.03 (4) and (6) of the statutes are repealed.

SECTION 930. 84.04 (2) of the statutes is amended to read:

84.04 (2) The division of highways department may develop construct and maintain parking areas, including car pool parking areas, waysides, overlooks, windbreak

hedges, turnouts and carry on roadside improvement along, or in close proximity with state trunk highways. These activities may be performed within highway rights of way and upon lands otherwise publicly owned or controlled, or on lands acquired in proximity therewith. The highway commission department may acquire lands needed for such purposes.

SECTION 931. 84.04 (3) of the statutes is repealed.

SECTION 932. 84.06 (2) to (4) and (6) of the statutes are amended to read:

84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed by contract based on bids unless the highway commission department finds that another method as provided in sub. (3), (4) or (5) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the highway commission department. The contract shall be awarded to the lowest competent and responsible bidder as determined by the highway commission department. If the bid of the lowest competent bidder is determined by the highway commission department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The highway commission department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. The contract secretary shall ~~be entered~~ enter into the contract on behalf of the state ~~by the highway commission~~. Every such contract is excepted from ss. 16.70 to 16.82 and ~~ss.,~~ 16.87 and 16.89. Any such contract involving an expenditure of \$1,000 or more shall not be valid until approval of the governor is indorsed ~~thereon~~. The highway commission secretary may require the attorney general to examine any contract and any bond submitted in connection ~~therewith~~ with the contract and report ~~as to the~~ on its sufficiency of ~~the~~ form and execution ~~thereof~~. The bond required by s. 289.14 for any such contract involving an expenditure of less than \$1,000 is exempt from approval by the governor and shall be subject to approval by the highway commission secretary. This subsection shall also apply to contracts with private contractors based on bids for maintenance under s. 84.07.

(3) CONTRACTS WITH COUNTY OR MUNICIPALITY; DIRECT LABOR; MATERIALS. If the highway commission department finds that it would be more feasible and advantageous to have the improvement performed by the county in which the proposed improvement is located and without bids, the highway commission department may, by arrangement with the county highway committee of the county, ~~if possible,~~ enter into a contract satisfactory to the highway commission department to have the work done by the county forces and equipment and in such contract may authorize the county to purchase, deliver and store materials and may fix the rental rates of small tools and equipment. The contract shall be between the county and the state and shall not be based on bids, and may be entered into on behalf of the county by the county highway committee and on behalf of the state by the highway commission secretary. Such contract is excepted from all provisions of ch. 16 and s. 289.14, but ~~in case~~ if the total estimated indebtedness to be incurred ~~thereby as therein estimated~~ exceeds \$5,000 the contract shall not be valid until the approval of the governor is indorsed ~~thereon~~. The provisions of this subsection relating to agreements between a county and ~~a~~ the state shall also authorize and apply to such arrangements between a city, town or a village and the state. In such cases, the governing body of the city, town or village shall enter into the agreement on behalf of the municipality.

(4) SPECIAL CONTRACTS WITH RAILROADS AND UTILITIES. If an improvement undertaken by the highway commission department will cross or affect the property or facilities of a railroad or public utility company, the highway commission department may, upon finding that it is feasible and advantageous to the state, arrange to perform portions of the improvement work affecting such facilities or property or perform work of altering, rearranging or relocating such facilities by contract with the railroad or public utility. Such contract shall be between the railroad company or public utility

and the state and need not be based on bids; and may be entered on behalf of the state by the ~~highway commission secretary~~. Every such contract is excepted from all provisions of ch. 16 and s. 289.14. No such contract in which the total estimated debt to be incurred ~~thereby as therein estimated~~ exceeds \$5,000 shall be valid until the approval of the governor is indorsed ~~thereon~~. As used ~~herein the term in this subsection~~, "public utility" means the same as in s. 196.01 and ~~the word "railroad"~~ means the same as in s. 195.02. ~~The word "property"~~ "Property" as used ~~herein in this subsection~~ includes but is not limited to tracks, trestles, signals, grade crossings, ~~rights-of-way~~ rights-of-way, stations, pole lines, plants, substations and other facilities. Nothing ~~herein in this subsection~~ shall be construed to relieve any railroad or public utility from any financial obligation, expense, duty or responsibility otherwise provided by law relative to such property.

(6) EXCESS COST. Any excess in construction cost over the funds made available for any piece of work, shall be paid from the unobligated ~~balance of funds allotted by s. 84.03 (3)~~ or as the highway commission department may determine, and any balance shall be credited to the appropriation from which the work was financed.

SECTION 933. 84.07 (1) of the statutes is amended to read:

84.07 (1) (title) STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk highway system shall be maintained by the state at state expense. The ~~highway commission department~~ shall prescribe by rule specifications for such maintenance and ~~the commission~~ may contract with any county highway committee or municipality to have all or certain parts of the work of maintaining the state trunk highways within or beyond the limits of ~~its~~ the county or municipality, including interstate bridges, performed by the county or municipality, and any county or municipality may enter into such contract. General maintenance activities include the application of protective coatings, the removal and control of snow, the removal, treatment and sanding of ice, interim repair of highway surfaces and adjacent structures, and all other operations, activities and processes required on a continuing basis for the preservation of the highways on the state trunk system, and including the care and protection of trees and other roadside vegetation and suitable planting to prevent soil erosion or to beautify highways pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate traffic service. Special maintenance activities include the restoration, reinforcement, complete repair or other activities which the ~~highway commission department~~ deems are necessary on an individual basis for specified portions of the state trunk system. The ~~highway commission department~~ may, on or after March 30 of each year, enter into agreements with counties and municipalities for special maintenance of the state trunk system.

SECTION 934. 84.07 (1a) of the statutes is repealed.

SECTION 935. 84.07 (2) of the statutes is amended to read:

84.07 (2) (title) REPAYMENT FOR STATE WORK. When any county or municipality maintains the state trunk highways within or beyond the limits of the county or municipality, including interstate bridges, in compliance with the arrangement with the ~~highway commission department~~, the ~~highway commission department~~ shall pay the actual cost of such maintenance, including the allowance for materials and the use of county or municipal machinery and overhead expenses agreed upon in advance. Such payments shall be made upon presentation by the county or municipal clerk of a properly itemized and verified account ~~by the county highway committee~~. The county or municipal clerk shall present such itemized accounts for general maintenance work ~~performed by the county~~ no later than one month following the period during which such work is performed.

SECTION 936. 84.09 (1), (3m) and (6) of the statutes are amended to read:

84.09 (1) The ~~highway commission department~~ may acquire by gift, devise, purchase or condemnation any lands for establishing, laying out, widening, enlarging, extending, constructing, reconstructing, improving and maintaining highways, ~~streets, roadside parks and weighing stations which it is empowered to improve or maintain, and other transportation related facilities,~~ or interests in lands in and about and along and leading to any or all of the same; and after establishment, layout and completion of such improvements, the ~~highway commission department~~ may convey as hereinafter ~~provided~~ such lands thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such lands so as to protect such public works and improvements and their environs and to preserve the view, appearance, light, air and usefulness of such public works. Whenever the ~~highway commission department~~ deems it necessary to acquire any such lands or interests therein for any ~~of such purposes~~ transportation related purpose, it shall so order and in such order or on a map or plat show the old and new locations and the lands and interests required, and shall file a copy of the order and map with the county clerk and county highway committee of each county in which such lands or interests are required. For the purposes of this section the ~~highway commission department~~ may acquire private or public lands or interests ~~therein in such lands~~. When so provided in the ~~highway commission's department's~~ order, such land shall be acquired in fee simple. Unless it elects to proceed under sub. (3), the ~~highway commission department~~ shall endeavor to obtain easements or title in fee simple by conveyance of the lands or interests required at a price, including any damages, deemed reasonable by the ~~highway commission department~~. The instrument of conveyance shall name the state as grantee and shall be recorded in the office of the register of deeds. The purchase or acquisition of lands or interests therein under this section is excepted and exempt from s. 20.914 (1). The ~~highway commission department~~ may purchase or accept donations of remnants of tracts or parcels of land existing at the time or after it has acquired portions of such tracts or parcels by purchase or condemnation for highway transportation purposes where in the judgment of the ~~highway commission department~~ such action would assist in making whole the land owner landowner, a part of whose lands have been taken for highway transportation purposes and would serve to minimize the ~~over-all~~ overall costs of such taking by the public.

(3m) The ~~highway commission department~~ may order that all or certain parts of the required land or interest therein be acquired for the ~~highway commission department~~ by a board, commission or department of the city within whose limits ~~said~~ the land is located. ~~Said~~ The city board, commission or department shall be created or selected by the common council ~~of said city~~ subject to the approval of the ~~highway commission department~~. When so ordered, the board, commission or department created or selected and the ~~highway commission department~~ shall appraise and agree on the maximum price, including damages, considered reasonable for the lands or interests to be so acquired. The city board, commission or department shall endeavor to obtain easements or title in fee simple by conveyance of the lands or interests required, as directed in the ~~highway commission's department's~~ order. The instrument of conveyance shall name the state as grantee and shall be recorded in the office of the register of deeds. If the needed lands or interests therein cannot be purchased expeditiously within the appraised price, the city board, commission or department may, subject to approval by the ~~highway commission department~~, acquire them by condemnation in the name of the state under ch. 32. The city attorney may act as counsel in any proceedings brought under authority of this subsection. Special ~~council~~ counsel may be employed ~~but only~~ with the consent of the governor and the ~~highway commission secretary~~. The city, upon agreement with the ~~highway commission department~~, may pay for the land or interests acquired from city funds made available for such purpose or not otherwise appropriated, as an advance subject to

reimbursement by the highway commission department or as part of the city's contribution toward the cost of the improvement.

(6) Lands held by any ~~department, board, commission~~ or other agency of the state department or independent agency may, with the approval of the governor, be conveyed to the highway commission department in the manner prescribed by statute and, if none ~~be is~~ is prescribed, then by a conveyance authorized by appropriate order or resolution of the controlling department, board or commission of the head of the department or independent agency concerned.

SECTION 937. 84.10 of the statutes is amended to read:

**84.10 Maintenance and operation of bridges not on state trunks.** The ~~appropriations made by s. 20.395 (3) (qa) amount allocated therefor from s. 20.395 (4) (qd)~~ shall be expended by the highway commission department for the maintenance and operation of bridges not on the state trunk highway system which were constructed, reconstructed, or purchased under ss. 84.11 and 84.12 and free bridges located in connecting ~~streets~~ highways in cities of the 4th class which have a length, not including approaches, of 300 feet or more, or a swing or lift span. All matters relating to the maintenance and operation of such bridges shall be under the control of the highway commission department. Maintenance and operation shall not include the roadway lighting system and shall not include snow and ice removal and control for bridges located on connecting ~~streets~~ highways. The highway commission department may arrange with any county highway committee or with any village or city for the operation or maintenance or both of any such bridge; and any county highway committee, village or city may enter into such arrangement.

SECTION 938. 84.103 (1) of the statutes is amended to read:

84.103 (1) The ~~highway commission is authorized and directed to~~ department shall make plans for and construct, in accordance with this section, a beautiful highway to be known as the "Silent Cross Memorial Highway" as a living memorial to and in honor of our soldiers, living and dead, of all wars in which the United States of America has engaged. The highway shall consist of a horizontal and a vertical member. The horizontal member shall commence at or near Milwaukee, following generally present ~~state trunk highway number 30 I 94~~ to Madison and thence proceed westerly, leaving the state at La Crosse or Prairie du Chien. The vertical member shall generally follow a route upon or along present ~~United States highway No. USH 51~~, entering the state at or near Beloit, proceeding northerly passing near Janesville, Madison, Portage, Stevens Point, Wausau, Merrill and Tomahawk, extending on to a point near Trout Lake and thence northerly to the Michigan boundary.

SECTION 939. 84.105 (5) of the statutes is amended to read:

84.105 (5) **PARKWAY TO BE STATE TRUNK HIGHWAY.** If the ~~highway commission~~ department, after such investigations and studies, shall find that the proposed parkway development is advantageous to the state, it shall have full authority to perform, on behalf of the state, each and every duty required of the state by the act of the U.S. congress applicable to such parkway development, in order to secure the proposed development project for the state. For the purposes of such development project, the parkway shall be a portion of the state trunk highway system. ~~Any moneys that may be available for the improvement of the state trunk highway system within any county shall be available for any proposed national parkway development within such county, in the same manner as such moneys shall be available for state trunk highways. The county board of any county may authorize the use of any moneys available to the county under s. 20.395 (4), ch. 83 or ch. 84, for the purposes of the proposed parkway development, to the same amount as for state trunk highways under such s. 20.395 (4) and chs. 83 and 84. The county boards may provide money for any national parkway development project in the same manner and in the same amount as for state trunk highways, and any county bonds issued to provide funds for any such~~



~~parkway development shall be retired in the same manner as bonds issued for state trunk highways.~~

SECTION 940. 84.11 (2) (b), (3) and (7) of the statutes are amended to read:

84.11 (2) (b) (title) *By the department.* Proceedings for the construction of a bridge project under this section may also be initiated by the ~~highway commission by the adoption of a resolution~~ department stating the approximate location of such construction and that such construction appears to be necessary and to be a bridge project eligible to construction under this section.

(3) HEARING. Within 60 days of the receipt of a petition under sub. (2) (a) or ~~the adoption of a resolution under sub. (2) (b) the highway commission on its own motion, the department~~ shall fix a time and place for a hearing ~~to be held thereon,~~ and give notice of such hearing by publication of a class 2 notice, under ch. 985, in the vicinity of the proposed bridge project. Notice shall also be given by registered letter addressed to the clerks of the counties, cities, villages and towns in which any part of the bridge project will be located. Such notice shall also be given to the secretary of natural resources and to the secretary of the board of soil and water conservation districts either by registered mail or personally. Such hearing may be held in any county, city, village or town in which any part of the bridge project will be located.

(7) EXECUTION AND CONTROL OF WORK. Subject to the control and supervision over the navigable waters of the state conferred by law upon the department of natural resources, and the control exercised by the United States, the construction under this section of any bridge project shall be wholly under the supervision and control of the ~~highway commission~~ department. The ~~highway commission~~ secretary shall make and execute all contracts and have complete supervision over all matters pertaining to such construction and shall have the power to suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project eligible to construction under sub. (1) (a) or offered by it as to any project eligible to construction under sub. (1) (b), or in the event the ~~highway commission shall determine~~ secretary determines that sufficient funds to pay the state's part of the cost of such bridge project are not available. All moneys ~~to be~~ provided by counties, cities, villages and towns shall be deposited ~~by them~~ in the state treasury, when required by the ~~highway commission~~ secretary, and paid out on order of the ~~highway commission~~ secretary. Any of such moneys deposited for a project eligible to construction under sub. (1) (a) ~~and remaining which remain~~ in the state treasury after the completion of such project shall be repaid to the respective counties, cities, villages and towns in such amounts as to result in the distribution provided in sub. (5) (a) and (am).

SECTION 941. 84.12 (2) (b), (3), (7) and (9) (a) of the statutes are amended to read:

84.12 (2) (b) (title) *By the department.* Proceedings under this section may also be initiated by the ~~highway commission by the adoption of a resolution~~ department on its own motion stating the approximate location of the construction and that it appears to be necessary and to be a bridge project eligible under this section.

(3) HEARING, INVESTIGATION AND NEGOTIATIONS. Within 60 days of the receipt of such a petition or ~~the adoption of such a resolution the highway commission on its own motion, the department~~ shall fix a time and place for a hearing ~~thereon.~~ The ~~highway commission~~ department shall give notice and hold the hearing in the manner provided by s. 84.11 (3). The ~~highway commission~~ department shall also give notice by registered letter addressed to the state highway transportation department of the adjoining state and to the governing body of the county, and of the city, village or town of the adjoining state in which any portion of the bridge project will be located. The ~~highway commission~~ department may make such investigation as it deems

necessary and conduct such negotiations with the ~~state highway transportation~~ department and other authorities in the adjoining state as it deems advisable.

(7) EXECUTION AND CONTROL OF WORK. Subject to the control and supervision over the navigable waters of the state conferred upon the department of natural resources, and the control exercised by the United States, the construction under this section of any bridge project shall be under the joint supervision and control of the ~~highway commission department~~ and of the ~~state highway transportation~~ department of the other state concerned. If the ~~highway transportation~~ department of the other state is not authorized to act jointly with this state in such bridge project arrangements may be made with such subdivisions of the other state as may have proper authority, represented by their proper officers. Control shall be exercised in the manner deemed most expedient by the ~~highway commission secretary~~ and such department or by the ~~highway commission secretary~~ and the officers of the subdivisions of the other state concerned in the ~~said~~ construction. Contracts for the construction of said bridge projects may be made and executed by the ~~highway commission secretary~~ and the ~~highway transportation~~ department of the other state jointly, or jointly by the ~~highway commission secretary~~ and such subdivisions of the other state as may participate in the ~~said~~ construction, or by appropriate agreement between the parties with respect to financing and control of the work, the authority of either state may contract for all or part of the construction. The ~~highway commission secretary~~ may suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project eligible to construction under sub. (1) (a) or offered by it as to any project eligible to construction under sub. (1) (b), or in the event the ~~highway commission secretary~~ determines that sufficient funds to pay the state's part of the cost of the bridge project are not available. All moneys available from this state, or its subdivisions, shall be deposited in the state treasury when required by the ~~highway commission secretary~~ and shall be paid out only upon the order of the ~~highway commission secretary~~. Moneys so deposited by such subdivisions ~~and remaining which remain~~ in the state treasury after the completion of such project shall be repaid to the respective subdivisions in the proportion paid in.

(9) (a) The bridge construction authority or the state highway authority of the adjoining state shall petition the ~~secretary of transportation of this state~~ that such toll bridge construction is necessary because the petitioning state lacks funds sufficient to join with this state in equally sharing the costs of a free bridge. The ~~secretary of transportation~~ shall thereupon ~~order the highway commission to~~ cause a thorough investigation of the matter to be made including without limitation by enumeration: the suitability and advisability of any proposed location, the financial limitations of the adjoining state and the economic effect of the proposed bridge upon the economy and welfare of this state. The ~~highway commission department~~ shall hold a public hearing and give notice thereof by registered letter addressed to the ~~state highway transportation~~ department of the adjoining state and to the governing body of the county, city, village or town of this state and the adjoining state in which any part of the bridge project is proposed to be located. The ~~commission department~~ shall also ~~cause publish~~ a class 3 notice, under ch. 985, ~~to be published~~ in the official state newspaper of this state.

SECTION 942. 84.13 (1) of the statutes is amended to read:

84.13 (1) The ~~highway commission department~~ may petition the ~~public service transportation~~ commission to fix a time and place for public hearing in the matter of just compensation to be paid for the taking of ~~said~~ the toll bridge, as provided by ~~section s.~~ 197.05, and the subsequent procedure, so far as applicable, shall be as provided by ~~sections ss.~~ 197.05 to 197.09. The word "~~municipality~~" "Municipality" as used in such sections means the ~~highway commission department~~ in all proceedings brought under this section, and "~~commission~~" means the ~~transportation commission~~.

Any toll bridge so purchased or acquired may be later reconstructed under ~~the provisions of~~ this chapter in the same manner as other free bridges may be reconstructed.

SECTION 943. 84.14 (1) of the statutes is amended to read:

84.14 (1) ORDER OF CONSTRUCTION. The ~~highway commission~~ department shall hold hearings on proposed bridge projects under ss. 84.11 and 84.12 in the order in which they are initiated ~~by a petition filed with the highway commission or by a resolution adopted by the highway commission.~~ The ~~highway commission~~ secretary shall allot aid for the construction, reconstruction or purchase of bridges and ~~the department~~ may undertake such projects in the order the ~~highway commission secretary~~ deems advisable.

SECTION 944. 84.29 (6) (b) and (8) of the statutes are amended to read:

84.29 (6) (b) No highway of any kind shall be opened into or connected with the interstate highway by a municipality unless ~~and until the highway commission by resolution consents to~~ the department approves the same and fixes the terms and conditions on which such connection shall be made; ~~and the highway commission.~~ The department may give or withhold its ~~consent~~ approval or fix such terms and conditions as, ~~in its opinion,~~ it deems will best serve the public interest.

(8) ESTABLISHING FREEWAY STATUS. ~~From and after the~~ After adoption of an order ~~or resolution~~ by the ~~highway commission~~ department laying out and establishing any portion of the interstate system as an expressway or freeway, the highway described in ~~such resolution~~ the order shall have the status of a freeway or expressway for all purposes of this section. Such ~~declaration or~~ order shall not affect private property rights of access to ~~pre-existing~~ preexisting public highways, and any property rights taken shall be acquired in the manner provided by law. No previously existing public highway shall be converted into a freeway or expressway without acquiring by donation, purchase, or condemnation the right of access thereto of the owners of abutting lands.

SECTION 945. 84.295 (3), (7) (b), (9) and (10) (a) of the statutes are amended to read:

84.295 (3) DESIGNATING FREEWAYS AND EXPRESSWAYS. Where the ~~highway commission~~ department finds that the volume and character of the traffic to be served thereby warrant the construction or the acquisition of right-of-way for the ultimate construction of a highway to accommodate 4 or more lanes for moving traffic and that such development is in the public interest, it may by order designate as freeways or expressways segments of state trunk highways having currently assignable traffic volumes in excess of 4,000 vehicles per day. The findings, determinations and orders of the ~~highway commission pursuant to~~ department under this subsection shall be recorded ~~in its minutes.~~ Except as otherwise provided by this section, all provisions of law relative to the acquisition or dedication by subdivision plat or otherwise, of land and interests in land for highway purposes, and relative to surveys, plans, establishing, laying out, widening, enlarging, extending, constructing, improving, maintaining and financing of state trunk highways shall apply to the segments designated freeways or expressways pursuant to this section. The "Hampton avenue corridor" in Milwaukee county shall not be designated as a freeway or expressway under this subsection.

(7) (b) No highway of any kind shall be opened into or connected with a freeway or expressway by a municipality unless ~~or until the highway commission by resolution consents to~~ department approves the same and fixes the terms and conditions on which such connections shall be made; ~~and the highway commission.~~ The department may give or withhold its ~~consent~~ approval or fix such terms and conditions as, ~~in its opinion,~~ it deems will best serve the public interest.

(9) ESTABLISHING FREEWAY STATUS. After the adoption of an order ~~or resolution~~ by the ~~highway commission~~ department laying out and designating any portion of a state trunk highway as a freeway or expressway, the highway described in ~~such resolution~~ the order shall have the status of a freeway or expressway for all purposes of this section. Such ~~declarations or orders~~ shall not affect private property rights of access to ~~pre-existing~~ preexisting public highways, and any property rights to be taken shall be acquired in the manner provided by law. No previously existing public highway shall be developed as a freeway or expressway without acquiring by donation, purchase or condemnation the right of access thereto of the owners of abutting land.

(10) (a) Where, as the result of its investigations and studies, the ~~highway commission~~ department finds that there will be a need in the future for the development and construction of segments of a state trunk highway as a freeway or expressway, and where the ~~highway commission~~ department determines that in order to prevent conflicting costly economic development on areas of lands to be available as ~~rights-of-way~~ rights-of-way when needed for such future development, there is need to establish, and to inform the public of, the approximate location and widths of ~~rights of way to be~~ rights-of-way needed, it may proceed to establish such location and the approximate widths of ~~rights of way~~ rights-of-way in the following manner. It shall hold a public hearing in the matter in a courthouse or other convenient public place in or near the region to be affected by the proposed change, which public hearing shall be advertised and held as are state trunk highway change hearings. The ~~highway commission~~ department shall consider and evaluate the testimony presented at the public hearing. It may make a survey and prepare a map showing the location of the freeway or expressway and the approximate widths of the ~~rights of way to be~~ rights-of-way needed for the freeway or expressway, including the ~~right of way to be~~ right-of-way needed for traffic interchanges with other highways, grade separations, frontage roads and other incidental facilities and for the alteration or relocation of existing public highways to adjust traffic service to grade separation structures and interchange ramps. ~~On such~~ The map ~~there~~ shall also be ~~shown~~ show the existing highways and the property lines and record owners of lands ~~to be~~ needed. ~~The~~ Upon approval of ~~such~~ the map shall by ~~reference be recorded in the highway commission's~~ reference be recorded in the department's minutes, and ~~the department,~~ a notice of such action and a copy of the map showing the lands or interests therein needed in any county shall be filed in the office of the register of deeds of such county. Notice of the action and of the filing shall be published as a class 1 notice, under ch. 985, in such county, and within 60 days ~~following such~~ after filing, notice of such filing shall be served by registered mail on the owners of record on the date of filing. With like approval, notice and publications, and notice to the affected record owners, the ~~highway commission~~ department may from time to time supplement or change ~~such~~ the map.

SECTION 946. 84.30 (18) of the statutes is created to read:

84.30 (18) HEARINGS; TRANSCRIPTS. Hearings concerning sign removal notices under sub. (11) or the denial or revocation of a sign permit or license shall be conducted before the transportation commission as are hearings in contested cases under ch. 227. The decision of the transportation commission is subject to judicial review under ch. 227. Any person requesting a transcript of the proceedings from the commission shall pay \$1 per page for the transcript.

SECTION 947. 84.31 (6) (a) of the statutes is amended to read:

84.31 (6) (a) If a junkyard is an illegal junkyard but not a nonconforming junkyard, the department shall give the owner or operator thereof notice of the illegal status of the junkyard. The notice shall specify the respects in which the junkyard is illegal and shall state that unless the junkyard is brought into compliance with the law within 30 days at the expense of the owner or operator, the department shall take one or more of the courses of action authorized in par. (b). The notice shall inform the

owner or operator that if he or she requests a hearing on the matter in writing within the 30-day period, a hearing shall be conducted by the transportation commission under s. 227.07. Requests for hearings shall be served on the department and the transportation commission.

SECTION 948. 84.40 (4) of the statutes is amended to read:

84.40 (4) ~~All powers and duties conferred upon the highway commission pursuant to this section shall be exercised and performed by resolution of the highway commission.~~ All conveyances, leases and subleases made pursuant to under this section, ~~when authorized pursuant to resolution of the highway commission,~~ shall be made, executed and delivered in the name of the highway commission department and signed by the secretary, or ~~in his absence, the vice chairman~~ secretary's designees.

SECTION 949. 84.51 (1) of the statutes is amended to read:

84.51 (1) The ~~highway commission, with the approval of the secretary of transportation and with approval of the governor and~~ subject to the limits of s. 20.866 (2) (ur) and (us) may direct that state debt be contracted for the purposes set forth in subs. (2) and (3) subject to the limits set ~~therein~~ forth in subs. (2) and (3). Said debts shall be contracted in accordance with ch. 18.

SECTION 949m. 84.51 (2) of the statutes is amended to read:

84.51 (2) It is the intent of the legislature that state debt not to exceed ~~\$200,000,000~~ \$185,000,000 for the construction of highways be appropriated over a 6-year period except that if funds allocated to any project hereunder are not used for such project or if additional highway construction funds are made available hereunder, they shall first be used for development of state trunk highway 45 from the intersection with highway 41 to and including the West Bend bypass, and except that no funds shall be used for the construction of the proposed Bay freeway and no funds shall be used for the "Augusta Bypass" project in Eau Claire county. Nothing in this section shall be construed so as to allow the redevelopment of state trunk highway 83 in Washington and Waukesha counties. U.S. numbered highway 16 from Tomah to the interchange with I90 east of Sparta shall be retained as part of the state highway system in the same route as in use on November 1, 1969. The improvement project for state trunk highway 23 from Sheboygan to Fond du Lac shall be undertaken as swiftly as practicable.

SECTION 949n. 84.51 (3) of the statutes is repealed and recreated to read:

84.51 (3) It is the intent of the legislature that state debt not to exceed \$15,000,000 shall be incurred for the acquisition, construction, reconstruction, resurfacing, development, enlargement or improvement of the connecting highway facility known as the 27th Street viaduct in Milwaukee county.

SECTION 950. 84.52 of the statutes is amended to read:

**84.52 Construction of intrastate and interstate bridges.** (1) The ~~highway commission secretary,~~ with the approval of the ~~secretary of transportation and the governor, and~~ subject to the limits of s. 20.866 (2) (ug), may direct that state debt be contracted for the construction of bridges as set forth in sub. (2) and subject to the limits set therein. Said debts shall be contracted in accordance with ch. 18.

(2) It is the intent of the legislature that state debt not to exceed \$46,849,800 may be incurred for the construction or reconstruction of intrastate bridges as provided by s. 84.11 and interstate bridges as provided by s. 84.12. Construction under this subsection shall be in accordance with the bridge needs of the state as determined by ~~the divisions of highways and of planning of the department of transportation. The original list of priorities shall be submitted to the highway advisory committee of the legislative council for its prior approval in the biennial budget and annual review bills.~~

SECTION 951. 84.53 (1) of the statutes is amended to read:

84.53 (1) ~~The highway commission, with the approval of the secretary of transportation and with the approval of the~~ governor, subject to the limits of s. 20.866 (2) (ut), may direct that state debt be contracted for the matching of federal aid as set forth in sub. (2) and subject to the limits set therein. Said debt shall be contracted in accordance with ch. 18.

SECTION 952. 84.60 of the statutes is created to read:

**84.60 Bikeways.** (1) In this section:

(a) "Bikeway" means a public path, trail, lane or other way, including structures, traffic control devices and related support facilities and parking areas, designated for use by bicycles and other vehicles propelled by human power. The term also includes "bicycle lane" as defined in s. 340.01 (5e) and "bicycle way" as defined in s. 340.01 (5s).

(b) "Highway" means any state trunk highway, national parkway, expressway, interstate highway or freeway.

(2) The department may establish a bikeway separately or in conjunction with any existing highway.

(3) Bikeways established under this section shall be considered highways for the purposes of ss. 84.06, 84.07 and 84.09.

SECTION 953. 85.01 (3) of the statutes is created to read:

85.01 (3) "Commission" means the transportation commission.

SECTION 954. 85.035 of the statutes is created to read:

**85.035 Reduction of department appropriations.** Where the secretary deems that economic conditions warrant, the secretary, in conjunction with submission of quarterly estimates under s. 16.50, may recommend to the secretary of administration that authorized department appropriations be reduced to reflect revenue deficiencies.

SECTION 956. 85.05 (1) (a) and (b) of the statutes are amended to read:

85.05 (1) (a) "Eligible applicant" means a local public body in an urban area which ~~was is~~ served by an urban mass transit system on August 5, 1973, or which has received aid under s. 85.06 to establish a new urban mass transit system incurring an operating deficit.

(b) "Total operating deficit" means the amount by which the total operating expenses ~~(not to include return on investment or depreciation)~~ incurred in the operation of an urban mass transit system exceeds the amount of operating revenue derived therefrom.

SECTION 957. 85.05 (1) (c) of the statutes is renumbered 85.05 (1) (e) and amended to read:

85.05 (1) (e) "Urban mass transit system" means a mass transit system, ~~either publicly or privately owned, which provides to the public general or special service on a regular and continuing basis in any area that includes a city or village which is appropriate, in the judgment of the secretary, for an urban mass transit system operating within an urban area.~~

SECTION 958. 85.05 (1) (c) of the statutes is created to read:

85.05 (1) (c) "Operating revenues" mean income accruing to an urban mass transit system by virtue of its operations.

SECTION 959. 85.05 (1) (d) of the statutes is renumbered 85.05 (1) (h).

SECTION 960. 85.05 (1) (d), (f), (g) and (i) to (L) of the statutes are created to read:

85.05 (1) (d) "Operating expenses" mean costs accruing to an urban mass transit system by virtue of its operations, but do not include profit, return on investment or depreciation as costs for purposes of this section.

(f) "Mass transit system" means transportation by bus, shared-ride taxicab, rail, or other conveyance, either publicly or privately owned, that provides the public with general or special service on a regular and continuing basis.

(g) "Urban area" means any area that includes a city or village having a population of 5,000 or more that is appropriate, in the judgment of the department, for an urban mass transit system.

(i) "Elderly persons" means individuals age 65 or over.

(j) "Handicapped persons" means individuals who, by reason of illness, injury, age, congenital malfunction, or other temporary or permanent incapacity or disability, are unable without special planning or design to use mass transit facilities and services as effectively as persons who are not so affected.

(k) "Revenue passenger trip" means a trip taken on an urban mass transit system by any passenger who pays a fare to use an urban mass transit system, or by any passenger for whom a fare has been paid by another under a contract or other arrangement with an urban mass transit system.

(L) "Base year entitlement" means the amount of state aid authorized under s. 85.05, 1975 stats., which an urban mass transit system was entitled to receive to offset the nonfederal share of the operating deficit incurred during calendar year 1978, except that in any calendar year, the base year entitlement may not exceed two-thirds of the nonfederal share of the operating deficit for that calendar year, as determined by the department. For systems that have not received any state aid prior to 1979, the base year entitlement shall equal two-thirds of the nonfederal share of the operating deficit for the first full calendar year of operation.

SECTION 961. 85.05 (2) and (3) (b) of the statutes are amended to read:

85.05 (2) PURPOSE. The purpose of this section is to promote the general public good by preserving and improving existing urban mass transit systems in this state, ~~and to thereby reduce the need for even greater public expenditures for highways and afford the benefits of a transportation system to those persons who would not otherwise have an available method of transportation.~~

(3) (b) To make and execute contracts with any eligible applicant to ensure the continuance and improvement of quality urban mass transit service at reasonable fares. ~~Payments under such contracts to eligible applicants shall not exceed two-thirds of the total operating deficit of the urban mass transit system involved, and, in the case of counties having a population of 500,000 or more, shall not exceed two-thirds of any contributions by county government to a privately owned urban mass transit system to allow a reduction in fares during nonpeak hours of transit operations for purposes of stabilizing fares. No such contract shall be is effective for a period of more than one year in length and shall is not be enforceable against the state unless eligible applicants pay the total operating deficit of the urban mass transit system involved on a schedule approved by the department or the total cost of eligible fare reductions. the following conditions are met:~~

SECTION 962. 85.05 (3) (b) 1 to 3 of the statutes are created to read:

85.05 (3) (b) 1. The eligible applicant pays the operating deficit of the urban mass transit systems involved in accordance with a schedule approved by the department;

2. The participating urban mass transit systems provide reduced fare programs for elderly and handicapped persons during nonpeak hours. Such reduced fares may not exceed one-half of the full adult cash fare applicable during peak hours of operation; and

3. The eligible applicant establishes and maintains accounting procedures and documentation requirements as prescribed or approved by the department.

SECTION 963. 85.05 (3) (c) of the statutes is repealed and recreated to read:

85.05 (3) (c) To audit the operating revenues and expenses of all urban mass transit systems participating in the program in accordance with generally accepted accounting principles and practices. The audits shall be the basis for computing the maximum share of state and federal aids each eligible applicant can apply against operating deficits for each state aid contract period.

SECTION 964. 85.05 (4) and (5) of the statutes are created to read:

85.05 (4) STATE AIDS. Payments of state aids appropriated for this program shall be in accordance with the terms and conditions of contracts executed between the department and eligible applicants. State aid payments shall be subject to the following limitations:

(a) 1. From the total amounts appropriated under s. 20.395 (1) (sd) and (se), an amount equal to the base year entitlements for all participating urban mass transit systems shall be allocated for distribution to eligible applicants in accordance with par.

(b). With respect to a new system that has not established a base year entitlement level as defined in sub. (1) (L), the department shall estimate that system's base year entitlement for the purpose of making the allocation under this subdivision.

2. If the amounts appropriated under s. 20.395 (1) (sd) and (se) exceed the total base year entitlements allocated under subd. 1, subject to subd. 4, the balance of the moneys appropriated shall be allocated for distribution in accordance with pars. (c) to (e).

3. If the amounts appropriated under s. 20.395 (1) (sd) and (se) are less than the total base year entitlements allocated under subd. 1, the moneys appropriated thereunder shall be allocated for distribution in accordance with par. (b) on a prorata basis.

4. The allocation under subds. 1 and 2 may not exceed two-thirds of the total nonfederal share of the operating deficits of all participating systems in that calendar year.

(b) From the amounts allocated under par. (a) 1, the department shall distribute to each participating eligible applicant an amount equal to its base year entitlement for the purpose of offsetting its nonfederal share of operating deficits.

(c) 1. One-half of the amounts allocated under par. (a) 2 shall be distributed to participating eligible applicants on the basis of the following formula: to each participating eligible applicant, one-half of the amount allocated under par. (a) 2 multiplied by the ratio of the annual number of revenue passenger trips in the preceding calendar year in the participating urban mass transit systems involved to the annual number of revenue passenger trips in the preceding calendar year in all the participating urban mass transit systems in the state. The department shall use only the revenue passenger trip data from the previous year of those urban mass transit systems participating in the current year.

2. The number of revenue passengers shall be determined for each participating urban mass transit system in the manner prescribed by the department. The department shall audit the revenue passenger trip figures of each participating urban mass transit system.



3. If the amount of aids payable under this paragraph to a participating eligible applicant causes the total state aids, based on estimated operating deficits, to exceed the limitation specified in par. (f), then the amount of state aids payable under this paragraph to that participating eligible applicant that exceeds that limitation shall be distributed to the remaining participating eligible applicants in accordance with the formula under subd. 1.

(d) One-half of the amount allocated under par. (a) 2 shall be distributed to participating eligible applicants on the basis of the following formula: to each participating eligible applicant, one-half of the amount allocated under par. (a) 2 multiplied by the ratio of the increase in that system's estimated two-thirds nonfederal share of the operating deficit over its base year entitlement to the estimated total increase in two-thirds nonfederal share operating deficits of all participating systems over the total base entitlements as determined in par. (a) 1.

(e) Allocations under par. (a) 2 shall be distributed to eligible applicants under par. (d) prior to making distributions under par. (c).

(f) For each eligible applicant the total of the payments under pars. (b) to (d) may not exceed 72% of the nonfederal share of the operating deficit of the urban mass transit system involved.

(g) The department shall administer the distribution of moneys appropriated for this program in a manner that ensures that the base year entitlements are encumbered for each calendar year before making the allocation under par. (a) 2.

(h) If more than one local public body contributes assistance to the operation of an urban mass transit system, the state aids distributable under this section shall be allocated among the contributors in proportion to their contributions.

(5) REGULATION. For such time as any urban mass transit system participates in this program, it shall be exempt from regulation under ch. 194.

SECTION 965. 85.06 of the statutes is repealed and recreated to read:

**85.06 Urban mass transit planning and technical assistance program.** (1) PURPOSE. The purpose of this section is to promote the general public good by planning urban mass transit systems and services and by providing technical assistance to urban mass transit systems, including but not limited to conducting feasibility studies for the establishment of new urban mass transit systems in urban areas of the state without such services.

(2) DEFINITIONS. In this section:

(a) "Urban mass transit system" has the meaning prescribed in s. 85.05 (1) (e).

(b) "Urban area" has the meaning prescribed in s. 85.05 (1) (g).

(c) "Mass transit system" has the meaning prescribed in s. 85.05 (1) (f).

(3) ADMINISTRATION. The department shall administer the urban mass transit planning and technical assistance program and shall have all powers necessary and convenient to implement this section, including the power to use the appropriation for this program to match federal moneys available to the state for planning and technical assistance for urban mass transit systems.

SECTION 966. 85.065 of the statutes is created to read:

**85.065 Urban rail line relocations.** (1) (a) Any county, city, village, town or combination thereof may apply to the department for a study of the cost and benefits of the location and form of railroad lines, associated facilities, and railroad operations within an urban area. Upon receiving such application, the department may undertake or contract for a study to determine the extent to which the existing location of such lines, facilities and operations serves the public interests in:

1. Reliable, economical and expeditious commercial transportation;
2. Safe and orderly movement of pedestrian and vehicular traffic;
3. Coordinated and environmentally sound planning for development or preservation of the area; and
4. Conservation of scarce land or energy resources.

(b) The study shall be performed in consultation with the applicant and other interested parties and shall result in a report describing alternatives to the existing location and form of such railroad lines, facilities and operations which assesses each alternative in light of those criteria.

SECTION 967. 85.07 of the statutes is created to read:

**85.07 Highway safety coordination.** (1) DUTIES. The secretary under the direction of the governor shall coordinate the highway safety activities of the various agencies of state government, evaluate and make recommendations to the governor with respect to program proposals submitted by state agencies and political subdivisions for federal and state funds in conjunction with the federal highway safety program; submit all program proposals for federal or state funds for emergency medical vehicles or services to the health policy council for review and recommendation; advise the governor on matters relating to highway safety and the implementation of the federal highway safety program in this state; and assist governmental units and private organizations in the planning and execution of programs relating to highway safety.

Vetoed  
in Part

(2) SUPERVISION. The secretary may appoint a highway safety coordinator to supervise the highway safety program.

(3) COUNCIL ON HIGHWAY SAFETY. The council on highway safety shall confer with the secretary on matters of highway safety and with respect to the functions of the secretary and shall advise the secretary on such matters. The council shall meet with the secretary at least once each quarter.

(4) INFORMATION; REPORTS; RECOMMENDATIONS. The secretary shall furnish all information requested by the governor or by any member of the legislature, and shall report biennially in accordance with s. 15.04 (4), including therein a report relating to the implementation of the comprehensive highway safety program in this state. This report shall include but not be limited to:

(a) Current statistical information on motor vehicle accidents, injuries and deaths and their related causation factors.

(b) The implementation of highway safety performance standards promulgated by the state or federal government.

(c) A general accounting of all state or federal funds expended in implementing the comprehensive highway safety program.

(d) Recommendations for additional legislation, programs and funds necessary for the effective implementation of a comprehensive highway safety program.

(5) BICYCLE RULES. The department shall publish literature setting forth the state rules governing bicycles and their operation and shall distribute and make such literature available without charge to local enforcement agencies, safety organizations, schools and to any other person upon request.

SECTION 968m. 85.08 of the statutes is created to read:

**85.08 Elderly and handicapped and rail transportation aids.** (1) LEGISLATIVE FINDINGS. The legislature finds that private capital and local governmental financial resources are unable to fully meet the transportation needs of all citizens. It is

determined that the programs authorized under this section are legitimate governmental functions serving proper public purposes.

(2) GENERAL POWERS. The department may exercise those powers necessary to establish transportation service programs, including authority:

(a) To promote, supervise and support safe, adequate and efficient transportation services designed for elderly and handicapped people.

(b) To plan, promote and engage in financial assistance programs for continuing, restoring and operating Lake Michigan rail and car ferry and rail branch line transportation services.

(c) To maintain adequate programs of investigation, research, promotion and development in connection with transportation programs authorized under this section and to provide for public participation in these programs.

(d) To comply with federal regulations affecting federal transportation service continuation or restoration, or operating assistance programs.

(e) To enter into joint service agreements or other agreements providing for mutual cooperation related to transportation services and projects, including joint applications for federal aids with any county or other body public and corporate.

(f) To receive, use or reallocate federal funds, grants, gifts and aids.

(g) To adopt rules necessary to effectuate and enforce this section and to prescribe conditions and procedures, including auditing and accounting methods and practices, to assure compliance in carrying out the purposes for which state financial assistance is made.

(i) To make and execute contracts with the federal government, any other state or any county or other body public and corporate to ensure the continuance and improvement of quality transportation service at reasonable rates.

(j) To audit the operating revenues and expenditures of all transportation systems participating in the aids program under this section in accordance with accounting methods and practices prescribed by the department.

(3) COORDINATION AND COOPERATION. (a) The department shall coordinate the transportation activities of the state to effectuate the purposes of this section and is responsible for negotiating with the federal government for transportation service programs authorized under this section.

(b) The department may cooperate with other states in connection with the purchase, subsidization or operation of any transportation properties within this state or in other states in order to carry out the purposes of this section. The department may enter into contractual arrangements for such purposes, including joint purchase of transportation properties with other states and entering into leases jointly with other states affected thereby.

(4) RAIL FERRY AND RAIL BRANCH LINE TRANSPORTATION AIDS. The department shall administer a program of financial assistance for the purpose of matching federal moneys made available to the state for assisting continuance or restoration or operation of Lake Michigan rail and car ferry services and railroad branch line transportation services.

(5) SPECIALIZED TRANSPORTATION ASSISTANCE PROGRAMS FOR THE ELDERLY AND THE HANDICAPPED. (a) *Purpose.* The purpose of this subsection is to promote the general public health and welfare by providing transportation services for the elderly and handicapped, and to thereby improve and promote the maintenance of human dignity and self-sufficiency by affording the benefits of transportation services to those

people who would not otherwise have an available or accessible method of transportation.

(b) *Definitions.* In this subsection:

1. "County proportionate share" means the total amount appropriated for purposes of this subsection during the current fiscal year multiplied by the ratio of the number of elderly and handicapped persons in the county to the total number of elderly and handicapped persons in this state, as determined by the department.

2. "Designated service area" means that area to be provided specialized transportation service for any fiscal year.

3. "Elderly person" means any individual age 65 or over.

4. "Eligible applicant" means any county or agency thereof.

5. "Handicapped person" means any individual who, because of any temporary or permanent physical or mental condition or institutional residence is unable without special facilities or special planning or design to use available transportation facilities and services as effectively as persons who are not so affected.

6. "Specialized transportation service" means a transportation system, either publicly or privately owned, which provides to elderly or handicapped persons general or special service on a regular and continuing basis in a designated service area.

(c) *Administration.* The department shall administer the specialized transportation service assistance program and shall have all the powers necessary and convenient to implement this subsection, including the following powers:

1. To receive and review county plans for specialized transportation service assistance under this subsection and to prescribe the form, nature and extent of the information which shall be contained in the county plans. County plans may also include specialized transportation services to persons age 55 or over.

2. To determine the county proportionate share in accordance with a generally accepted statistical methodology and practice.

3. To make and execute contracts with counties to ensure the provision of specialized transportation service. Payments under such contracts to eligible applicants shall not exceed the county proportionate share, except as supplemented under subd. 4. No such contract shall be effective for a period of more than one year in length. Contract requirements may require the county to make a matching contribution of 10% of the county proportionate share or to furnish information determined necessary by the department for periodic program monitoring and year-end auditing and evaluation.

4. If any county fails to contract with the department for its entire county proportionate share by February 1 of any fiscal year, the department may distribute the remaining amount by supplemental contract with other counties that have applied for more than their county proportionate share.

(6) OPERATING AND CAPITAL GRANTS FOR ELDERLY AND HANDICAPPED TRANSPORTATION. (a) *Purpose.* The purpose of this subsection is to promote the general public health and welfare by providing capital and operating assistance to private, nonprofit organizations providing transportation services to elderly and handicapped people.

(b) *Definitions.* In this subsection:

1. "Eligible applicant" means any private, nonprofit organization.

2. "Eligible capital project costs" mean costs incurred in the acquisition of vehicles and equipment under this subsection as defined by the department for the purpose of administering the program under 49 U.S.C. 1612 (b) (2).

3. "Operating assistance block grant" means the money granted to eligible applicants by the department to finance the operation of vehicles under this subsection or 49 U.S.C. 1612 (b) (2), or both.

(c) *Administration.* The department shall administer the grant program and shall have all the powers necessary and convenient to implement this subsection, including the following powers:

1. To receive and review applications for aid under this subsection and to prescribe the form, nature and extent of information which shall be contained in applications. Applicants may be required to furnish information determined necessary by the department for periodic program monitoring, auditing and evaluation.

2. To make and execute agreements with eligible applicants to provide for the undertaking of transportation services to the elderly or the handicapped. Payments of state moneys under such agreements may not exceed 20% of eligible capital project costs, except as supplemented under subd. 3.

3. To reserve up to 50% of the moneys appropriated for this program to add to the annual allocation of federal moneys made available to the state for eligible capital project costs. State moneys reserved under this subdivision may be expended in accordance with federal guidelines for eligible capital project costs.

4. To make grants to eligible applicants to finance the operation of vehicles providing transportation services to the elderly or the handicapped. Payments of state moneys for operating assistance block grants may not exceed \$5,000 per vehicle. No eligible applicant may receive more than one operating assistance block grant.

SECTION 968p. 85.15 of the statutes is created to read:

**85.15 Property management.** The department may improve, use, maintain or lease any property acquired for highway, airport or any other transportation purpose until the property is actually needed for any such purpose.

SECTION 970r. 86.13 (5) of the statutes is created to read:

86.13 (5) Any railroad company that incurs expenses under this section with respect to a state trunk highway may file a claim for reimbursement with the department of transportation. At the end of each fiscal year, the department shall reimburse claimants for 25% of the costs incurred, except that if the appropriation under s. 20.395 (1) (te) is not adequate to fund such reimbursement, the amount appropriated under s. 20.395 (1) (te) shall be prorated among the claimants in proportion to their claims.

SECTION 971. 86.30 of the statutes is created to read:

**86.30 Local transportation aids.** (1) **DEFINITIONS.** In this section:

(a) "Base amount" means the amounts in the schedule in s. 20.005 for the purposes of s. 20.395 (1) (qd).

(b) "Base year distribution" means the amount of basic and supplemental highway aids distributed to a county, city, village or town under s. 20.395 (1) (qa) and (qb), 1975 stats., for the purpose of ss. 83.10 and 86.31, 1975 stats., for fiscal year 1976-77 subject to adjustments made under sub. (6).

(c) "Municipality" means cities, villages and towns.

(d) "New formula amount" means the amount determined under sub. (2).

(2) **NEW FORMULA AMOUNT.** For the purpose of determining the new formula amount a "local formula factor" shall first be calculated for every county and

municipality. The "local formula factor" shall be determined by multiplying the following factors: the functionally classified road mileage under the jurisdiction of the county or municipality as determined under s. 86.302; the appropriate cost factor established under s. 86.303; and the appropriate state responsibility factor established under s. 86.304. The proportion of the "local formula factor" for a particular county or municipality to the total of all "local formula factors" shall be considered the "local proportionate share" of the particular county or municipality. The amount determined by multiplying the local proportionate share times the base amount is the new formula amount.

(4) **TRANSPORTATION AIDS DISTRIBUTION.** (a) The transportation aids payable by the department to each county and municipality for fiscal year 1977-78 and each fiscal year thereafter, shall be the new formula amount or the base year distribution, whichever is greater; provided that commencing with fiscal year 1980-81, and thereafter, once a county or municipality is paid the new formula amount for a fiscal year, it shall thereafter continue to be paid the new formula amount.

(b) Payments under this subsection shall be made in 4 equal instalments at the following times: 25% on the first Monday in October; 25% on the first Monday in January; 25% on the first Monday in April; and 25% on the last Monday in June.

(6) **ADJUSTMENTS IN BASE YEAR DISTRIBUTION.** If the jurisdictional road mileage of a municipality is reduced as a result of incorporation, consolidation, annexation, detachment, or similar procedure whereby the territorial jurisdiction of the municipality is transferred, in whole or in part, to a new or another municipality, the percentage reduction in jurisdictional road mileage shall be reflected by making a proportionate reduction in the base year distribution figure for the municipality from which territorial jurisdiction is transferred. The adjusted base year distribution figure shall be used under sub. (4) (a) to determine transportation aids payable in fiscal years following certification of the change in jurisdictional mileage responsibility under s. 86.305 (3).

(7) **USE OF AIDS.** All transportation aids distributed under this section shall be used for transportation related expenditures.

SECTION 972. 86.301 of the statutes is created to read:

**86.301 Functional classification.** (1) **DEFINITIONS.** In this section:

(a) "Functional classification" means the process by which public highways, streets, and roads are grouped into classes according to the character of service they provide, ranging from a high degree of travel mobility to a high degree of land access.

(2) **PERIODIC ANALYSES.** The department shall conduct periodic analyses of the entire state and local highway system using statewide criteria adopted by the secretary, and based thereon, shall subdivide and classify, and from time to time reclassify, all public highways, streets and roads according to the following functional classes: a) "arterials" which are roads serving corridor movements having trip length and traffic density characteristics of an interstate or inter-area nature; b) "collectors" which are roads serving short distance intra-area traffic or which provide connections between roads classified as arterials and local roads; and c) "local roads" which are all roads within municipalities or in rural areas not included in other classifications which provide property access and short distance local mobility services. The secretary shall appoint an advisory body of local officials to make recommendations on the establishment of functional classification criteria and on the application of the criteria.

(3) **UNIFORM CRITERIA.** The secretary shall establish uniform criteria so that any functional systems developed for any one year for all state and federal purposes are compatible and directly relatable. The criteria to be utilized by the department in

making such functional classifications shall be adopted by the secretary by rule, and shall consider:

(a) Population centers within and without the state, stratified and ranked according to size.

(b) Important traffic generating activities, including but not limited to recreational, agricultural, governmental, business and industrial activity centers.

(c) Directness of travel and distance between points of economic importance.

(d) Length of trips.

(e) Character and volume of traffic.

(f) Appropriate spacing.

(g) System continuity.

(4) ANNUAL AND PERIODIC UPDATE. The department shall update the functional classification annually to reflect new construction, and conduct a complete review of all functional classifications on the entire state and local highway system not less than once every 5 years. Other changes in functional classification may be made annually by the department when the character of travel on a specific road changes significantly. The review and other changes shall be made in cooperation with appropriate local officials.

(5) FINAL DETERMINATION. The secretary is responsible for making the final determination of a road's functional classification. However, the decision of the secretary may be appealed to the transportation commission which may affirm, reverse or modify the secretary's decision.

SECTION 973. 86.302 of the statutes is created to read:

**86.302 Jurisdictional responsibility.** (1) The board of every town, village and county, and the governing body of every city, shall annually not later than December 15, file with the department and with the county clerk, a certified plat of such town, village, city or county showing the roads and streets under their jurisdiction and the mileage thereof to be open and used for travel as of the succeeding January 1, which may be used by the department in making computations of transportation aids. One-half of the mileage of roads or streets on boundary lines shall be considered as lying in each town, village, city or county.

(2) The department shall establish uniform regulations and criteria for the classification of roads and shall disseminate such information to local units of government. The department shall cooperate with and provide assistance to local units of government in their functional classification and jurisdictional mileage determination efforts.

(3) For the purposes of transportation aid determinations under s. 86.30 the following factors shall be considered by the department:

(a) New roads shall be added to a local unit's mileage total in the state's fiscal year following the year in which the road is first open to traffic.

(b) Abandoned roads shall be deleted from a local units mileage total in the fiscal year following the year in which the road is closed to traffic.

(c) Islands of this state consisting of one or more towns shall receive all state aids regularly payable to towns under s. 86.30 and in addition thereto shall receive such aids for the number of miles equal to the distance between an island port and the closest mainland port where such distance is regularly traveled by a licensed ferry transporting persons, cars, trucks, buses and other mechanized equipment. Such additional aids are given for the purpose of maintenance and construction of public docks, parking areas at docks as well as approaches and ramps leading to the docks

and for maintenance, clearing and marking of traveled ways over frozen waters between the islands and the mainland.

SECTION 974. 86.303 of the statutes is created to read:

**86.303 Cost determinations.** (1) The department shall conduct continuing analyses of the costs of construction and maintenance on the state and local highway system. Average cost data shall be developed based on the functional classification system in s. 86.301.

(2) The average cost data developed by the department shall reflect differences based on functional classification.

(3) For the purposes of determining aids to local units of government under s. 86.30 the following average cost factors shall be utilized by the department until new actual average cost data is developed.

	<u>Arterials</u>	<u>Collectors</u>	<u>Local Roads</u>
Rural	225	55	30
Incorporated Areas:			
Less than 10,000 population	275	110	60
10,000 - 35,000 population	325	185	75
35,001 - 150,000 population	425	260	85
Over 150,000 population	625	410	90

(4) Transportation aids for fiscal year 1980-81, and thereafter, shall be based on the multiyear averages of actual annual costs rather than the averages under sub. (3). The first multiyear average shall be based on the actual cost data for calendar years of 1978 and 1979. Each subsequent multiyear average shall include cost data from one additional year until the multiyear average includes cost data from 6 years. Thereafter, each subsequent multiyear average shall be based on the 6 most recent years for which complete actual cost data is available.

(5) The department, with the assistance of the department of revenue and representatives of local governments and their associations appointed by the secretary, shall prescribe a uniform cost reporting procedure which shall be effective January 1, 1978. Cost data shall be reported on a calendar year basis, and reports shall be submitted to the department by May 15, 1979, and each year thereafter. If a county or municipality fails to submit a substantially complete and accurate report by May 15, the aids payable to the county or municipality during the following state's fiscal year shall be equal to 90% of the aids actually paid to the county or municipality under s. 86.30 (4) during the state's preceding fiscal year, even in cases where the preceding year's distribution is equal to the base year distribution.

(6) All road or street construction and maintenance expenditures within the right-of-way are generally reportable as eligible cost items.

(a) Maintenance items include without limitation because of enumeration:

1. Pavement and curb and gutter repair.
2. Maintenance of bridges, culverts and storm sewers.
3. Snow plowing and ice control.
4. Maintenance of traffic control devices.

(b) Construction items include without limitation because of enumeration:

1. Storm drainage systems, culverts and bridges.
2. Grading, base and surface.
3. Marking, signs and traffic control signals.
4. Engineering.
5. Right-of-way acquisition, including relocation assistance.



(c) The following other costs to the extent to which they are highway related are reportable:

1. Machinery and vehicle costs.
2. Expenditures for buildings required for road or street purposes.
3. Interest cost related to funds borrowed to finance any eligible cost item.
4. Traffic police and street lighting costs.

(d) Road or street costs not eligible include costs that may be financed with public funds other than road or street funds, items that are by statute, ordinance or local policy not a public expense or responsibility and all administrative costs.

(e) Cost data shall not include state or federal contributions to the work, all other public agency fund contributions, and all private contributions other than local assessments or special assessments paid by governmental agencies.

(f) The department shall provide a manual of cost reporting guidelines which further details eligible and ineligible costs.

(7) The department shall analyze the county and municipal cost reports to identify cost reports that do not conform to reasonable averages and statistical groups or with previous reported costs. The department may request information from those municipalities or counties to explain the deviation. If not satisfied, the department may order the municipality or county to conduct and report to the department an independent certified audit of their cost report, and the audit costs shall be a reportable cost item if the audit substantially verifies the original cost report. If the county or municipality fails to conduct such an audit, the aids payable during the state's following fiscal year shall be equal to 90% of the aids actually paid during the preceding fiscal year. If the department has reason to believe that the 90% payment will be greater than the actual payment should be, the department may itself order an independent audit and deduct the audit costs from the transportation aids paid to the county or municipality under s. 86.30 (4). Any underpayment or overpayment of aids resulting from cost reporting errors shall be rectified by adjusting aids paid in the following fiscal year.

SECTION 975. 86.304 of the statutes is created to read:

**86.304 State-local responsibility factor.** In order to reflect the varying public services performed by different functional classes of roads, it is established that the following state responsibility factors be applied to the 3 classes of roads: for arterials, a factor of 800; for collectors, a factor of 550; and for local roads, a factor of 300. These factors shall only be used for the purpose of determining aids under s. 86.30 and shall not be considered when making jurisdictional mileage determinations under s. 86.302.

SECTION 976. 86.305 of the statutes is created to read:

**86.305 Annual adjustments in jurisdictional mileage.** The incorporated status and boundaries of municipalities and changes in jurisdictional mileage responsibilities under s. 86.302 shall be certified by the department by May 1 in order to be reflected in transportation aid calculations for the following fiscal year.

SECTION 977. 86.31 of the statutes is repealed.

SECTION 978. 86.32 of the statutes is repealed and recreated to read:

**86.32 Connecting highways.** (1) The department may designate, or rescind the designation of, certain marked routes of the state trunk highway system over the streets or highways in any municipality for which the municipality will be responsible for maintenance and traffic control and the maintenance and operation of any swing or lift bridge. Such maintenance and traffic control shall be subject to review and approval by the department. Those marked routes of the state trunk highway system

designated as connecting streets prior to the effective date of this act (1977), shall become the connecting highways in municipalities which are eligible for aids payments under this section. The character of travel service provided by a route, uniformity of maintenance, the effect on the maintaining agency, and the municipality's maintenance capability will be considerations by the secretary, in cooperation with the municipalities and counties in making changes in the connecting highways of the state trunk highway system in municipalities. The decision of the secretary to designate or rescind a designation may be appealed to the transportation commission, which may affirm, reverse or modify the secretary's decision.

(2) Cities of the 1st, 2nd and 3rd class shall be reimbursed for actual costs incurred in maintaining, improving and operating swing and lift bridges. Documentation of costs shall be submitted by each municipality by January 31 and reimbursement shall be made by June 1 for costs incurred during the prior calendar year. Reimbursement for maintenance of connecting highways shall be determined annually as follows: \$4,000 per lane mile for municipalities having a population over 500,000; \$3,700 per lane mile for municipalities having a population of 150,001 to 500,000; \$3,300 per lane mile for municipalities having a population of 35,001 to 150,000; \$2,900 per lane mile for municipalities having a population of 10,000 to 35,000; and \$2,500 per lane mile for municipalities having a population under 10,000. For the first 2 lanes of a highway, the applicable rate per lane mile shall be paid in full. For the 2nd 2 lanes of a highway, the payable rate per lane mile shall be 75% of the appropriate rate per lane mile prescribed in this section. For the 3rd 2 lanes, and any additional lanes, of highway, the payable rate per lane mile shall be 50% of the appropriate rate per lane mile prescribed in this section. For the purpose of this section, the term "lane miles" means miles of through traffic carrying lanes and does not include lanes on which parking is permitted. Lane miles on any section of connecting highway which have been certified by the department for payment purposes under this section shall not be increased unless they are needed for through traffic and approved by the department. The "lane miles" as of January 1, 1977, are the certified lane miles. The annual reimbursement shall be paid in 4 equal instalments on the first Monday in October, January and April and the last Monday in June.

(3) The rate per lane mile set forth in sub. (2) shall be adjusted annually. The adjustment shall be by the same percentage as the percent change in cost per mile of state trunk highway maintenance paid to the county in which the city is located. The adjusted rate shall be rounded to the nearest \$10 per lane mile.

(4) Municipalities may arrange to participate in the cost of improvement projects on connecting highways. When a connecting highway is reconstructed the municipality shall be required to pay to the department the construction cost of that part of the connecting highway on which parking is to be permitted. However, if lanes on which parking is permitted are required for through traffic and parking is no longer allowed, the department shall reimburse the municipality for the remaining life of those lanes based on a pavement life of 25 years and the original municipal cost for the lanes.

SECTION 979. 86.33 of the statutes is repealed and recreated to read:

**86.33 Population estimates.** Population determination for the purpose of calculating aids under ss. 86.30 and 86.32 shall be based on the final population estimates arrived at by the department of administration under s. 16.96 as of November 30 of the preceding year.

SECTION 980. 86.331 of the statutes is repealed.

SECTION 981. 86.34 (2), (3) and (4) of the statutes are amended to read:

86.34 (2) The ~~highway commission~~ department shall make such investigation as it deems necessary and within 6 months from the date of filing the petition shall make its

findings and determination as to the granting of aid, the amount thereof, and the conditions under which it is granted. In making its determination the ~~highway commission department~~ shall cause an estimate to be made of the cost of repairing or replacing the facilities damaged or destroyed by the flood to standards and efficiency similar to those previously existing, and also an estimate of the cost of reconstructing to a higher type or improving any such facilities if determined to be warranted and advisable. The amount of aid to be granted shall be ~~the total of such estimates of repair or replacement to standards similar to those previously existing, plus one-half of the estimated increased cost of the reconstruction to a higher type or the improvement of any of the facilities, and less one-fourth of the last annual allotment (preceding the date of the highway commission's finding) to the county under ss. 20.395 (1) (qb) and 83.10 (1), in the case of county trunk highways, or less one-fourth of the last annual allotment to the town, village or city under ss. 20.395 (1) (qb) and 86.31, in the case of highways under their jurisdiction plus three-fourths of the cost of repair or replacement to standards similar to those previously existing or the amount by which such costs exceed one-fourth of the last annual aids paid to the petitioner from s. 20.395 (1) (qd), whichever is greater.~~ The ~~highway commission department~~ may revise any of its estimates on the basis of additional facts. The county, town, village or city shall pay the remainder of the cost not allowed as aid, but this shall not invalidate any other provision of the statutes whereby the cost may be shared by the county and the town, village or city.

(3) Aid allotted under sub. (2) shall be held to the credit of the county, town, city or village for not more than 2 years or for such extended period as the ~~highway commission department~~ may grant, and, except as otherwise provided herein and in sub. (4), shall be paid to the treasurer thereof upon presentation to and approval by the ~~highway commission department~~ of certified statements setting forth the cost of the construction, reconstruction, repair or improvement of the facilities determined in the ~~highway commission's department's~~ finding to be eligible for aid. The certified statement shall set forth separately the amount expended on each such facility. Except as provided in sub. (4), the aid to be paid shall be the summation of the amounts ~~expended on each facility for repair or replacement to standards similar to those previously existing and the highway commission's original or revised estimate of such repair or replacement of any of the facilities which are reconstructed to a higher type or improved, plus one-half of the increased cost, as determined or estimated by the highway commission, of the reconstruction to a higher type or the improvement of any of the facilities, and less one-fourth of the annual allotment referred to in determined or revised under sub. (2).~~

(4) ~~From the appropriation made by s. 20.395 (1) (qa) there shall be set aside annually on July 1 the amount required to replace the net amounts paid, allotted, or determined to be payable from the funds previously set aside for the purposes of this section, to reestablish an unencumbered sum of \$500,000, to be used for the purposes of this section. Whenever the aid allotted or determined to be payable exceeds the cash balance of the funds set aside for this purpose appropriation made under s. 20.395 (1) (ud), no further payments shall be made until the following June 30, on which date all amounts allotted or determined to be payable shall be reduced pro rata to the amount of the balance available.~~

SECTION 982. 86.35 of the statutes is amended to read:

**86.35 (title) Transfer of highway privilege tax.** ~~From the appropriation made by s. 20.395 (1) (qd), the department of transportation shall pay annually beginning October 15, to the state treasurer a privilege highway tax in the amount set forth in this section. Such amount shall be entered in the municipal and county shared tax account and distributed~~ A highway privilege tax shall be transferred from the transportation fund to the general fund for inclusion in the general fund appropriation to the shared revenue account under subch. I of ch. 79. The amount for each fiscal

year of the biennium shall be determined by the department of transportation prior to publication of the biennial budget act by estimating and allocating an amount equal to 11% of the estimated net registration and title fees to be derived from vehicles registered under s. 341.25 (1) (c), (d) or (e) and 20% of the estimated net registration and title fees to be derived from all other vehicles registered under ch. 341, excluding the estimated fees to be collected from nonresidents pursuant to reciprocity agreements. ~~The department of transportation shall not, after publication of the biennial budget act, reestimate any amounts determined under this section for that biennium.~~ Estimates of net registration and title fees under this section shall be based on the registration and title fees in effect under 1975 stats. The total amount to be transferred to the general fund under this section shall be certified by the department of transportation to the department of administration by September 1 of each even-numbered year, and the department of administration shall effect the fund transfer on October 15 of each year. Amounts determined under this section shall not be reestimated after publication of the biennial budget act.

SECTION 982m. Chapter 91 of the statutes is created to read:

CHAPTER 91

FARMLAND PRESERVATION

SUBCHAPTER I

GENERAL PROVISIONS

**91.01 Definitions.** In this chapter:

(1) "Agricultural use" means beekeeping; commercial feedlots; dairying; egg production; floriculture; fish or fur farming; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming and vegetable raising.

(2) "Board" means the agricultural lands preservation board.

(3) "Department" means the department of agriculture, trade and consumer protection.

(4) "Develop" means change to any use other than agricultural use.

(5) "Devoted primarily to agricultural use" means under agricultural use for at least 12 consecutive months during the preceding 36-month period.

(6) "Eligible farmland" means 35 or more acres of land which is devoted primarily to agricultural use which during the year preceding application for a farmland preservation agreement produced gross farm profits of not less than \$6,000 or which, during the 3 years preceding application produced gross farm profits of not less than \$18,000.

(7) "Farmland preservation agreement" or "transition area agreement" means a restrictive covenant, evidenced by an instrument whereby the owner and the state agree to hold jointly the right to develop the land except as may be expressly reserved in the instrument and which contains a covenant running with the land, for a term of years, not to develop except as expressly reserved in the instrument.

(8) "Local governing body having jurisdiction" means the city council, village board or town board if that body has adopted a certified ordinance under subch. V; or the county board where such a city, village or town zoning ordinance is not in effect.

(9) "Owner" means a resident of this state owning land and includes an individual, legal guardian, corporation incorporated in this state, business trust, estate, trust, partnership or association or 2 or more persons having a joint or common interest in

the land. However, where land is subject to a land contract, it means the vendor in agreement with the vendee.

**91.03 Interdepartmental cooperation.** All other departments and agencies of state government shall cooperate with the board and the department in the exchange of information concerning projects and activities, including takings under eminent domain, which might jeopardize the preservation of land contemplated by this chapter. The department shall periodically advise other departments and agencies of state government of the location and description of land upon which there exist farmland preservation agreements or zoning for exclusively agricultural use and the departments and agencies shall administer their planning and projects consistent with the purposes of this chapter.

**91.05 Preliminary agricultural areas delineation.** (1) For the purpose of assisting local units of government to preserve agricultural lands, the department, under standards prepared by the board, and in connection with other state agencies, counties and soil and water conservation districts shall prepare or cause to be prepared, maps that locate lands in the state which should be considered for preservation because of their agricultural significance.

(2) Maps shall be prepared first for those portions of the state where the need for agricultural preservation is of the highest priority. Priority shall be based upon the degree of threat of agricultural alteration, loss to other usages, agricultural quality and agricultural importance.

(3) Agricultural maps shall be prepared by the department utilizing the best practicable method and shall be based upon data such as soil surveys, aerial photography interpretation, existing agricultural zoning and surveys and may be supplemented by on-site surveys and other studies.

**91.06 Certification.** The board shall review farmland preservation plans and exclusive agricultural use zoning ordinances submitted to it under ss. 91.61 and 91.78 and shall certify to the appropriate zoning authority whether the plans and ordinances meet the standards of subchs. IV and V, respectively. Certifications may be in whole or in part.

## SUBCHAPTER II

### FARMLAND PRESERVATION AGREEMENTS

**91.11 Eligibility.** (1) An owner may apply for a farmland preservation agreement under this subchapter if:

(a) The county in which the land is located has a certified agricultural preservation plan in effect; or

(b) The land is in an area zoned for exclusive agricultural use under an ordinance certified under subch. V.

(2) An owner of land located in a county which has adopted a certified exclusive agricultural use zoning ordinance may not apply under this subchapter if the town in which the land is located has not approved the ordinance.

(3) In any county with a population of 75,000 or more or any county adjacent to a county with a population of 400,000 or more, an owner may apply for a farmland preservation agreement under this subchapter only if the county in which the land is located has a certified exclusive agricultural use zoning ordinance under subch. V.

(4) In any county, city, town or village that has adopted a certified exclusive agricultural use zoning ordinance under subch. V, an owner may apply for a farmland preservation agreement only if the land is in an area zoned for exclusive agricultural use.

**91.13 Farmland preservation agreements.** (1) Any owner of eligible farmlands who desires to have the lands covered by a farmland preservation agreement may apply to the county clerk on or after October 1, 1977, by executing a form prescribed by rule of the department. The application shall include a land survey or legal description of all cleared and tillable eligible farmland constituting an integral part of the owner's farming operations regardless of contiguity, a map showing significant natural features and all structures and physical improvements on the lands, the soil classification of the lands and such other data as the department deems reasonably necessary to determine the eligibility of the lands for coverage in the farmland preservation agreement.

(2) Upon receipt of the application, the county clerk shall forward the application to the local governing body having jurisdiction, if not the county, and shall send written notification to the department, county planning and zoning committee, the regional planning commission and the soil and water conservation district. If the county has jurisdiction, the clerk shall also notify the board of the town in which the land is situated. If the land is within the extraterritorial zoning jurisdiction of any municipality under s. 62.23 (7a), the clerk shall send written notification to the governing body of the city or village.

(3) An agency or local governing body receiving written notice shall upon receipt of notification have 30 days to review, comment and make recommendations to the local governing body having jurisdiction.

(4) After considering the comments and recommendations of the reviewing agencies and local governing bodies, the local governing body having jurisdiction shall approve or reject the application within 45 days after the application is received unless time is extended by mutual agreement of the parties involved. The local governing body's approval or rejection of the application shall be based upon and consistent with the following:

(a) Whether the farmland is designated an agricultural preservation area in a certified agricultural preservation plan established under subch. IV or is an area zoned for exclusive agricultural use under an ordinance certified under subch. V.

(b) The productivity and viability of the land for agricultural use.

(c) The predominance of agricultural use on the land.

(d) The inclusion of all contiguous lands which are in single ownership.

(e) Whether the property is eligible farmland.

(f) Consistency with the county agricultural preservation plan.

(g) Other criteria established by the local governing body consistent with the agricultural preservation purposes of this chapter.

(5) The clerk of the local governing body having jurisdiction shall forward a copy of all approved applications for farmland preservation agreements, along with the comments and recommendations of the reviewing bodies, to the department. If action is not taken by the local governing body within the time prescribed or agreed upon, the applicant may proceed as provided in sub. (7) as if the application was rejected.

(6) The department may reject an application for a farmland preservation agreement which has been approved by a local governing body only if the land is not eligible farmland.

(7) If the application for a farmland preservation agreement is rejected by the local governing body or the department, the application shall be returned to the applicant with a written statement regarding the reasons for rejection. Within 30 days after receipt of the rejected application, the applicant may appeal the rejection to the board.

The board shall, within 60 days after the appeal has been received, upon consideration of the factors listed in sub. (4) (a) to (g), approve or reject the application.

(8) If an application is approved by the department or, on appeal, by the board, the department shall prepare and send to the applicant a farmland preservation agreement which shall include the following provisions:

(a) A structure shall not be built on the land except for use consistent with agricultural use or with the approval of the local governing body having jurisdiction and the department.

(b) Land improvements shall not be made except for use consistent with agricultural use or with the approval of the local governing body having jurisdiction and the department.

(c) A structure or improvement made as an incident to a scenic, access or utility easement or license shall be deemed consistent with agricultural use under pars. (a) and (b).

(d) Farming operations shall be conducted in accordance with an approved U.S. soil conservation service farm plan, to be reviewed annually by the appropriate soil and water conservation district board or its agent.

(e) The state agrees to pay, with respect to each year the agreement is in effect, those credits claimable under s. 71.09 (11), as such statute exists on the date the agreement takes effect, if all the requirements of s. 71.09 (11) are satisfied.

(f) The department shall not require the owner to permit public assess onto the land.

(g) Any other condition and restriction on the land as agreed to by the parties that is deemed necessary to preserve the land for agricultural use if it is not in conflict with the county agricultural preservation plan.

(9) If the owner executes the farmland preservation agreement, the owner shall return it to the department for execution on behalf of the state. An agreement shall become effective on the date it is delivered or mailed to the department for execution. The department shall within 30 days of receipt record the executed agreement with the register of deeds of the county in which the land is situated and notify the applicant, the local governing body having jurisdiction, all reviewing agencies and the department of revenue.

(9m) The farmland preservation agreement, when recorded with the register of deeds, constitutes a lien on the farmland in the amount of any subsequent lien filed under s. 91.19 and shall be subordinate to a lien of mortgage which is recorded prior to the recording of the agreement.

(10) Agreements under this subchapter shall be for not less than 10 years nor more than 25 years.

(11) An applicant may reapply for a farmland preservation agreement following a one-year waiting period from notice of final determination of the original application by the local governing body having jurisdiction, the department, the board or a court on appeal.

(12) The value of the jointly owned development rights as expressed in a farmland preservation agreement shall not be exempt from general property taxation and shall be assessed to the owner of the land as part of the value of the land.

**91.14 Transition area agreements.** An owner may apply for a transition area agreement under this subchapter if the farmland is located in an area identified as a transition area under a certified county agricultural preservation plan under subch. IV. The provisions of this subchapter, except ss. 91.11 (1) (b) and (4), 91.13 (4) (a) and (10) and 91.15, apply to agreements under this section. Agreements under this

section shall be for not less than 5 nor more than 20 years, consistent with the county agricultural preservation plan.

**91.15 Exemption from special assessments.** A city, village, town, county or other governmental agency may not impose special assessments for sanitary sewers, water, lights or nonfarm drainage on land zoned for exclusively agricultural use under subch. V or for which a farmland preservation agreement under this subchapter has been recorded except as to a dwelling or a nonfarm structure located on the land unless the assessments were imposed prior to the recording of the agreement. Land covered by this exemption shall be denied use of an improvement created by the special assessment as long as the owner of the land has a recorded agreement under this subchapter unless the owner has paid an amount not more than the amount that would have been paid had the land not been excluded.

**91.17 Change of ownership.** (1) Land subject to a farmland preservation agreement may be sold without a lien being filed under s. 91.19, subject to the reservation of rights contained in the agreement. The seller shall notify the department of any such transfer.

(2) When the owner of land subject to a farmland preservation agreement dies or is certified by a physician to be totally and permanently disabled, the land may be released from the program under this chapter and shall be subject to a lien under s. 91.19 (8).

**91.19 Relinquishment of agreements.** (1) A farmland preservation agreement shall be relinquished by the department on behalf of the state at the expiration of the term of the agreement.

(2) A farmland preservation agreement may be relinquished by the department prior to the termination date contained in the instrument as follows:

(a) The owner of the land may submit an application, on forms prescribed by the department, to the local governing body having jurisdiction requesting that the agreement be relinquished. Upon receipt of the application, the clerk of the local governing body shall send written notification thereof to the persons specified under s. 91.13 (2), and such persons shall have 30 days from receipt of notification to review, comment and make recommendations to the local governing body having jurisdiction.

(b) After considering the comments and recommendations of the reviewing agencies, the local governing body having jurisdiction shall approve or reject the application within 45 days after it is filed, unless the time is extended by mutual agreement of the parties involved. The local governing body having jurisdiction shall not approve an application for relinquishment under this subsection unless it finds that one or more of the following conditions exist:

1. The agreement imposes continuing economic inviability causing hardships through the prevention of necessary improvements to the land. In this subdivision "economic inviability" means continued uneconomic operation because of the restrictions in the agreement and not merely the existence of uses of the land which would allow higher returns.

2. Significant natural physical changes in the land which are generally irreversible and permanently affect the land.

3. Surrounding conditions prohibit agricultural use.

(3) If the request for relinquishment of the farmland preservation agreement is approved by the local governing body having jurisdiction, a copy of the application, along with the comments and recommendations of the reviewing agencies, shall be forwarded to the board. The board shall, within 60 days, upon consideration of the factors in sub. (2) (b), approve or reject the application for relinquishment. If the board approves the application it shall notify the local governing body having



jurisdiction and the department of revenue, prepare an instrument under sub. (7) and record it with the register of deeds of the county in which the land is located.

(4) If action is not taken by the local governing body having jurisdiction within the time period prescribed or agreed upon, the applicant may proceed as provided in sub. (5) as if the application was rejected.

(5) If the application for relinquishment is rejected by the local governing body having jurisdiction, the application shall be returned to the applicant with a written statement regarding the reasons for rejection. Within 30 days after receipt of the rejected application, the applicant may appeal the rejection to the board. The board shall, within 60 days after the appeal has been received, upon consideration of the factors listed in sub. (2) (b), approve or reject the request for relinquishment. If the board approves the application it shall notify the local governing body having jurisdiction and the department of revenue, prepare an instrument under sub. (7) and record it with the register of deeds of the county in which the land is located.

(6) The department shall relinquish from a farmland preservation agreement any lands acquired for use as an electric generating facility authorized under s. 196.491 (3), or which involves acquisition of the fee by a utility or a cooperative organized under ch. 185.

(7) Whenever a farmland preservation agreement is relinquished under sub. (2) or a transition area agreement is relinquished under sub. (1) or (2), the department shall cause to be prepared and recorded a lien against the property formerly subject to the agreement for the total amount of all credits received by all owners of such lands under s. 71.09 (11) during the last 20 years that the land was eligible for such credit, plus interest at the rate of 6% per year compounded annually on the credits received from the time the credits were received until the credit is paid. No interest shall be compounded for any period during which the farmland is subject to a subsequent farmland preservation agreement or transition area agreement or is zoned for exclusive agricultural use under an ordinance certified under subch. V.

(8) Upon the relinquishment of a farmland preservation agreement under sub. (1), the department shall cause to be prepared and recorded a lien against the property formerly subject to the farmland preservation agreement for the total amount of the credits received by all owners thereof under s. 71.09 (11) during the last 20 years that the land was eligible for such credit, plus 6% interest per year compounded from the time of relinquishment. No interest shall be compounded for any period during which the farmland is subject to a subsequent farmland preservation agreement or transition area agreement or is zoned for exclusive agricultural use under an ordinance certified under subch. V.

(9) Any lien filed under this chapter supersedes and discharges any prior lien filed under this chapter.

(10) The lien may be paid and discharged at any time and shall become payable to the state by the owner of record at the time the land or any portion of it is sold by the owner of record or if the land is converted to a use prohibited by the former farmland preservation agreement. The proceeds from the payment shall be paid into the general fund.

(12) No lien shall be filed under sub. (7) or (8) if, on the date of relinquishment or termination, the lands are zoned for exclusively agricultural use under an ordinance certified under subch. V.

**91.21 Penalty for use change.** (1) If the owner or a successor in title of the land upon which a farmland preservation agreement has been recorded under this chapter changes the use of the land to a prohibited use without first acting under ss. 91.17 and 91.19, the owner or successor in title may be enjoined by the state, acting through the attorney general, or by the local governing body having jurisdiction, acting through its

attorney, and is subject to a civil penalty for actual damages, but in no case to exceed double the value of the land as established at the time the application for the agreement was approved.

(2) The department or local governing body having jurisdiction shall send written notification to the owner or successor in title, the department or local governing body having jurisdiction, as appropriate, and the department of revenue, of any action taken under this section. Such person may, within 30 days of receipt of the notice, request a hearing before the department or local governing body issuing the notice, which shall be scheduled within 30 days of receipt of the request. All actions of the department under this section are subject to review under ch. 227.

(3) If the owner or a successor in title of the land upon which a farmland preservation agreement has been recorded under this chapter fails to comply with s. 91.13 (8) (d), such person shall be given one year to restore compliance before the remedies of sub. (1) shall be applicable.

**91.23 Conversion.** (1) An owner under a farmland preservation agreement may at any time apply for a transition area agreement, and an owner under a transition area agreement may at any time apply for a farmland preservation agreement. If such an application is approved, the prior agreement shall be relinquished under s. 91.19 (1) and (8).

(2) A farmland preservation agreement or a transition area agreement may be relinquished under s. 91.19 (1) and (8) if the land is included in an area zoned for exclusive agricultural use under an ordinance certified under subch. V.

### SUBCHAPTER III

#### INITIAL AGREEMENTS

**91.31 Eligibility.** Prior to October 1, 1982, an owner may apply for an initial farmland preservation agreement under this subchapter if the county in which the land is located does not have a certified agricultural preservation plan in effect and if the eligible farmland is not in an area zoned for exclusive agricultural use under an ordinance certified under subch. V. Subchapter II applies to such farmland preservation agreements except as specifically provided in this subchapter. No agreements shall be made under this subchapter after September 30, 1982.

**91.33 Applications.** An application under this subchapter need not include the soil classification of the lands involved.

**91.35 Agreement provisions.** (1) Farmland preservation agreements under this subchapter shall require that a U.S. soil conservation service farm plan be either under development or in effect.

(2) Farmland preservation agreements under this subchapter shall be for no longer than 5 years and, except as provided in s. 91.39, shall not extend beyond September 30, 1982.

**91.37 Liens.** (1) If the owner withdraws during the term of an agreement under this subchapter, the lien shall apply to the amount of all credit under s. 71.09 (11) received for the period the land was subject to the agreement plus 6% interest per year compounded annually from the time the credit was received until it is paid.

(2) If the owner terminates the agreement under this subchapter and does not apply for a renewal under s. 91.39 or an agreement under subch. II, the lien shall apply, without interest, to the credit received under s. 71.09 (11) for the last 2 years the land was eligible for such credit if the county in which the land is located has not adopted a certified agricultural preservation plan, or, if such a plan is adopted, the farmland would not be eligible for an agreement under the terms of the plan.

(3) If at the end of an agreement under this subchapter, the owner does not apply for a renewal under s. 91.39 or an agreement under subch. II, although the land is eligible for an agreement under subch. II and is not subject to a certified exclusive agricultural use zoning ordinance under subch. V, the lien shall apply to all credit received during the period the land was subject to an agreement under this subchapter, plus 6% interest per year compounded from the time of expiration.

**91.39 Renewal.** Such agreements may be renewed for a single one-year period only if an agricultural preservation plan is adopted by the county in which the farmland is located and the farmland is eligible for an agreement under subch. II under such plan.

**91.41 Conversion.** Any person subject to a farmland preservation agreement under this subchapter may apply under subch. II whenever the county in which the land is located adopts a certified agricultural preservation plan under subch. IV or whenever the farmland becomes subject to a certified exclusive agricultural use zoning ordinance under subch. V. In such case, the farmland preservation agreement under this chapter shall be relinquished under s. 91.19 (1) and (8).

#### SUBCHAPTER IV

##### AGRICULTURAL PRESERVATION PLANNING

**91.51 Purpose.** The purpose of this subchapter is to specify standards for county agricultural preservation plans required to enable farmland owners to enter into farmland preservation agreements under this chapter. Agricultural preservation planning shall be undertaken in accordance with s. 59.97 and agricultural preservation plans shall be a component of and consistent with any county development plan prepared under s. 59.97 (3).

**91.53 Studies.** County agricultural preservation plans shall be based upon, without limitation because of enumeration, surveys, studies and analyses of agricultural use and productivity, natural resources and open space, population and population density, urban growth, housing and the character, location, timing, use and capacity of existing and future public facilities.

**91.55 Content of plans.** (1) County agricultural preservation plans shall, at a minimum, include:

(a) Statements of policy regarding preservation of agricultural lands, urban growth, the provision of public facilities and the protection of significant natural resource, open space, scenic, historic or architectural areas.

(b) Maps identifying agricultural areas to be preserved, areas of special environmental, natural resource or open space significance and, if any, transition areas. Transition areas shall be areas in predominantly agricultural use which the plan identifies for future development. Any agricultural preservation areas mapped must be a minimum of 100 acres. Any transition areas mapped must be a minimum of 35 acres. In mapping agricultural preservation areas, the maps identifying preliminary agricultural preservation areas prepared under s. 91.05 shall be considered if the map is provided to the county at least 12 months prior to adoption of the agricultural preservation plan.

(2) The maps may include areas other than those mapped under s. 91.05. Areas mapped under s. 91.05 may be excluded from the county maps upon a finding that one or more of the following conditions exist:

(a) Existing or planned activities adjacent to the identified agricultural area are incompatible with agricultural use.

(b) The area is not economically viable for agricultural use.

(c) Substantial urban growth in the area or planned urban expansion has created a public need to convert agricultural land use to other uses.

(d) Maintenance of the area in agricultural use is not consistent with the goals and objectives of a county agricultural preservation plan.

(3) Statements regarding the coordination requirements of s. 91.59.

**91.57 Implementation programs.** County agricultural preservation plans shall include a program of specific public actions designed to preserve agricultural lands and guide urban growth. Such implementation programs shall include, without limitation because of enumeration:

(1) A general description of land use controls and programs to implement the policy statements of s. 91.55 (1).

(2) A program that describes the character, location, timing, use, capacity and financing of existing and proposed public facilities to serve existing and new development.

(3) An identification of procedures and standards for controlling the installation and maintenance of private waste disposal systems, specifically identifying areas not suitable for the installation of such systems.

(4) A program to protect areas of special environmental, natural resource or open space significance.

**91.59 Coordination.** (1) County agricultural preservation plans shall include agricultural preservation plans adopted by municipalities within the county if such plans comply with ss. 91.55 and 91.57.

(2) At least 60 days prior to the public hearing under s. 59.97 (3) (d), copies of the agricultural preservation plan shall be submitted for review and comment to all cities, villages and towns within the county, all adjoining counties and the regional planning commission to which the county belongs.

(3) County agricultural preservation plans must indicate how they compare with regional plans prepared under s. 66.945 and must explain any discrepancies between the plans.

**91.61 Certification.** Upon completion of county agricultural preservation plans described in this subchapter, copies of the plan may be submitted to the board for review and certification under s. 91.06.

**91.63 Revisions.** Counties shall continually review and evaluate the agricultural preservation plan in light of changing needs and conditions and shall provide for periodic revision of the agricultural preservation plan set forth in this subchapter. Revisions shall be made in the same manner as adoption of the plan.

**91.65 State aids.** Subject to the approval of the board, the department of local affairs and development shall distribute the funds appropriated under s. 20.545 (1) (c) to assist counties in developing agricultural preservation plans in accordance with this subchapter.

#### SUBCHAPTER V

#### EXCLUSIVE AGRICULTURAL ZONING

**91.71 Purpose.** The purpose of this subchapter is to specify the requirements for zoning ordinances designating certain lands for exclusively agricultural use, allowing the owners of such lands to claim the farmland preservation credit permitted under s. 71.09 (11).

**91.73 Procedures.** (1) Except as otherwise provided, exclusive agricultural zoning ordinances shall be adopted and administered in accordance with ss. 59.97 to 59.99, 60.74 and 60.75, 61.35 or 62.23.

(2) Exclusive agricultural zoning ordinances shall be consistent with county agricultural preservation plans established under subch. IV.

(3) A majority of towns in a county with population exceeding 75,000 or a county adjacent to a county with population exceeding 400,000, may reject adoption of a county exclusive agricultural use zoning ordinance under this subchapter for all towns within the county only by filing within 6 months after adoption of the ordinance by the county board certified copies of resolutions disapproving the ordinance with the county clerk. Notwithstanding s. 59.97 (5) (c), the procedure established in this subsection shall be the only procedure by which a town in such a county may reject the application of a county agricultural use zoning ordinance in that town.

Partial  
Veto  
Overruled

(4) Amendments to the texts of existing county zoning ordinances to bring the ordinances into compliance with this chapter, which are adopted by the county board, shall be effective in any town which does not file a certified copy of a resolution disapproving of the amendment pursuant to s. 59.97 (5) (e) 3m or 6.

**91.75 Ordinance standards.** A zoning ordinance shall be deemed an “exclusive agricultural use ordinance” if it includes those jurisdictional, organizational or enforcement provisions necessary for its proper administration, if the land in exclusive agricultural use districts is limited to agricultural use and is identified as an agricultural preservation area under any agricultural preservation plans adopted under subch. IV and if it regulates the use of agricultural lands in such districts in the following manner:

(1) The only residences allowed as permitted uses on newly established parcels are those to be occupied by a person who, or a family at least one member of which, earns a substantial part of his or her livelihood from farm operations on the parcel, or is related to the operator of the larger farm parcel from which the new parcel is taken. Preexisting residences located in areas subject to zoning under this section which do not conform to this paragraph may be continued in residential use and shall not be subject to any limitations imposed or authorized under s. 59.97 (10).

(2) The minimum parcel size to establish a residence or a farm operation is 35 acres.

(3) No structure or improvement may be built on the land unless consistent with agricultural uses.

(4) Such ordinances shall be considered local ordinances for purposes of s. 196.491 (3) (i) and shall provide that gas and electric utility uses not requiring authorization under s. 196.491 (3) are permitted uses and do not conflict with agricultural use.

(5) Special exceptions and conditional uses are limited to those religious, other utility, institutional or governmental uses which do not conflict with agricultural use and are found to be necessary in light of the alternative locations available for such uses.

**91.77 Ordinance revisions.** (1) A county, city, village or town may approve petitions for rezoning areas zoned for exclusive agricultural use only after findings are made based upon consideration of the following:

(a) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time.

(b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them.

(c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas.

(2) Land which is rezoned under this section shall be subject to the lien provided under s. 91.19 (8) to (11).

**91.78 Certification.** Copies of exclusive agricultural zoning ordinances may be submitted to the board for review and certification under s. 91.06.

SECTION 983. 92.04 (4) (g) of the statutes is amended to read:

92.04 (4) (g) Have responsibility over programs provided by P.L. 83-566, as amended, relating to the planning and carrying out of works of improvement for soil and water conservation and other purposes, ~~and such programs shall be reported to the natural resources council of state agencies for its information. All P.L. 83-566 environmental impact statements required by the national environmental protection act of 1969 shall be reviewed by the natural resources council of state agencies.~~

SECTION 984. 92.04 (4) (i) of the statutes is amended to read:

Partial  
Veto  
Overruled  
92.04 (4) (i) Prepare and present to the board of regents of the university of Wisconsin system a budget to finance the activities of the board and the districts, except the budget for the programs under §s. 92.20 and 92.21 need not be submitted to the board of regents, and to administer any law appropriating funds to the districts.

SECTION 984m. 92.21 of the statutes is created to read:

**92.21 Agricultural nonpoint source water pollution grants.** (1) *Annually, the board of soil and water conservation districts shall make grants from the appropriation under s. 20.855 (2) (f) to farmers, as defined under s. 102.04 (3). Each grant shall be up to 50% of the actual approved cost of enduring projects to abate agricultural nonpoint source water pollution. For the purposes of this section an enduring project is a nonoperating expense which has an expected useful life of at least 5 years. No grant may be made which conflicts with an areawide waste management plan approved under s. 147.25. No person may receive more than \$10,000 under this section.*

Partial  
Veto  
Overruled

(2) *The board of soil and water conservation districts shall establish eligibility and priorities for distributing grants under this section giving consideration to the financial need of the farmer and the severity of the water pollution to be abated.*

(3) *Any farmer, as defined under s. 102.04 (3), may apply for a grant under this section by submitting an application to the board of soil and water conservation districts. The application shall be in such form, shall include such information and be submitted at such time as the board of soil and water conservation districts prescribes by rule.*

SECTION 985d. 93.25 (2) of the statutes is amended to read:

Vetoed  
in Part  
93.25 (2) The secretary of ~~agriculture shall act basically to advise and coordinate the activities of the state fair park board with the other functions of the department and the secretary or his or her designee shall serve as a voting member of the state fair park board.~~

SECTION 991m. 94.66 (2) of the statutes is amended to read:

94.66 (2) No person shall may engage in the business of selling or distributing liming material in this state without first obtaining a license therefor from the department of ~~agriculture~~ unless he the person is engaged in the business of selling or distributing such product produced by another already licensed to do business under this section.

SECTION 992. 95.26 (3) of the statutes is amended to read:

95.26 (3) If the existence of brucellosis within the state results in the termination of its status as a certified brucellosis-free area by the U.S. department of agriculture, the department shall request the release of funds by the joint committee on finance acting under s. 13.101 from the appropriation under s. 20.725 (1) (a) to pay for official vaccination, as provided in s. 95.46 (2), of all female calves located within any county where the incidence of brucellosis disqualifies it for such designation.

SECTION 992m. 97.24 (4) of the statutes is amended to read:

97.24 (4) RULES. The department, in consultation with the department of health and social services, shall issue rules governing the production, transportation, processing, pasteurization, handling, identity, sampling, examination, labeling and sale of grade A milk and grade A milk products; the inspection of dairy herds, dairy farms and dairy plants; the issuing and revocation of permits to milk producers and milk haulers, and of licenses to dairy plants and milk distributors. Insofar as permitted by the laws of this state, such rules shall be in reasonable accord with the minimum standards and requirements for milk and milk products currently recommended and published by the U. S. public health service as a milk ordinance and code, except that the requirements for bottling and sterilization of bottles in such standards shall not apply to milk sold by a producer, selling only milk produced by ~~him~~ the producer on ~~his own~~ the producer's farm under ~~his~~ the producer's own supervision, and selling such milk only in ~~his~~ the producer's own milk house, which milk meets the requirements of grade A standards as set forth by the department of agriculture, trade and consumer protection, to a purchaser who has provided his or her own container, which has been sanitized in a manner comparable to the sanitizing of the utensils used in the production of ~~said~~ milk by ~~said~~ the producer, if ~~said~~ the purchaser is purchasing ~~said~~ milk for his or her own consumption.

SECTION 992p. 100.02 (1) of the statutes is renumbered 100.02 and amended to read:

**100.02 Commission merchants, duties, must account.** No person, ~~firm, association, or corporation~~ receiving any fruits, vegetables, melons, dairy, or poultry products or any perishable farm products of any kind or character, other than cattle, sheep, hogs or horses, ~~hereinafter~~ referred to in this section as produce, for or on behalf of another, ~~shall may~~ without good and sufficient cause therefor, destroy, or abandon, discard as refuse or dump any produce directly or indirectly, or through collusion with any person, nor ~~shall may~~ any person, ~~firm, association or corporation~~ knowingly and with intent to defraud make any false report or statement to the person, ~~firm, association, or corporation~~ from whom any produce was received, concerning the handling, condition, quality, quantity, sale or disposition thereof, nor ~~shall may~~ any person, ~~firm, association or corporation~~ knowingly and with intent to defraud fail truly and correctly to account and pay over to the consignor therefor. The department of agriculture, trade and consumer protection shall by regulation rule provide for the making of prompt investigations and the issuing of certificates as to the quality and condition of produce received, upon application of any person, ~~firm, association, or corporation~~ shipping, receiving, or financially interested in, such produce. Such ~~regulations~~ rules shall designate the classes of persons qualified and authorized to make such investigations and issue such certificates, except that any such investigation shall be made and any such certificate shall be issued by at least ~~two~~ 2 disinterested persons in any case where such investigation is not made by an officer or employe of the department. A certificate made in compliance with such ~~regulations~~ rules shall be prima facie evidence in all courts of the truth of the statements ~~therein~~ contained in the certificate as to the quality and condition of the produce; but if any such certificate is put in evidence by any party, in any civil or criminal proceeding, the opposite party shall be permitted to cross-examine any person signing such certificate, called as a

witness at the instance of either party, as to his or her qualifications and authority and as to the truth of the statements contained in such certificate.

SECTION 993. 101.01 (1) (b) to (d) of the statutes are amended to read:

101.01 (1) (b) "Commission" means the ~~industry, labor and human relations~~ industry review commission.

(c) "Commissioner" means a member of the ~~industry, labor and human relations~~ commission.

(d) "Deputy" means any person employed by the department designated as a deputy, who possesses special, technical, scientific, managerial or personal abilities or qualities in matters within the jurisdiction of the department, and who may be engaged in the performance of duties under the direction of the ~~commission~~ secretary, calling for the exercise of such abilities or qualities.

SECTION 994. 101.01 (1) (h) of the statutes is created to read:

101.01 (1) (h) "Secretary" means the secretary of industry, labor and human relations.

SECTION 995. 101.01 (2) (e) of the statutes is amended to read:

101.01 (2) (e) ~~The term "frequenter" shall mean and include~~ "Frequenter" means every person, other than an employe, who may go in or be in a place of employment or public building under circumstances which render ~~him~~ such person other than a trespasser. Such term includes a pupil or student when enrolled in or receiving instruction at an educational institution.

SECTION 996. 101.02 (5) (b) to (f), (10), (14) (a) and (b) and (15) (g) of the statutes are amended to read:

101.02 (5) (b) For the purpose of making any investigation with regard to any employment or place of employment or public building, the ~~commission~~ secretary may appoint, by an order in writing, any ~~commissioner, any~~ deputy who is a citizen of the state, or any other competent person as an agent whose duties shall be prescribed in such order.

(c) In the discharge of his or her duties such agent shall have every power ~~whatsoever~~ of an inquisitorial nature granted in ~~this act ss. 101.01 to 101.25~~ to the ~~commission, and department~~, the same powers as a court commissioner with regard to the taking of depositions; and all powers granted by law to a court commissioner relative to depositions ~~are hereby granted to such agent~~.

(d) The ~~commission~~ department may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agent the taking of all testimony bearing upon any investigation or hearing. The decision of the ~~commission~~ department shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude the taking of further testimony if the ~~commission~~ department so ~~order~~ orders nor preclude further investigation.

(e) The ~~commission~~ secretary may direct any deputy who is a citizen to act as special prosecutor in any action, proceeding, investigation, hearing or trial relating to the matters within its jurisdiction.

(f) Upon the request of the ~~commission~~ department, the department of justice or district attorney of the county in which any investigation, hearing or trial had under ss. 101.01 to 101.25 is pending, shall aid therein and prosecute under the supervision of the ~~commission~~ department, all necessary actions or proceedings for the enforcement of those sections and all other laws of this state relating to the protection of life, health, safety and welfare, and for the punishment of all violations thereof.



(10) Orders of the ~~commission department~~ under sections ss. 101.01 to 101.25 shall be subject to review in the manner provided in ch. 227.

(14) (a) The ~~commission, or any member thereof,~~ secretary or any examiner appointed ~~thereby, by the secretary~~ may hold hearings and take testimony.

(b) Each witness who ~~shall appear~~ appears before the ~~commission department~~ by its order shall receive for ~~his~~ attendance the fees and mileage ~~now~~ provided for witnesses in civil cases in courts of record, which shall be audited and paid by the state in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the ~~chairman of the commission~~ secretary, and charged to the proper appropriation for the department. ~~But no~~ No witness subpoenaed at the instance of parties other than the ~~commission shall be~~ department is entitled to compensation from the state for attendance or travel unless the ~~commission shall certify~~ department certifies that ~~his~~ the testimony was material to the matter investigated.

(15) (g) Any commissioner, ~~the secretary~~ or any deputy of the department may enter any place of employment or public building, for the purpose of collecting facts and statistics, examining the provisions made for the health, safety and welfare of the employes, frequenters, the public or tenants therein and bringing to the attention of every employer or owner any law, or any order of the department, and any failure on the part of such employer or owner to comply therewith. No employer or owner ~~shall~~ may refuse to admit any commissioner, ~~the secretary~~ or any deputy of the department to his or her place of employment or public building.

SECTION 997. 101.03 of the statutes is amended to read:

**101.03 (title) Testimonial powers of commissioners, secretary and deputy.** Each of the commissioners, ~~secretary or deputy secretary~~ may certify to official acts, and take testimony.

SECTION 998. 101.04 of the statutes is created to read:

**101.04 Labor and industry review commission.** (1) The commission shall issue its decision in any case where petition for review is filed under ch. 102, 108 or 949 or s. 56.07 (7), 56.21, 66.191, 101.22, 101.223 (4) or 111.36.

(2) Notwithstanding s. 227.014, the commission may not promulgate rules except that it may promulgate its rules of procedure.

(3) The commission may employ professional and other persons to assist in the execution of its duties.

SECTION 999. 101.06 of the statutes is created to read:

**101.06 State safety programs.** The department shall coordinate and enforce state safety programs, with the assistance of departments and agencies, by:

(1) Planning and conducting a comprehensive safety and loss prevention program for state employes and facilities and promulgating rules for the operation of an effective program.

(2) Inspecting, investigating and analyzing all state facilities, job sites, equipment, material and work methods as deemed necessary.

(3) Conducting follow-up investigations to assure correction of all safety orders issued by the department on state-owned buildings or buildings occupied by state departments or agencies.

SECTION 1002. 101.14 (1) (b) and (2) (a) of the statutes are amended to read:

101.14 (1) (b) The ~~commission secretary~~ and ~~its deputies shall have the right~~ any deputy may at all reasonable hours ~~to enter into and upon~~ all buildings, premises and public thoroughfares excepting only the interior of private dwellings, for the purpose of

ascertaining and causing to be corrected any condition liable to cause fire, or any violation of any law or order relating to the fire hazard or to the prevention of fire.

(2) (a) The chief of the fire department in every city, village or town, except cities of the 1st class, is ~~hereby~~ constituted a deputy of the department, subject to the right of the ~~commission~~ department to relieve any such chief from his duties as such deputy for cause, and upon such suspension to appoint some other person to perform the duty imposed upon such deputy. The ~~commission~~ department may appoint either the chief of the fire department or the building inspector as its deputy in cities of the 1st class.

SECTION 1003. 101.15 (2) (b) of the statutes is amended to read:

101.15 (2) (b) No excavation of a shaft ~~shall~~ may be commenced unless a permit is first issued therefor by the department. Permits for such excavation shall be issued ~~without cost~~ upon fee payment and application filed with the department, if the department is satisfied that the shaft or the excavation and workings will be in compliance with the safety orders adopted by the department and applicable thereto. Application shall be made upon forms prescribed by the department and shall be furnished upon request.

SECTION 1004. 101.19 of the statutes is repealed and recreated to read:

**101.19 Fees and records.** (1) The department, by rule promulgated under ch. 227, shall fix and collect fees which shall, as closely as possible, equal the cost of providing the following services:

(a) The examination of plans for public buildings, public structures, places of employment and the components thereof.

(b) The required inspection of boilers, pressure vessels, refrigeration plants, petroleum and liquefied petroleum gas vessels, anhydrous ammonia tanks and containers, elevators, ski towing and lift devices, amusement and thrill rides, escalators and dumbwaiters.

(c) Determining and certifying the competency of inspectors, blasters and welders.

(d) Each inspection of a facility conducted to ensure that the construction is in accordance with the plans approved by the department.

(e) The review of plans, construction inspections, department labels and licensing of manufacturers of mobile homes.

(f) Defraying the cost of the manufactured dwelling and one- and two-family dwelling programs.

(g) The inspection and investigation of accidents.

(h) Inspections of mines, tunnels, quarries, pits and explosives.

(2) The department shall issue and record required certificates of inspection or of registration for equipment listed in sub. (1) (b).

SECTION 1005. 101.20 (1) (a) of the statutes is repealed.

SECTION 1006. 101.211 of the statutes is amended to read:

**101.211 Lunchrooms.** The department shall require a suitable space in which lunches may be eaten in any place of employment if found by the ~~commission~~ department to be reasonably necessary for the protection of the life, health, safety and welfare of employes therein.

SECTION 1007. 101.22 (4) (a) of the statutes is amended to read:

101.22 (4) (a) The department may receive and investigate ~~complaints~~ a complaint charging ~~violations~~ a violation of this section if the complaint is filed with the department no more than 300 days after the alleged discrimination occurred. A

complaint shall be a written statement of the essential facts constituting the discrimination charged, and shall be verified.

SECTION 1008. 101.22 (4) (c), (4m), (5) and (6) of the statutes are amended to read:

101.22 (4) (c) If the department finds probable cause to believe that any discrimination has been or is being committed in violation of this section, it ~~shall immediately~~ may endeavor to eliminate such discrimination by conference, conciliation and persuasion. If the department determines that such conference, conciliation and persuasion has not eliminated the alleged discrimination, the department shall issue and serve a written notice of hearing, specifying the nature and acts of discrimination which appear to have been committed, and requiring the person named, ~~hereinafter in this section~~ called the "respondent", to answer the complaint at a hearing before the department. The notice shall specify a time of hearing, not less than 10 days after service of the complaint, and a place of hearing within the county in which the act of discrimination is alleged to have occurred. The testimony at the hearing shall be recorded by the department. In all hearings, except those for determining probable cause, before the department the burden of proof shall be on the party alleging discrimination. If, after the hearing, the department finds by a fair preponderance of the evidence that the respondent has engaged in discrimination in violation of this section, the department shall make written findings and recommend such action by the respondent as will effectuate the purpose of this section and shall serve a certified copy of its findings and recommendations on the respondent and complainant together with an order requiring the respondent to comply with the recommendations, the order to have the same force as other orders of the department and be enforced as provided in this section except that the enforcement of such order shall automatically be stayed upon the filing of a petition for review with the ~~circuit court for the county in which the alleged discrimination took place~~ commission. If the department finds that the respondent has not engaged in discrimination as alleged in the complaint, it shall serve a certified copy of its findings on the complainant and the respondent together with an order dismissing the complaint. Where the complaint is dismissed, costs in an amount not to exceed \$100 plus actual disbursements for the attendance of witnesses may be assessed against the department in the discretion of the department.

(4m) TESTING PROHIBITED. ~~It is unlawful for any~~ A person not having ~~any a~~ a bona fide intention to avail himself or herself of any rights under this section ~~to~~ may not solicit offers, ~~to~~ buy or lease from property owners or lessees or their agents, ~~to~~ demand the services or facilities of any place of public accommodation, ~~to~~ demand facilities or ~~to~~ demand any employment for the sole purpose of securing evidence of a discriminatory practice. Any person found by the department under the hearing procedure provided in sub. (4) (c) to have violated this subsection shall be subject to the penalties prescribed under sub. (6), together with costs and disbursements as provided in sub. (4) (c). Such finding is subject to ~~judicial~~ review as provided in sub. ~~(5)~~ (4p).

(5) JUDICIAL REVIEW. Within 30 days after service upon all parties of any order of the commission under this section the respondent or complainant may appeal the order to the circuit court for the county in which the alleged discrimination took place by the filing of a petition for review. The respondent or complainant shall receive a trial de novo on all issues relating to any alleged discrimination and a further right to a trial by jury, if so desired. The department of justice shall represent the ~~department of industry, labor and human relations~~ commission. In any such trial the burden shall be to prove discrimination by a fair preponderance of the evidence. Costs in an amount not to exceed \$100 plus actual disbursements for the attendance of witnesses may be taxed to the prevailing party on the appeal.

(6) PENALTY. Any person who wilfully violates this section or any lawful order issued ~~hereunder~~ under this section shall, for each such violation, forfeit not less than \$10 nor more than \$200. Payment of any such forfeiture shall be stayed during the period in which any appeal may be taken and during the pendency of any appeal under sub. (5).

SECTION 1009. 101.22 (4p) of the statutes is created to read:

101.22 (4p) PETITION FOR REVIEW. (a) Any respondent or complainant who is dissatisfied with the findings and recommendations of the department may file a written petition with the department for review by the commission of the findings and recommendations.

(b) The commission shall either reverse, modify, set aside or affirm such findings and recommendations in whole or in part, or direct the taking of additional evidence. Such action shall be based on a review of the evidence submitted. If the commission is satisfied that a respondent or complainant has been prejudiced because of exceptional delay in the receipt of a copy of any findings and recommendations it may extend the time another 20 days for filing the petition with the department.

(c) On motion, the commission may set aside, modify or change any decision made by the commission, at any time within 28 days from the date thereof if it discovers any mistake therein, or upon the grounds of newly discovered evidence. The commission may on its own motion, for reasons it deems sufficient, set aside any final decision of the commission within one year from the date thereof upon grounds of mistake or newly discovered evidence, and remand the case to the department for further proceedings.

(d) If no petition is filed within 20 days from the date that a copy of the findings and recommendations of the department are mailed to the last-known address of the respondent and complainant, the findings and recommendations shall be considered final.

SECTION 1010. 101.222 (1) of the statutes is amended to read:

101.222 (1) The division of equal rights may investigate ~~alleged cases~~ a complaint of discrimination in public places of accommodation or amusement, as defined in s. 942.04 (2), and if the complaint is filed with the department no more than 300 days after the alleged discrimination occurred. The department may seek conciliation in any ~~such~~ case where it believes discrimination ~~to have~~ occurred.

SECTION 1011. 101.223 (4) of the statutes is amended to read:

101.223 (4) (a) The department shall receive and investigate complaints charging discrimination or discriminatory practices in particular cases, and publicize its findings with respect thereto. The department shall have all powers provided under s. 111.36 with respect to the disposition of such complaints. The findings and recommendations of the department may be reviewed as provided under s. 101.22 (4p).

(b) Findings and orders of the ~~department~~ commission under this section are subject to review under ch. 227. Upon such review, the department of justice shall represent the commission.

SECTION 1012. 101.25 of the statutes is amended to read:

**101.25 Veterans job training.** The department shall cooperate with the federal veterans administration in the performance of functions prescribed in U.S. Public Law 679 and any acts amendatory thereof or supplementary thereto. The ~~commission~~ secretary may with the approval of the governor take all necessary steps in the making of leases or other contracts with the federal government in the adoption and execution of plans, methods, and agreements to effectuate ~~said~~ Public Law 679.

SECTION 1013. 101.55 of the statutes is amended to read:

**101.55 Executive agreements to control sources of radiation.** When the legislative council determines that it is in the interest of the state to enter into agreement with the government of the United States to provide for the discontinuance of certain of the federal government's responsibilities with respect to sources of ionizing radiation and the assumption thereof by the state pursuant to authority granted by P.L. 86-373, it shall convey its determination to the governor together with its estimate of the initial and ultimate cost of the assumption of this responsibility by the state and the governor, on behalf of the state, may, after a finding by both ~~him~~ the governor and the U.S. ~~atomic energy nuclear regulatory~~ nuclear regulatory commission as to the adequacy of the state's program of regulation, enter into such an agreement.

SECTION 1018. 101.94 (6) of the statutes is amended to read:

101.94 (6) Fees for review of plans, construction inspections, department labels and licensing of manufacturers shall be established by department rule ~~and shall cover actual cost of the inspection and licensing programs~~ under s. 101.19.

SECTION 1019. 102.07 (11) of the statutes is amended to read:

102.07 (11) The ~~commission~~ department shall by rule prescribe classes of volunteer workers who may, at the election of the person for whom the service is being performed, be deemed to be employes for the purposes of this chapter. Election shall be by endorsement upon the worker's compensation insurance policy with written notice to the department. In the case of an employer exempt from insuring liability, election shall be by written notice to the department. The ~~commission~~ department shall by rule prescribe the means and manner in which notice of election by the employer is to be provided to the volunteer workers.

SECTION 1020. 102.13 (1) of the statutes is amended to read:

102.13 (1) Whenever compensation is claimed by an employe, the employe shall, upon the written request of the employe's employer, submit to reasonable examination by a physician, chiropractor or podiatrist, provided and paid for by the employer, and shall submit to examination by any physician, chiropractor or podiatrist selected by the commission or an examiner. The employe shall be entitled to have a physician, chiropractor or podiatrist, provided by himself or herself, present at any such examination. So long as the employe, after such written request of the employer, refuses to submit to such examination, or in any way obstructs the ~~same examination~~, the employe's right to begin or maintain any proceeding for the collection of compensation shall be suspended; ~~and if~~ if the employe refuses to submit to such examination after direction by the ~~commission~~ department or an examiner, or in any way obstructs such examination, the employe's right to the weekly indemnity which accrues and becomes payable during the period of such refusal or obstruction, shall be barred. Any physician, chiropractor or podiatrist who is present at any such examination may be required to testify as to the results thereof. Any physician, chiropractor or podiatrist ~~having who~~ who attended an employe may be required to testify before the department when it so directs. Notwithstanding any other statutory provisions, any physician, chiropractor or podiatrist attending a worker's compensation claimant may furnish to the employe, employer, worker's compensation insurance carrier, or the department information and reports relative to a compensation claim. The testimony of any physician, chiropractor or podiatrist, who is licensed to practice where he or she resides or practices outside the state, may be received in evidence in compensation proceedings.

SECTION 1021. 102.17 (1) (b) and (bm) 1 of the statutes are amended to read:

102.17 (1) (b) The department may, with or without notice to either party, cause testimony to be taken, or an inspection of the premises where the injury occurred to be made, or the time books and payrolls of the employer to be examined by any

~~commissioner or~~ examiner, and may direct any employe claiming compensation to be examined by a physician, chiropractor or podiatrist; ~~the~~. The testimony so taken, and the results of any such inspection or examination, ~~to~~ shall be reported to the department for its consideration upon final hearing. All ex parte testimony taken by the department shall be reduced to writing and either party shall have opportunity to rebut such testimony on final hearing.

(bm) 1. Who is beyond reach of the subpoena of ~~a commissioner or~~ an examiner;  
or

SECTION 1022. 102.18 (3) and (4) of the statutes are amended to read:

102.18 (3) If no petition is filed within 20 days from the date that a copy of the findings or order of the examiner ~~was~~ is mailed to the last-known address of the parties in interest, such findings or order shall be considered ~~the findings or order of the commission final~~, unless set aside, reversed or modified by such examiner within such time. If the findings or order are set aside by the examiner the status shall be the same as prior to the findings or order set aside. If the findings or order are reversed or modified by the examiner the time for filing petition with the department shall run from the date that notice of such reversal or modification is mailed to the last-known address of the parties in interest. The commission shall either affirm, reverse, set aside or modify such findings or order in whole or in part, or direct the taking of additional evidence. Such action shall be based on a review of the evidence submitted. If the commission is satisfied that a party in interest has been prejudiced because of exceptional delay in the receipt of a copy of any findings or order it may extend the time another 20 days for filing petition with the department.

(4) (a) ~~The commission may remove or transfer the proceedings pending before a commissioner or examiner.~~ Unless the liability under ss. 102.49, 102.57, 102.58, 102.59, 102.60 or 102.61 is specifically mentioned, the order, findings or award are deemed not to affect such liability.

(b) On motion, the commission may set aside, modify or change any order, findings or award, whether made by an examiner or by the commission, at any time within 20 days from the date thereof if it discovers any mistake therein, or upon the grounds of newly discovered evidence. The commission may on its own motion, for reasons it deems sufficient, set aside any final order or award of the commission within one year from the date thereof upon grounds of mistake or newly discovered evidence, and after extending an opportunity for hearing may make new findings and order, or it may reinstate the previous findings and order or award or remand the case to the department for further proceedings.

SECTION 1023. 102.19 of the statutes is amended to read:

**102.19 Alien dependents; payments through consular officers.** In case a deceased employe, for whose injury or death compensation is payable, leaves surviving ~~him~~ alien dependents residing outside of the United States, the duly accredited consular officer of the country of which such dependents are citizens or ~~his~~ such officer's designated representative residing within the state shall, except as otherwise determined by the commission department, be the sole representative of ~~such the~~ deceased employe and ~~of such~~ dependents in all matters pertaining to their claims for compensation. The receipt by such officer or agent of compensation funds and the distribution thereof shall be made only upon order of the commission department, and payment to such officer or agent pursuant to any such order shall be a full discharge of the benefits or compensation. Such consular officer or ~~his~~ such officer's representative shall furnish, if required by the commission department, a bond to be approved by it, conditioned upon the proper application of all moneys received by ~~him~~ such person. Before such bond is discharged, such consular officer or representative shall file with the commission department a verified account of the items of his or her receipts and

disbursements of such compensation. Such consular officer or representative shall make interim reports to the ~~commission~~ department as it may require.

SECTION 1024. 102.23 (1) (intro.) and (a) of the statutes are amended to read:

102.23 (1) (intro.) The findings of fact made by the commission acting within its powers shall, in the absence of fraud, be conclusive. The order or award, either interlocutory or final, whether judgment has been rendered thereon or not, shall be subject to review only in the manner and upon the grounds following and not under s. 801.02: Within 30 days from the date of an order or award made by the commission ~~or following the filing of petition for review with the department under s. 102.18~~ any party aggrieved thereby may commence, in the circuit court for Dane county, an action against the department for the review of such order or award, in which action the adverse party shall also be made defendant.

(a) In such action a complaint, which need not be verified, but which shall state the grounds upon which a review is sought, shall be served with the summons. Service upon the ~~executive secretary of the department, or any commissioner,~~ deputy secretary shall be deemed complete service on all parties, but there shall be left with the persons so served as many copies of the summons and complaint as there are defendants, and the department shall mail one such copy to each other defendant. If the circuit court is satisfied that a party in interest has been prejudiced because of exceptional delay in the receipt of a copy of any finding or order it may extend the time another 30 days in which such action may be commenced.

SECTION 1025. 102.24 (2) of the statutes is amended to read:

102.24 (2) After the commencement of an action to review any award of the commission the parties may have the record remanded by the court for such time and under such condition as they may provide, for the purpose of having the ~~commission department~~ act upon the question of approving or disapproving any settlement or compromise that the parties may desire to have so approved. If approved the action shall be at an end and judgment may be entered upon the approval as upon an award. If not approved the record shall forthwith be returned to the circuit court and the action shall proceed as if no remand had been made.

SECTION 1026. 102.25 (1) of the statutes is amended to read:

102.25 (1) ~~The department, or any~~ Any party except the department, aggrieved by a judgment entered upon the review of any order or award, may appeal therefrom within 30 days from the date of service by either party upon the other of notice of entry of judgment. However, it shall not be necessary for the department or any party to the action to execute, serve or file the undertaking required by s. 817.11 (3) or to serve, or secure approval of, the transcript of reporter's notes; ~~but all.~~ All such appeals shall be placed on the calendar of the supreme court and brought to a hearing in the same manner as state causes on such calendar. The state shall be deemed a party aggrieved, within the meaning of this subsection, whenever a judgment is entered upon such a review confirming any order or award against it. At any time before the case is set down for hearing in the supreme court, the parties may have the record remanded by the court to the department in the same manner and for the same purposes as provided for remanding from the circuit court to the department under s. 102.24 (2).

SECTION 1027. 102.26 (2) of the statutes is amended to read:

102.26 (2) Unless previously authorized by the ~~commission~~ department, no fee ~~shall may~~ be charged or received for the enforcement or collection of any claim for compensation, nor ~~shall may~~ any contract therefor be enforceable where such fee, inclusive of all taxable attorney's fees paid or agreed to be paid for such enforcement or collection, exceeds 20 ~~per cent~~ % of the amount at which such claim ~~shall be is~~ compromised or of the amount awarded, adjudged or collected, except that in cases of admitted liability where there is no dispute as to amount of compensation due and in

which no hearing or appeal is necessary, the fee charged shall not exceed 10 ~~per cent~~ % but not to exceed \$100, of the amount at which such claim ~~shall be~~ is compromised or of the amount awarded, adjudged or collected. The limitation as to fees shall apply to the combined charges of attorneys, solicitors, representatives and adjusters who knowingly combine their efforts toward the enforcement or collection of any compensation claim.

SECTION 1028. 102.31 (5) of the statutes is amended to read:

102.31 (5) The ~~commission~~ department has standing to appear as a complainant and present evidence in any administrative hearing or court proceeding instituted for alleged violation of s. 628.34 (7).

SECTION 1029. 102.35 (2) of the statutes is amended to read:

102.35 (2) Any employer, or duly authorized agent thereof, who, without reasonable cause, refuses to rehire an employe injured in the course of employment, or who, because of a claim or attempt to claim compensation benefits from such employer, ~~shall discriminate~~ discriminates or ~~threaten~~ threatens to discriminate against an employe as to ~~his~~ the employe's employment, shall forfeit to the state not less than \$50 nor more than \$500 for each offense. No action under this subsection ~~shall~~ may be commenced except upon request of the ~~commission~~ department.

SECTION 1029m. 102.475 (title) of the statutes is amended to read:

**102.475 (title) Death benefit; fire fighters, law enforcement and correctional officers and rescue squad members.**

SECTION 1029p. 102.475 (1) of the statutes is renumbered 102.475 (1) (a) and amended to read:

102.475 (1) (a) ~~Where~~ If the deceased employe is a law enforcement officer, correctional officer ~~or fireman, fire fighter or rescue squad member~~ who sustained an accidental injury so that benefits are payable under s. 102.46 or 102.47 (1), the department shall ~~cause to be vouchered and paid voucher and pay~~ from the appropriation under s. 20.445 ~~(5) (1) (aa)~~ a sum equal to 75% of the primary death benefit as of the date of death, but not less than \$25,000 to the persons wholly dependent upon the deceased. For purposes of this subsection, dependency shall be determined ~~in accordance with~~ under ss. 102.49 and 102.51.

SECTION 1029r. 102.475 (1) (b) of the statutes is created to read:

102.475 (1) (b) The department shall reduce the amount of the special death benefit required to be paid under par. (a) by the amount received upon submittal of a claim under P.L. 94-430.

SECTION 1029s. 102.475 (8) (c) of the statutes is amended to read:

102.475 (8) (c) "~~Fireman~~ Fire fighter" means any person employed by the state or any political subdivision as a member or officer of a fire department or a member of a volunteer department, including the state fire marshal and deputies ~~or a member of a~~ legally organized rescue squad.

SECTION 1030. 102.565 (3) of the statutes is amended to read:

102.565 (3) If an employe ~~shall refuse~~ refuses to submit to such examination after direction by the commission, or any member ~~thereof or the department~~ or ~~an~~ examiner thereof, or ~~shall~~ in any way ~~obstruct~~ obstructs the same, ~~his~~ the employe's right to compensation under this section shall be barred.

SECTION 1031. 102.60 (2) of the statutes is amended to read:

102.60 (2) Treble the amount otherwise recoverable, if the injured employe is a minor of permit age, and at the time of the injury is employed, required, suffered or permitted to work without a permit in any place of employment or at any employment



in or for which the ~~commission~~ department acting under authority of ~~chapter ch.~~ ch. 103, has adopted a written resolution providing that permits shall not be issued.

SECTION 1033. 102.65 (3) of the statutes is amended to read:

102.65 (3) If the balance in the fund on any June 30 exceeds 3 times the amount paid out of such fund during the fiscal year ending on such date, the ~~commission~~ department shall by order direct an appropriate proportional reduction of the payments into such fund under ss. 102.49 and 102.59 so that the balance in the fund will remain at 3 times the payments made in the preceding fiscal year.

SECTION 1034. 103.37 (2) of the statutes is amended to read:

103.37 (2) ~~The term “employer” “Employer”, as used in this section shall mean and include, means~~ an individual, a partnership, an association, a corporation, a legal representative, trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, or air or express company doing business in or operating within the state.

SECTION 1035. 103.37 (4) of the statutes is amended to read:

103.37 (4) Any employer who violates this section ~~shall may be liable to a fine of~~ fined not more than \$100 for each ~~and every~~ violation. ~~It shall be the duty of the The~~ public service commission and the department of ~~industry, labor and human relations~~ to shall enforce this section.

SECTION 1036. 104.01 (9) of the statutes is created to read:

104.01 (9) “Department” means the department of industry, labor and human relations.

SECTION 1037. 105.09 of the statutes is amended to read:

**105.09 Visitorial power.** Any ~~commissioner or~~ deputy may enter any employment office or the place of business of any employment agent for the purpose of collecting facts and statistics, examining the records or registers kept by the employment agent and bringing to the attention of the agent any law or any order of the department, or any failure on the part of an employment agent to comply therewith. No employment agent may refuse to admit any ~~commissioner or~~ deputy to his or her place of business.

SECTION 1038. 108.02 (2) of the statutes is amended to read:

108.02 (2) COMMISSION. “Commission” means the ~~industry, labor and human relations~~ industry review commission.

SECTION 1039. 108.05 (2) (e) and (f) of the statutes are amended to read:

108.05 (2) (e) The ~~commission~~ department shall ~~promptly record in its minutes, and shall~~ have officially published within 10 days, the “average wages per average week” and the corresponding maximum and minimum weekly benefit rates thus determined by it, and the resulting schedule of average weekly wage classes and weekly benefit rates, which shall then apply to all weeks of unemployment in the ensuing half year.

(f) The ~~commission~~ department shall certify such schedule to the revisor of statutes, who shall when publishing the statutes include the latest such schedule then available.

SECTION 1040. 108.09 (3) (a) of the statutes is amended to read:

108.09 (3) (a) Unless the request for a hearing is withdrawn, each of the parties shall be afforded reasonable opportunity to be heard, and the claim thus disputed shall be promptly decided by such appeal tribunal as the department designates or establishes for this purpose, ~~or by the commission as provided in sub. (6).~~

SECTION 1041. 108.09 (6) (a) of the statutes is repealed.

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SECTION 1042. 108.09 (6) (c) and (7) (a) and (b) of the statutes are amended to read:

108.09 (6) (c) ~~Within 14 days after expiration of the right of the parties to request a hearing by an appeal tribunal or to petition for review by the commission, or within 28 days after a decision of the commission was is mailed to the parties, the commission may on its own motion reverse, change, or set aside the determination of decision, on the basis of evidence previously submitted in such case or it may order the taking of evidence as to such matters as it may direct and thereafter make its findings and decision for further consideration or remand the case to the department for further proceedings.~~

(7) (a) Either party may commence judicial action for the review of a decision of the commission under this chapter ~~if the party~~ after exhausting the remedies provided under this section ~~if the party~~ has commenced such judicial action in accordance with s. 102.23, 1971 stats., within 30 days after a decision of the commission was is mailed to ~~his a party's~~ last-known address.

Vetoed  
in Part

(b) Any judicial review under this chapter shall be confined to questions of law, and the provisions of ch. 102, 1971 stats., with respect to judicial review of orders and awards shall likewise apply to any decision of the commission reviewed under this section. ~~Any In any~~ such judicial action ~~may be defended, in behalf of the commission, may appear~~ by any qualified attorney who is a regular salaried employe of the ~~department, [department] commission~~ and has been designated by it for this purpose, or at the commission's request by the department of justice.

SECTION 1043. 108.10 (2) and (3) of the statutes are amended to read:

108.10 (2) Any hearing duly requested shall be held before an appeal tribunal established as provided by s. 108.09 (4), and s. 108.09 (3) and (5) shall be applicable to the proceedings before such tribunal. Within 20 days after the appeal tribunal's decision ~~has been is~~ mailed to the employer's last-known address, ~~he the employer~~ may petition the commission for review thereof pursuant to general department rules, ~~or the commission on recommendation of counsel may on its own motion transfer the proceedings to itself and. On review, the commission may affirm,~~ reverse, change, or set aside the decision of the appeal tribunal on the basis of evidence previously submitted in such case, or ~~direct the taking of additional testimony set aside the decision and remand the case to the department for further proceedings.~~

(3) The commission's authority to take action as to any issue or proceeding under this section shall be the same as that specified in s. 108.09 (6) ~~(a), (b), (c) and (d).~~

SECTION 1044. 108.14 (2m) and (3m) of the statutes are amended to read:

108.14 (2m) In the discharge of their duties under this chapter ~~any a~~ member of an appeal tribunal, and any deputy, examiner, commissioner or ~~other~~ duly authorized representative of the department ~~shall have power to~~ may administer oaths to persons appearing before them, take depositions, certify to official acts, and by subpoenas ~~(, served in the manner in which circuit court subpoenas are served),~~ to compel attendance of witnesses and the production of books, papers, documents and records necessary or convenient to be used by them in connection with any investigation, hearing or other proceeding under this chapter. ~~Provided, that in~~ However, in any investigation, hearing or other proceeding involving the administration of oaths or the use of subpoenas under this subsection due notice shall be given to any interested party involved, who shall be given an opportunity to appear and be heard at any such proceeding and to examine witnesses and otherwise participate therein. Witness fees and other expenses involved in proceedings under this chapter, including a party's traveling expenses, may be allowed by the appeal tribunal or representative of the

department at rates specified by general department rules, and shall be paid from the unemployment administration fund.

(3m) In any court action to enforce this chapter the ~~department~~ [department] ~~commission~~ and the state may be represented by any qualified attorney who is a regularly salaried employe of the department or the commission and is designated by it for this purpose or at the commission's request by the department of justice. In case the governor designates special counsel to defend, in behalf of the state, the validity of this chapter or of any provision of Title IX of the federal ~~Social Security Act~~ social security act, the expenses and compensation of such special counsel and of any experts employed by the department in connection with such proceeding may be charged to the administration fund. Vetoed  
in Part

SECTION 1045. 108.141 (6) (title) and (a) of the statutes are amended to read:

108.141 (6) (title) PUBLISH INDICATORS. (a) Whenever an extended benefit period is to become effective in Wisconsin as a result of a Wisconsin or a national "on" indicator, or an extended benefit period is to be terminated in Wisconsin as a result of Wisconsin and national "off" indicators, the ~~commission~~ secretary shall ~~record that fact in its minutes and shall~~ have it officially published.

SECTION 1046. 110.001 of the statutes is created to read:

**110.001 Definitions.** In this chapter:

- (1) "Department" means department of transportation.
- (2) "Secretary" means secretary of transportation.

SECTION 1047. 110.06 (1) of the statutes is amended to read:

110.06 (1) The ~~administrator of the division of motor vehicles~~ secretary may make such reasonable and uniform orders, rules and regulations not inconsistent with law as ~~he may deem~~ are deemed necessary to the discharge of the powers, duties and functions vested ~~in such division in the department.~~ He The secretary may also prescribe forms for applications, notices and reports required by law to be made to the ~~division~~ department or which may be deemed necessary to the efficient discharge of all such powers, duties and functions.

SECTION 1048. 110.07 (1) (a) (intro.) of the statutes is amended to read:

110.07 (1) (a) (intro.) The ~~administrator of the division of motor vehicles~~ secretary shall employ not to exceed 375 traffic officers. Such traffic officers, in addition to the ~~director of the bureau of enforcement of the division of motor vehicles~~ person designated from within the classified service to head them, shall constitute the state traffic patrol, and shall:

SECTION 1049. 110.075 (6) of the statutes is amended to read:

110.075 (6) The ~~administrator~~ secretary shall set standards and promulgate rules to establish a plan of inspection to implement the inspection program provided by this section, and he shall submit such standards and rules, and any subsequent changes therein, to the assembly and senate committees ~~on highways~~ having jurisdiction over transportation matters as determined by the speaker of the assembly and the president pro tempore of the senate acting jointly for their approval.

SECTION 1050. 110.08 (1) of the statutes is amended to read:

110.08 (1) The ~~division of motor vehicles~~ department shall employ a sufficient number of operator's license examiners. ~~One of the persons so employed shall be the chief examiner. He shall have general supervisory powers over the other examiners and shall be responsible for training them and for assigning and coordinating their activities. One person per district shall be an intermediate supervising examiner. The~~

~~division~~ department may contract for specialists in driver's license examining to augment the ~~division~~ department's training program for examiners.

SECTION 1051. 111.32 (3m) of the statutes is created to read:

111.32 (3m) "Commission" means the labor and industry review commission.

SECTION 1052. 111.33 of the statutes is amended to read:

**111.33 Department to administer.** This subchapter shall be administered by the department of ~~industry, labor and human relations~~. The department may make, amend and rescind such rules ~~and regulations~~ as are necessary to carry out this subchapter. The department or the commission may, by a ~~commissioner~~ or such agents or agencies as it designates, conduct in any part of this state any proceeding, hearing, investigation or inquiry necessary to the performance of its functions. The department shall preserve the anonymity of any employe who is the aggrieved party in a complaint of discrimination in promotion, compensation or terms and conditions of employment against his or her present employer until a determination as to probable cause has been made, unless the department determines that such anonymity will substantially impede the investigation.

SECTION 1053. 111.36 (1) and (3) (a) of the statutes are amended to read:

111.36 (1) The department may receive and investigate ~~complaints~~ a complaint charging discrimination or discriminatory practices in a particular cases, and case if the complaint is filed with the department no more than 300 days after the alleged discrimination occurred. ~~The department may give publicity to its findings with respect thereto in such a case.~~

(3) (a) If the department finds probable cause to believe that any discrimination has been or is being committed, it ~~shall immediately~~ may endeavor to eliminate the practice by conference, conciliation or persuasion. ~~In case of failure so to~~ If the department does not eliminate the discrimination, the department shall issue and serve a written notice of hearing, specifying the nature of the discrimination which appears to have been committed, and requiring the person named, hereinafter called the "respondent", to answer the complaint at a hearing before the department. The notice shall specify a time of hearing not less than 30 days after service of the complaint, and a place of hearing within either the county of the respondent's residence or the county in which the discrimination appears to have occurred. The testimony at the hearing shall be recorded or taken down by a reporter appointed by the department.

SECTION 1054. 111.36 (2m) of the statutes is created to read:

111.36 (2m) The department shall dismiss a complaint if the person filing the complaint fails to respond within 20 days to any correspondence from the department concerning the complaint and if the correspondence is sent by certified mail to the last-known address of the person.

SECTION 1055. 111.36 (3m) of the statutes is created to read:

111.36 (3m) (a) Any respondent or complainant who is dissatisfied with the findings and order of the department may file a written petition with the department for review by the commission of the findings and order.

(b) If no petition is filed within 20 days from the date that a copy of the findings and order of the department is mailed to the last-known address of the respondent the findings and order shall be considered final. If a timely petition is filed, the commission, on review, may either affirm, reverse or modify such findings or order in whole or in part, or set aside the findings and order and remand to the department for further proceedings. Such actions shall be based on a review of the evidence submitted. If the commission is satisfied that a respondent or complainant has been prejudiced

because of exceptional delay in the receipt of a copy of any findings and order it may extend the time another 20 days for filing the petition with the department.

(c) On motion, the commission may set aside, modify or change any decision made by the commission, at any time within 28 days from the date thereof if it discovers any mistake therein, or upon the grounds of newly discovered evidence. The commission may on its own motion, for reasons it deems sufficient, set aside any final decision of the commission within one year from the date thereof upon grounds of mistake or newly discovered evidence, and remand the case to the department for further proceedings.

SECTION 1056. 111.37 of the statutes is amended to read:

**111.37 Judicial review.** Findings and orders of the ~~department~~ commission under this subchapter ~~shall be~~ are subject to review under ch. 227. Upon such review, the department of justice shall represent the commission.

SECTION 1057. 114.001 (2) of the statutes is repealed.

SECTION 1058. 114.01 of the statutes is amended to read:

**114.01 State airport system.** The ~~division~~ department is directed to cooperate with and assist any federal aeronautical agency in the preparation and annual revision of the national airport plan and to lay out a comprehensive state system of airports adequate to provide for the aeronautical needs of the people of all parts of the state. Such state system shall include ~~each and every~~ airport on the national system and such additional airports as may be deemed necessary. ~~The state system as laid out shall include at least one airport in each county.~~ In selecting the general location of the airports on the system and determining their capacity, due regard shall be given to aeronautical necessity as evidenced by the population of the locality to be served, its commerce and industry and such other factors as the ~~division~~ department deems pertinent. In selecting the specific sites, due regard shall be given to general suitability for service and economy of development as evidenced by convenience of access, adequacy of available area, character of topography and soils, freedom from hazards and obstructions to flight and other pertinent consideration.

SECTION 1059. 114.134 (4) (b) and (d) of the statutes are amended to read:

114.134 (4) (b) The secretary shall grant a hearing at the request of any applicant after any refusal to issue a certificate. Upon receipt of a request for hearing, the matter shall be referred to the transportation commission which shall hear and decide the matter.

(d) Any order or decision of the secretary or transportation commission is subject to review under ch. 227.

SECTION 1060. 114.135 (9) of the statutes is amended to read:

114.135 (9) **CONFLICTING AUTHORITY.** Wherein conflicting jurisdiction arises over the control of the erection of a building, structure, tower or hazard between the secretary of transportation and any political subdivision of the state, the secretary of transportation may overrule rules and regulations adopted by any political subdivision under the laws of this state after a public hearing wherein all parties thereto have been given an opportunity to be heard. The secretary may refer such matters to the transportation commission in which case the commission shall hear and decide the matter after notice and hearing.

SECTION 1061. 114.20 (9m) of the statutes is created to read:

114.20 (9m) Any aircraft dealer whose certificate is revoked may request a hearing before the transportation commission which shall hear and decide the matter after notice and hearing.

SECTION 1062. 114.20 (12) of the statutes is amended to read:

114.20 (12) A refund may be made for aircraft registration fees paid in error as determined by the ~~division~~ department. A refund may be made for any portion of the overpayment of aircraft registration fee as determined by the ~~division~~ department. Refunds made under this section shall be paid out of ~~the moneys received under this section s. 20.395 (2) (qd).~~

SECTION 1063. 114.31 (7) of the statutes is repealed.

SECTION 1063m. 114.33 (2) of the statutes is amended to read:

114.33 (2) Such initiation shall be by a petition filed with the secretary of transportation by the governing body or bodies of the counties, cities, villages or towns desiring to sponsor the project, or by the state agency setting forth among other things that the airport project is necessary and the reason therefor; the class of the airport that it is desired to develop, the location of the project in general, and the proposed site ~~if such has been~~ tentatively selected; the character, extent and kind of improvement desired under the project, evidence that the petition has received a public hearing in the area affected before adoption by the petitioners, and any other statements that the petitioners may desire to make. At least 10 days notice of the public hearing shall be given by publication of a class 1 notice, under ch. 985, in the area affected. On receipt of such petition there shall be a an additional hearing in the matter by the secretary of transportation at some place convenient to the petitioners. At least 10 days' notice of the additional hearing shall be given to each petitioning governing body or state agency by registered mail addressed to the clerk thereof, and ~~in the case of petitioning governing bodies~~ by publication of a class 1 notice, under ch. 985, in the area affected.

SECTION 1063n. 115.01 (21) of the statutes is created to read:

115.01 (21) "Energy emergency" means a period of disruption of energy supplies which poses a serious risk to the economic well-being, health or welfare of the citizens of this state, as certified by executive order of the governor.

SECTION 1064. 115.28 (3m) of the statutes is created to read:

115.28 (3m) SUPERVISION OF COOPERATIVE EDUCATIONAL SERVICE AGENCIES. Supervise and audit the receipts and expenditures of the cooperative educational service agencies, advise the coordinators of the agencies and provide assistance in organizing the agencies throughout the state.

SECTION 1066. 115.28 (11) of the statutes is amended to read:

115.28 (11) (title) STATE AID BUDGET CALCULATION. In preparing the biennial budget request of the department, calculate ~~the amounts of general~~ an amount to be distributed as state aid which ~~are needed by multiplying the estimated current equalized valuation of the state by~~ represents an appropriate ~~mill rate and subtracting that amount from the~~ percentage of estimated statewide school district costs after estimated federal aids and local receipts, other than property taxes, have been deducted.

SECTION 1066m. 115.28 (13) of the statutes is amended to read:

115.28 (13) (title) UNIFORM FINANCIAL FUND ACCOUNTING. Prescribe a uniform financial fund accounting system which provides for the recording of all financial transactions inherent in the management of schools and the administration of the state's school aid programs.

SECTION 1067. 115.29 (3) of the statutes is amended to read:

115.29 (3) NONPROFESSIONAL EMPLOYEES. By order, establish classes of nonprofessional school employes and authorize their employment in the instructional program of the elementary and high schools for specific purposes and their reimbursement from the instructional budget. Such employes shall not be covered

under ch. 42 or ss. 118.21 to 118.23 or ~~121.17~~ 121.006 (2) or (3) but shall be eligible under the Wisconsin retirement fund if it is made applicable to the school district employing them.

SECTION 1068. 115.29 (4) of the statutes is amended to read:

115.29 (4) HIGH SCHOOL GRADUATION EQUIVALENCY. Grant declarations of equivalency of high school graduation to persons, if in ~~his~~ the state superintendent's judgment they have presented satisfactory evidence of having completed a recognized high school course of study or its equivalent. ~~He~~ The state superintendent may establish the standards by which high school graduation equivalency is determined. Such standards may consist of evidence of high school courses completed in high schools recognized by the proper authorities as accredited, results of examinations given by or at the request of the state superintendent, successful completion of correspondence study courses given by acceptable correspondence study schools, a general educational development certificate of high school equivalency issued by ~~the U.S. armed forces institute~~ an agency of the U.S. government, course credits received in schools meeting the approval of the state superintendent or other standards established by ~~him~~ the state superintendent.

SECTION 1069m. 115.34 (2) of the statutes is amended to read:

115.34 (2) The department shall make payments to school districts for school lunches served to children in the prior year as determined by the state superintendent from the appropriation under s. 20.255 (1) (fe). Payments to school districts shall equal the state's matching obligation under the national school lunch act, P.L. 79-396, as amended. Payments in the current year shall be determined by prorating the state's matching obligation based on the number of school lunches served to children in the prior year.

SECTION 1070a. 115.52 (3) of the statutes is amended to read:

115.52 (3) All the blind and the deaf residents of this state between the ages of 6 and 21 who are capable of receiving instruction shall be received and taught in the schools free of charge. Like nonresident pupils also may be received upon payment in advance of the fees fixed by the state superintendent at an amount not less than \$75 per month, but no nonresident shall be received to the exclusion of a resident pupil. The state superintendent also may admit pupils over 21 years of age upon the payment of fees fixed by ~~him~~ the superintendent and upon the recommendation of the secretary of health and social services, the director of vocational, technical and adult education or the superintendent of the school to which the pupil will be assigned. All pupils shall equally and freely enjoy the benefits and privileges of the schools and have the use of the library and books of instruction and receive board, lodging and laundry, without discrimination. The schools may provide transportation for resident ~~indigent~~ pupils.

SECTION 1071m. 115.53 (1) of the statutes is amended to read:

115.53 (1) Provide for the education of deaf-blind children of suitable capacity to receive instruction ~~either in a special class for that purpose outside the state or in a special class to be established within the state whenever there is a sufficient number of deaf-blind children to warrant the establishment of such class.~~ The If an appropriate program is not available within the state, a deaf-blind child may be placed in a special class outside of the state. If a child is placed in a special class outside of the state, the cost of such education and the transportation cost of the children child and their the child's parents or guardians, when required, shall be charged to the appropriation in s. 20.255 (1) (c).

SECTION 1071q. 115.53 (6) of the statutes is repealed.

SECTION 1071t. 115.76 (11) of the statutes is amended to read:

115.76 (11) “Institutional resident” means ~~any person~~ a child with exceptional educational needs who has been admitted ~~to~~ and is domiciled or cared for in or by a ~~private or parochial~~ special purpose residential care center which specializes in the care and treatment of children described under sub. (3).

SECTION 1071tm. 115.76 (12) of the statutes is created to read:

115.76 (12) “State or county residential facility” means a state residential facility operated by the department of health and social services, or a county residential facility operated by a county board.

SECTION 1071tw. 115.79 (title) and (1) (intro.) of the statutes are amended to read:

**115.79 (title) Council on exceptional education.** (1) (intro.) The state superintendent shall consult with the council on ~~special~~ exceptional education concerning:

SECTION 1071tx. 115.80 (1) (a) and (2) of the statutes are amended to read:

115.80 (1) (a) A parent or a physician, nurse, teacher at a state or county residential facility, psychologist, social worker or administrator of a social agency who has reasonable cause to believe that a child brought to him or her for services has exceptional educational needs shall report the name of ~~such~~ the child and any other information required to the school board for the district or governing body of a state or county residential facility in which the child resides or to the division, except as provided in par. (b).

(2) SCHOOL DISTRICT SCREENING. Pursuant to any standards adopted by the state superintendent under s. 115.78 (6), ~~the school district shall screen each child when the child first enrolls in a public school in the school district in order shall be screened to determine if there is reasonable cause to believe that the child has exceptional educational needs, when the child:~~

SECTION 1071ty. 115.80 (2) (a) and (b) of the statutes are created to read:

115.80 (2) (a) First enrolls in the public school in the school district; or

(b) First is placed in a state or county residential facility.

SECTION 1071tz. 115.80 (3) (a) and (b) and (4) of the statutes are amended to read:

115.80 (3) (a) A multidisciplinary team shall be appointed by the school board and composed of 2 or more persons who are skilled in assessing exceptional educational needs that a child may have and who are skilled in programming for children with exceptional educational needs. The state superintendent shall determine the method of appointing members to the team and may require that there be additional members. The number and specialities of additional members may depend on the exceptional educational needs which the particular child is believed to have. Before a child is sent from a state or county residential facility to a school district, the state superintendent may require that the team for the school district to which the child may be sent, include or consult with, persons appointed by the governing body of the residential facility. For examination of a child who resides, and is receiving education, only at a state or county residential facility, or who it is determined may have exceptional educational needs under sub. (2) (b), the multidisciplinary team shall be appointed by, and make recommendations under pars. (c), (d) and (e) to the governing body of the residential facility in which the child resides.

(b) The multidisciplinary team shall, upon written parental approval, examine any child who has attained the age of 3 years and who as a result of ~~the school district screening under sub. (2) is believed to have exceptional educational needs, or is referred to it by a parent as a result of an individual's report to the school board or~~



~~division~~ under sub. (1) (a), by the governing body of a state or county residential facility or by a school board.

(4) TEACHER'S REPORT. Annually, the school district shall require a report, on forms prepared by the department, from the teacher of each child who has attained the age of 3 years and who is receiving special education under s. 115.85 (2) ~~or in a state or county residential facility supervised under s. 115.77 (3) (d).~~ For a child who resides, and is receiving special education, only in a state or county residential facility, the governing body of the state or county residential facility shall require the report. The report shall state the teacher's assessment of the child's progress in the past year and the teacher's recommendation for further education of the child.

SECTION 1071u. 115.80 (5) of the statutes is renumbered 115.80 (5) (a).

SECTION 1071v. 115.80 (5) (b) of the statutes is created to read:

115.80 (5) (b) 1. Upon reexamination by a multidisciplinary team no child who has attained the age of 3 years and who is receiving special education under s. 115.85 (2) or in a state or county residential facility supervised under s. 115.77 (3) (d) shall continue to receive such special education except upon recommendation of the multidisciplinary team to the school board.

2. If, upon recommendation of the multidisciplinary team under subd. 1, the school board determines that a child is no longer in need of special education services, it shall place such child in an appropriate educational program. The board may delegate this responsibility in such manner and to such persons as it deems appropriate, including the multidisciplinary team.

3. This paragraph does not impair a parent's right to appeal under s. 115.81.

SECTION 1072. 115.81 (7) of the statutes is amended to read:

115.81 (7) APPEAL TO STATE SUPERINTENDENT. Within 30 days after the decision of the school board, the parent may appeal the decision to the state superintendent. The state superintendent shall issue a decision based upon the hearing record and the recommendation of the multidisciplinary team within 30 days of receipt of appeal. If no decision is made by the superintendent within the 30-day period following the ~~close of the hearing~~ receipt of the appeal, the decision appealed from shall be deemed affirmed.

SECTION 1072g. 115.81 (7m) of the statutes is created to read:

115.81 (7m) For a child who resides, and is receiving special education, only in a state or county residential facility, the child's parent shall appeal to the governing body of the facility in accordance with subs. (1) to (6), so far as applicable. The parent may appeal the governing body's decision under sub. (6) to the state superintendent under sub. (7).

SECTION 1072m. 115.85 (1) (a) 1 and 2 of the statutes are amended to read:

115.85 (1) (a) 1. Each school district shall ensure that appropriate special education programs are available to children with exceptional educational needs who have attained the age of 3 years and who reside in the school district, or who reside in a state or county residential facility located in the school district, and receive special education full- or part-time in the school district. Each state or county residential facility shall ensure that the programs are available to such other children who reside in the facility.

2. A school district may make available appropriate special education programs to children with exceptional educational needs who have attained the age of 3 years and ~~who reside in the school district and~~ are full- or part-time institutional residents of ~~private or parochial~~ special purpose residential care centers ~~specializing in the care and treatment of those children described in s. 115.76 (3) if the school district has~~

provided such programs to such children prior to June 29, 1974 located within the school district. However, institutional residents shall not be considered residents, for the purpose of securing special education services under this subchapter, of the school district in which the special purpose residential care center is located unless the child's parent is a resident of the district.

Vetoed  
in Part

~~SECTION 1072. 115.85 (1) (c) of the statutes is repealed.~~

SECTION 1073. 115.85 (2) (intro.) and (c) of the statutes are amended to read:

115.85 (2) PLACEMENT IN APPROPRIATE PROGRAM. (intro.) The school board after consultation with the multidisciplinary team and after the parent has consented in writing shall place in an appropriate special education program a child who has been recommended for special education by a multidisciplinary team and who resides in the school district. The board may delegate this responsibility in such manner and to such person as it deems appropriate, including the multidisciplinary team. The governing body of a state or county residential facility shall place in an appropriate special education program a child who resides, and is receiving special education, only in the facility.

(c) If no public agency in this state operates an appropriate program is not available in the district or cooperative educational service agency or other public agency, the child shall may be placed, with the approval of the state superintendent, in a private special education program as specified in par. (d) if such placement is warranted on the basis of a less restrictive environment alternative. While preference shall be given to appropriate public or private educational programs which allow children to reside in or near their homes, where no such programs exist, the child shall be placed, with the approval of the state superintendent, in an appropriate public program in another state. If the local school board utilizes this placement option, the school district of residence and not the county of residence shall pay tuition charges for exceptional children.

SECTION 1073m. 115.85 (2) (d) of the statutes is amended to read:

115.85 (2) (d) To provide a special education program which is appropriate to the child's needs, the school board may, upon approval of the state superintendent and if no equivalent public program is locally available, contract with a private special education service whose governing board, faculty, student body and teachings are not chosen or determined by any religious organization or for any sectarian purpose pursuant to par. (c). Private special education services provided under this subchapter may not include religious or sectarian teachings or instruction. If the local school board utilizes this placement option, the school district of residence and not the county of residence shall pay tuition charges for exceptional children.

SECTION 1073n. 115.86 (2) of the statutes is amended to read:

115.86 (2) (a) Any county board of supervisors may determine to establish a special education program for children with exceptional educational needs, for school districts in the county.

(b) The program may provide for one or more special schools, classes, treatment or instruction centers or any other service authorized under s. 115.83 for children with one or more types of exceptional educational needs.

(c) A school district shall be included under such county program only to the extent approved by formal action of the school board of the district. When the county board determines to establish such a program, it shall create a Beginning July 1, 1978, each school district which participates in the county program for any of the disability areas under s. 115.76 (3), or subdivisions thereof under s. 115.76 (3) (b) based upon the severity of handicapping condition, must subscribe to all of the services offered by the board in each of the disability areas or subdivisions thereof under s. 115.76 (3)

(b), for which the school board has resolved to participate, however, a school board may arrange with the board for such necessary support or intervention services to primary programs subscribed to. A board created under this section shall be known as the "Handicapped Children's Education Board".

SECTION 1073p. 115.86 (3) (a) of the statutes is amended to read:

115.86 (3) (a) The board shall consist of 3 or 5 persons, as determined by the county board of supervisors, elected by the county board or appointed by the chairman of the county board, as the rules of the county board direct. Board members shall be electors selected from that part of the county participating in the program and shall be representative of the area the board serves. The board may include school board members, ~~county board~~ members of the county board of supervisors and other electors. Board members shall hold office for a term of 3 years, except that the terms of office of members of the first board shall be 3 years, 2 years and one year. Board members shall receive compensation and reimbursement for mileage in an amount fixed by the county board of supervisors, but not more than that of county board members.

SECTION 1073s. 115.86 (6) of the statutes is repealed and recreated to read:

115.86 (6) ASSIGNMENT OF FUNCTIONS. (a) The board may not assign by resolution or by contract the full administrative or instructional services of the board.

(b) The ability of the board to contract with the board of control of a cooperative educational service agency, a board of a school district or other public agency in the county for a portion of administrative or instructional services or for any of the purposes enumerated in s. 115.83 is not prohibited by par. (a). The board shall be responsible for all programs contracted under this paragraph.

SECTION 1073u. 115.86 (7) (a) of the statutes is amended to read:

115.86 (7) (a) The school board of any district which is included under the administration of a board may withdraw from participation in any part of the program only with the approval of the state superintendent after conference with the board and a determination by the state superintendent that such withdrawal is in the interest of the program in the county and the school district affected. Such withdrawal shall be effective only if the school board has the approval of the division to establish an equivalent part of a program. Such withdrawal shall ~~not be effective until the end of the next full school term either December 31 or June 30 provided that 12 months' notice has been given to the board.~~ The withdrawing school district shall be liable for its proportionate share of all operating costs until its withdrawal becomes effective, shall continue to be liable for its share of debt incurred while it was a participant and shall receive no share in the assets.

SECTION 1073w. 115.86 (9) of the statutes is amended to read:

115.86 (9) AREA TAXED. (a) The tax for the operation and maintenance of each part of a special education program and for the transportation of children under sub. (8) shall be levied against the area of the county participating in the part of the program.

(b) Beginning July 1, 1981, no board, except a board which has constructed or acquired building facilities, may continue to operate under this section if the area taxed under par. (a) constitutes less than 50% of the full value of taxable property within the county.

SECTION 1074. 115.86 (10) of the statutes is amended to read:

115.86 (10) STATE AIDS. The board may apply for and receive the state aid under subch. III of ch. 121, ss. 115.88, 121.135, and 121.14, 121.15 and 121.58 (2) ~~(b)~~ for the transportation, board and lodging, treatment and instruction of children

participating in programs under this section. All state aid shall be paid to the county treasurer and credited to the fund of the board.

SECTION 1074m. 115.87 (4) of the statutes is repealed.

SECTION 1074p. 115.87 (5) (intro.) and (a) of the statutes are consolidated and amended to read:

115.87 (5) ~~In counties having a population of 500,000 or more~~ If a child with exceptional educational needs resides in a school district which does not maintain an appropriate special education program and attends a special education program in another school district or county, the school district of residence shall pay tuition charges for ~~children with exceptional educational needs~~ such child as provided in ~~par-~~ (a) or (b). ~~(a) in this subsection.~~ Annually on or before August 1, the school district clerk shall file with the clerk of the school district of residence of such nonresident children ~~who reside in school districts that lie wholly or partially in counties having a population of 500,000 or more~~ a sworn statement of claim against the school district of residence. The claim shall set forth the name, age, date of entrance and number of weeks in attendance during the preceding school year of each such child, the amount of tuition to which the school district lays claim for each such child and the total amount of tuition due the school district of attendance from the school district of residence. After examining the claim and verifying it, the clerk of the school district of residence shall cause reimbursement to be made to the treasurer of the claimant school district as other claims are paid.

SECTION 1074pm. 115.87 (5) (b) of the statutes is repealed.

SECTION 1074q. 115.87 (5m) of the statutes is created to read:

115.87 (5m) If a child with exceptional educational needs is enrolled in a special education program of a county or cooperative educational service agency and attends a special education program operated by another school district, the school district clerk of the district of attendance shall submit for each child a claim for reimbursement as described in sub. (5) to the treasurer of the county handicapped children's education board or the cooperative educational service agency from which the child is sent. After examining the claim and verifying it, the treasurer shall cause reimbursement to be made to the treasurer of the claimant school district as other claims are paid.

SECTION 1074r. 115.87 (8) of the statutes is amended to read:

115.87 (8) Upon the advance approval of the state superintendent, the school board of any district may place a child in a special education program outside this state in accordance with s. 115.85 (2) (c) or a special education program operated by a private, nonsectarian special education service either within or outside the state in accordance with s. 115.85 (2) (d). ~~If the child resides in a county having a population of less than 500,000, the county of residence shall pay the tuition and transportation in accordance with the procedure established for the payment of tuition by the county under sub. (4). If the child resides in a county having a population of 500,000 or more, the~~ The school district of residence shall pay the tuition and transportation in accordance with the procedure established for the payment of tuition by the school district under sub. (5).

SECTION 1075m. 115.88 (1) (intro.) of the statutes is amended to read:

115.88 (1) PROGRAM AID. (intro.) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to 70% of the amount expended by the county, agency and school district during the preceding year for ~~special books and equipment~~

~~used in programs under this subchapter,~~ salaries of personnel enumerated in s. 115.83 (1), except as provided in pars. (a) and (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district from the appropriation under s. 20.255 (1) (d). The amount of aid paid to any county, agency or school district under this subsection shall be reduced by any amounts received by that county, cooperative educational service agency or school district under s. 115.88 (7), 1973 stats. for the same school year.

SECTION 1076. 115.88 (2) of the statutes is amended to read:

115.88 (2) TRANSPORTATION AID. If upon receipt of the report under s. 115.84 the state superintendent is satisfied that the transportation of children with exceptional educational needs has been maintained during the preceding year in accordance with the law, ~~he the state superintendent~~ shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils 70% of the ~~difference between the amount expended for such transportation and the amount of aid specified in s. 121.58 (2) or (4), whichever is applicable.~~ Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriation under s. 20.255 (1) (d). This subsection applies to any child with exceptional educational needs who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection shall not apply to any child with exceptional educational needs attending regular or special classes who does not require any special or additional transportation.

SECTION 1076d. 115.90 (title) of the statutes is amended to read:

**115.90 (title) General provisions.**

SECTION 1076e. 115.90 (1) of the statutes is amended to read:

115.90 (1) (title) DEFINITIONS. In this subchapter, ~~“children except as otherwise provided:~~

(a) “Children with special educational needs”, means preschool children to children in the 8th grade who have or are likely to have low levels of academic achievement, especially in relation to social and economic factors.

(b) “Program” means any demonstration project funded under s. 115.92 (1), (2) and (4).

SECTION 1076f. 115.90 (2) (title) of the statutes is created to read:

115.90 (2) (title) APPLICATION.

SECTION 1076g. 115.92 (title) and (2) of the statutes are amended to read:

**115.92 (title) Approval of programs to serve children with special educational needs.**

(2) The school districts and other agencies eligible under s. 115.90 shall submit applications to serve the number of children determined under s. 115.91. ~~Such proposals~~

(a) No grantee may receive any funds distributed under this subchapter unless the grantee provides at least 25% of the estimated total cost of the program to be funded under this subchapter. Nonprofit, nonsectarian agencies may satisfy such matching requirement with in-kind goods and services in lieu of cash contributions. The state superintendent shall determine that reasonable valuation is given to any such in-kind matching.

(b) Applicants for funding shall demonstrate how other available funds will be incorporated into the program, that funds under s. 20.255 (1) (fd) will be directed to

Partial  
Veto  
Overruled

the children selected under s. 115.90 and that funds under s. 20.255 (1) (fd) will not be used to supplant or replace other funds otherwise available for these children.

SECTION 1076h. 115.92 (3) of the statutes is renumbered 115.92 (4) and amended to read:

115.92 (4) The state superintendent shall ~~approve~~:

(a) Approve applications which the superintendent determines will enhance the potential for academic success of the children. ~~Priority shall be given;~~

(b) Approve funding for any one program grantee, except those funded under sub. (3), for a period not to exceed 3 years inclusive of any planning phase; and

(c) Give priority to programs for preschool children.

SECTION 1076i. 115.92 (3) of the statutes is created to read:

Partial  
Veto  
Overruled

115.92 (3) *From the amounts appropriated under s. 20.255 (1) (fd), not more than \$100,000 annually may be expended at the discretion of the state superintendent to enhance the educational opportunities of children at any grade level who come from socially, economically or culturally disadvantaged environments.*

SECTION 1076j. 115.921 of the statutes is created to read:

**115.921 Evaluations.** All programs funded under this subchapter shall be evaluated by the state superintendent to determine their success. The results of these evaluations shall be made available to school districts and nonprofit, nonsectarian educational agencies.

SECTION 1076um. 116.08 (1) of the statutes is amended to read:

116.08 (1) An amount not to exceed ~~\$38,300~~ \$41,700 in ~~1975-76~~ 1977-78 and ~~\$39,300~~ \$44,200 annually thereafter shall be paid to each agency for the maintenance and operation of the office of the board of control and agency coordinator. No state aid may be paid unless the agency submits by August 1 an annual report which includes a detailed certified statement of its expenses for the prior year to the state superintendent, and such statement reveals that the state aid was expended as provided by this section. In no case may the state aid exceed the actual expenditures for the prior year as certified in such statement.

SECTION 1076ur. 116.52 (2) of the statutes is amended to read:

116.52 (2) Each member shall receive \$10 for each day the member attends a meeting of the committee. The members and the secretary shall be paid ~~10~~ 14 cents per mile traveled going to and returning from the place of meeting by the usual traveled route and any other necessary expenses. The costs of preparation, service, posting and publication of notice to perform its functions and defend its actions shall be allowed.

SECTION 1076us. 117.03 (2) of the statutes is amended to read:

117.03 (2) Upon receipt of a notice of appeal filed under sub. (1), the state superintendent shall promptly appoint a state appeal board composed of the presidents of 4 agency school committees of agencies which have no territory included in the order under appeal. The state superintendent or his or her designated representative shall act as chairman, shall have the right to vote and shall furnish secretarial services. Each agency school committee president on a state appeal board shall receive \$15 for each day spent in the performance of his or her duties, and shall be reimbursed ~~8~~ 14 cents per mile traveled to and from meetings by the usual traveled route and for ~~his~~ actual and necessary expenses. Expense account vouchers shall be filed with the state superintendent and paid out of the appropriation under s. 20.255 (1) (a).

SECTION 1076uv. 118.015 of the statutes is created to read:

**118.015 Reading instruction.** (1) **PURPOSE AND INTENT.** It is the purpose and intent of this section to provide for a developmental reading program for pupils at all grade levels.

(2) **EMPLOYMENT OF READING SPECIALISTS.** Each school district shall employ a reading specialist certified by the department to develop and coordinate a comprehensive reading curriculum in grades kindergarten to 12. At the discretion of the state superintendent, a school district may contract with other school districts or cooperative educational service agencies to employ a certified reading specialist on a cooperative basis.

(3) **DUTIES OF READING SPECIALIST.** The reading specialist shall:

- (a) Develop and implement a reading curriculum in grades kindergarten to 12.
- (b) Act as a resource person to classroom teachers to implement the reading curriculum.
- (c) Work with administrators to support and implement the reading curriculum.
- (d) Conduct an annual evaluation of the reading curriculum.
- (e) Coordinate the reading curriculum with other reading programs and other support services within the school district.

(4) **SCHOOL BOARD DUTIES.** The school board shall:

- (a) Develop a program of reading goals for the district for grades kindergarten to 12.
- (b) Make an assessment of existing reading needs in grades kindergarten to 12 in the district based on the reading goals established under par. (a).
- (c) Make an annual evaluation of the reading curriculum of the school district.

**SECTION 1076x.** 118.215 of the statutes is created to read:

**118.215 Energy emergency and school operations.** In the event that an energy emergency results in the reduction of fuel supplies that may require curtailment of the operations of public elementary and high schools, the determination as to how to meet such crises shall be made locally by each school system or district. Changes in terms and conditions of employment proposed to meet such crises, other than salaries and wages, shall be negotiated between the school board and the bargaining representative of the employees, if any. Employees of any school system or district in which school operations are curtailed or in which schools are closed due to an energy emergency shall receive full payment of salary or wages under their employment contracts or arrangements as if there had been no such interruption in closing.

**SECTION 1077.** 118.28 of the statutes is created to read:

**118.28 Community action agencies.** The school board of a school district may appropriate funds for promoting and assisting any community action agency designated by the U.S. community services administration pursuant to the community services act of 1974. Funds appropriated to a community action agency under this section shall not be used for the purpose of providing regular instructional services to pupils of the school districts during the school term.

Vetoed  
in Part

**SECTION 1078.** 119.04 of the statutes is amended to read:

**119.04 Public instruction laws applicable.** (1) Subchapter VI of ch. 115, subch. I of ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28 (13), 115.345, 115.76, 115.77, 115.79 to 115.94, 118.015, 118.03, 118.04, 118.06, 118.07, 118.10, 118.12 (1), 118.125, 118.14, 118.15, 118.16 (1), (2) and (4) to (6), 118.18, 118.19 (3) (b) and (7), 118.20, 118.24 (2) (c) to (e), 118.255, 120.13 (1) and (19), ~~120.16 (6)~~, 120.49 (6), and 120.61, ~~121.52, 121.53, 121.54 (1), (3) and (4), 121.55, 121.58 (2) (b), (4) and (6), 121.77 (1), 121.79, 121.80, 121.81 (2), 121.82 (1), 121.83, 121.84 (1),~~

~~121.85 and 121.90 to 121.93~~ are applicable to the board of school directors and to schools in cities of the 1st class.

(2) The board shall exercise the powers, perform the functions and be entitled to all school aid ~~therein provided under sub. (1)~~ insofar as the same are relevant to cities of the 1st class. The board and the schools in cities of the 1st class shall be governed in all matters by the general laws of the state, except as altered or modified by express amendments.

SECTION 1078m. 120.14 (1) of the statutes is amended to read:

120.14 (1) At the close of each fiscal year, the school board of each school district shall authorize an audit of the school district accounts pursuant to sub. (2) or employ a licensed accountant to audit the school district accounts and certify the audit. The audit shall include an audit of the number of pupils reported for membership purposes under s. 121.004 (8). The cost of the audit shall be paid from school district funds.

SECTION 1078q. 120.14 (4) of the statutes is created to read:

120.14 (4) The department shall establish by rule a standard contract and minimum standards for audits performed under this section.

SECTION 1079. 120.16 (6) of the statutes is repealed.

SECTION 1080. Subchapter I of chapter 121 of the statutes is renumbered subchapter II of chapter 121 and subchapter II (title), as renumbered, is amended to read:

CHAPTER 121  
SUBCHAPTER II  
GENERAL AID  
(to precede 121.01)

SECTION 1081. Subchapter I of chapter 121 of the statutes is created to read:

CHAPTER 121  
SUBCHAPTER I

DEFINITIONS AND GENERAL PROVISIONS

**121.004 Definitions.** In this chapter, unless the context clearly requires otherwise:

(1) **FUND.** "Fund" is an independent accounting entity with its own assets, liabilities, fund balances, receipts, and disbursements, as prescribed under s. 115.28 (13).

(5) **PUPILS ENROLLED.** (a) "Pupils enrolled" is the total number of pupils, as expressed by official enrollments, in all schools of the school district, except as provided in pars. (b) to (e). If such total contains a fraction, it shall be expressed as the nearest whole number. The same method shall be used in computing the number of pupils enrolled for resident pupils, nonresident pupils or both.

(b) A first grade pupil may be counted only if the pupil attains the age of 6 years on or before December 1 of the school year in which the pupil enters first grade.

(c) A pupil enrolled in kindergarten may be counted only if the pupil attains the age of 5 years on or before December 1 of the school year in which the pupil enrolls. A kindergarten pupil shall be counted as one-half pupil.

(d) A pupil enrolled in a program under subch. IV of ch. 115 who is 3 to 5 years of age shall be counted as one-half pupil.

(e) A pupil enrolled concurrently in the school district and in a special education program operated by a county handicapped children's education board in facilities of the school district shall be counted as one-half pupil except a pupil under this



paragraph enrolled only in a speech program operated by a county handicapped children's education board or a pupil enrolled for less than 20% of his or her time in a resource room program operated by a county handicapped children's education board shall be counted as one pupil.

(6) AVERAGE DAILY MEMBERSHIP. "Average daily membership" is the sum of all pupils enrolled in all schools of the school district for each day of the school term, divided by the number of days school is actually taught. If it contains a fraction, the quotient shall be expressed as the nearest whole number.

(7) SUMMER AVERAGE DAILY MEMBERSHIP EQUIVALENT. "Summer average daily membership equivalent" is the sum of all summer classroom or laboratory periods in which each pupil is enrolled, as determined by multiplying the total number of periods in each day in which the pupil is enrolled by the total number of days for which the pupil is enrolled, divided by 1,080.

(8) MEMBERSHIP. "Membership" is the sum of pupils enrolled as reported under s. 121.05 and the summer average daily membership equivalent for classes approved under s. 121.14. Only district resident pupils and pupils enrolled under s. 121.05 (1) (a) 3 may be counted in membership.

(9) EQUALIZED VALUATION. The "equalized valuation" of a school district is the full value of the taxable property of the territory in the school district as certified for the prior year under s. 121.06 (2).

SECTION 1083. 121.02 (1) (b) of the statutes is amended to read:

121.02 (1) (b) Every teacher shall be paid at least the minimum salary and granted the sick leave specified in s. ~~121.17~~ 121.006 and the district shall comply with ss. 42.39 to 42.43, 118.01, 118.02, 118.07 (2) and 120.13 (14).

SECTION 1083m. 121.05 (1) (a) of the statutes is amended to read:

121.05 (1) (a) The number of pupils enrolled on the 3rd Friday of September of the current year, including ~~pupils~~:

1. Pupils enrolled concurrently in the school district and in a special education program operated by a county handicapped children's education board and ~~attending one or more regular classes operated by in facilities of the school district and including pupils~~;

2. Pupils enrolled in home instruction or any other school district special education program under s. 115.83; and

3. Pupils who are residents of one school district who are enrolled in special education programs in another school district and for whom tuition is paid under s. 115.87 (5).

SECTION 1084. 121.06 (1) of the statutes is amended to read:

121.06 (1) Annually on or before October 1, the full value of the taxable property in each school district, in each part of a city, village and town in a joint school district and in each city authorized to issue bonds for school purposes, including territory attached only for school purposes, shall be determined by the department of revenue according to its best judgment from all sources of information available to it and shall be certified by the department to the state superintendent. The valuation certified by the department shall include the adjustments for merchants' stock-in-trade, manufacturers' materials and finished products and livestock under s. 70.57 (5).

SECTION 1085. 121.07 (1) of the statutes is repealed.

SECTION 1085e. 121.07 (2) of the statutes is renumbered 121.004 (5m).

SECTION 1085m. 121.07 (3) of the statutes is renumbered 121.004 (5w).

SECTION 1085s. 121.07 (4) of the statutes is repealed.

SECTION 1085t. 121.07 (5) of the statutes is renumbered 121.07 (1), and 121.07 (1) (a), as renumbered, is amended to read:

121.07 (1) (a) The ~~number of pupils enrolled~~ membership and teacher-pupil ratio of the school district on the 3rd Friday in September and the estimated shared cost for the current school year shall be used in computing state general aid. In computing general aid, the membership shall not exceed 25 times the number of teachers reported under s. 121.05 (1) (b).

SECTION 1086. 121.07 (6) to (8) of the statutes are repealed and recreated to read:

121.07 (6) SHARED COST. (a) "Shared cost" is the sum of the school district general fund operational cost and annual capital outlay, minus the operational receipts, plus principal and interest payments on long-term indebtedness for the current school year. The sum of principal and interest payments on long-term indebtedness included in shared cost may not exceed \$90 per member. ~~The amounts computed under s. 121.05 (6) (a) shall not be included as operational receipts under this paragraph.~~

Vetoed  
in Part

(b) The "primary ceiling cost per member" is 110% of the state average shared cost per member for the previous school year, as determined by the state superintendent.

(c) The "primary shared cost" is that portion of a district's shared cost which is less than the primary ceiling cost per member multiplied by its membership.

(d) The "secondary shared cost" is that portion of a district's shared cost which is not included in the primary shared cost.

(7) GUARANTEED VALUATION PER MEMBER. (a) The "primary guaranteed valuation per member" shall be \$116,800 in the 1977-78 school year and \$130,500 thereafter.

(b) The "secondary guaranteed valuation per member" shall be an amount rounded to the nearest \$100 determined by dividing the equalized valuation of the state by the state total membership.

(c) For districts operating only high school grades, the amounts in pars. (a) and (b) shall be multiplied by 2.901 in the 1977-78 school year and by 3 in the 1978-79 school year and thereafter, and rounded to the nearest \$100.

Vetoed  
in Part

(d) For districts operating only elementary grades, the amounts in pars. (a) and (b) shall be multiplied by 1.744 in the 1977-78 school year and by 1.5 in the 1978-79 school year and thereafter, and rounded to the nearest \$100.

Vetoed  
in Part

(8) GUARANTEED VALUATION. A school district's primary and secondary guaranteed valuations are determined by multiplying the amounts in sub. (7) by the district's membership.

SECTION 1087. 121.07 (9) of the statutes is repealed.

SECTION 1088. 121.07 (10) of the statutes is repealed and recreated to read:

121.07 (10) REQUIRED LEVY RATE. (a) The "required levy rate" is the sum of the rates derived in pars. (b) and (c).

(b) The "primary required levy rate" is the primary shared cost divided by the primary guaranteed valuation.

(c) The "secondary required levy rate" is the secondary shared cost divided by the secondary guaranteed valuation.

SECTION 1089. 121.08 (title) of the statutes is amended to read:

**121.08 (title) Payment of state aids; reductions.**

SECTION 1090. 121.08 (2) of the statutes is repealed and recreated to read:

121.08 (2) The aid computed under sub. (1) shall be reduced by the amount by which the school district equalized valuation exceeds the secondary guaranteed valuation, multiplied by the secondary required levy rate. In no case may the aid under this section be less than zero.

SECTION 1091. 121.08 (3) and (4) of the statutes are repealed.

SECTION 1092. 121.09 of the statutes is repealed.

SECTION 1092m. 121.10 of the statutes is created to read:

**121.10 Special adjustment aids.** (1) If a school district would receive less general aid under s. 121.08 for the current school year than it received as state aid in the previous school year, its general aid for the current school year shall be increased by an amount equal to 50% of the difference between state aid received in the previous school year and the amount computed under s. 121.08 for the current school year.

(2) To be eligible to receive aid under sub. (1) a school district shall meet the following criteria:

(a) Its percentage increase in equalized valuation per member for the current school year from that of the previous school year must be greater than the average percentage increase in equalized valuation per member for the current school year from that of the previous school year for school districts of like organization;

(b) Its equalized valuation must be less than the primary guaranteed valuation for school districts of like organization; and

(c) Its secondary shared cost, if any, must be less than 20% of its primary shared cost.

121.10 (3) For the purposes of this section, "state aid" means the sum of the amount[s] received as general aid under s. 121.08, aids paid under SECTION 1617s of chapter .... (this act), laws of 1977, and aids paid under sub. (1).

Partial  
Veto  
Overruled

(4) If the appropriation under s. 20.255 (1) (fs) in any one year is insufficient to fund the full amount otherwise payable under this section, special adjustment aid payments shall be prorated among the districts entitled thereto.

~~SECTION 1092a. 121.11 of the statutes is created to read:  
**121.11 Personal property tax relief transfer aid.** (1) State aid shall be computed under this section for those school districts which do not receive a state aid payment under s. 121.08.  
(2) In this section, "shared cost levy rate" means the quotient of the shared cost under s. 121.07 (6) divided by the school district equalized valuation.  
(3) Beginning with the 1978-79 school year through the 1982-83 school year, the state superintendent shall determine the following:  
(a) The shared cost levy rate for each school district using the school district equalized valuation without reduction for fractional assessment under s. 70.57 (5)  
(b) The shared cost levy rate for each school district using the school district equalized valuation under s. 121.004 (9)  
(c) For each school district under this section an amount of aid which would be required to make the shared cost levy rate under par. (b) equal the shared cost levy rate under par. (a).  
(4) The amount determined under sub. (3) (c) shall be paid to school districts under this section from the appropriation under s. 20.255 (1) (f).~~

Vetoed  
in Part

SECTION 1094. 121.14 (1) of the statutes is amended to read:

121.14 (1) State aid shall be paid to each district or county handicapped children's education board only for those academic summer classes or laboratory periods for which the state superintendent has given prior review and approval as to the content of such classes or laboratory periods so as to assure that such classes and laboratory periods are only for necessary academic purposes. Recreational programs and team sports shall not be eligible for aid under this section, and pupils participating in such programs shall not be counted as pupils enrolled under s. ~~121.07 (1)~~ 121.004 (8) nor shall costs associated with such programs be included in shared costs under s. 121.07 (6).

SECTION 1095. 121.14 (2) of the statutes is repealed and recreated to read:

121.14 (2) (a) State aid for summer classes shall be incorporated into the state aid paid for regular classes under this subchapter.

(b) Annually on or before October 1, the school district clerk or chairperson of the county handicapped children's education board shall file with the department a report stating the summer average daily membership equivalent.

SECTION 1096. 121.15 of the statutes is renumbered 121.41.

SECTION 1096m. 121.155 of the statutes is created to read:

**121.155 General aid; cost controls.** General aid under this subchapter shall not be paid on expenditures which exceed the maximum budgeted controllable cost under subch. VII.

SECTION 1097. 121.17 of the statutes is renumbered 121.006, and 121.006 (1) (b), as renumbered, and (4), as affected by chapter .... (Senate Bill 337), laws of 1977, as renumbered, are amended to read:

121.006 (1) (b) No state aid may be paid in any year under this ~~subchapter~~ chapter to a school district which fails to meet the requirements under subs. (2) and (3).

(4) Notwithstanding subs. (1) and (3), full state school aids shall be paid to districts that fail during an energy emergency, ~~as defined in s. 340.01 (15c)~~, to comply with the days of school required by ~~that~~ this section.

SECTION 1098. 121.19 of the statutes is renumbered 121.15.

SECTION 1099. 121.20 of the statutes is renumbered 121.007 and amended to read:

**121.007 Use of state aid; exemption from execution.** All moneys paid to a school district under s. 20.255 (1) (f), (fb), ~~(fg)~~, (fh) ~~and~~ (fj), (fp), ~~and~~ (fs) shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employes and as to claims for school materials, supplies, fuel and current repairs.

SECTION 1100. 121.21 of the statutes is renumbered 121.16.

SECTION 1101. 121.22 of the statutes is renumbered 121.17 and amended to read:

**121.17 Use of federal revenue sharing funds.** It is the intent of the legislature that school districts receiving federal revenue sharing funds through the state under this subchapter shall utilize these funds in compliance with the federal revenue sharing requirements as defined in the state and local fiscal assistance act of 1972 (P.L. 92-512), as amended by P.L. 94-488. The department of public instruction shall assure compliance with this section.

SECTION 1102. Subchapter II of chapter 121 of the statutes is renumbered subchapter IV of chapter 121, and subchapter IV (title), as renumbered, is amended to read:

CHAPTER 121  
SUBCHAPTER IV  
TRANSPORTATION AID  
(to precede 121.51)

SECTION 1103. 121.58 (2) (b) and (4) (b) of the statutes are repealed.

SECTION 1104. 121.58 (4) (a) of the statutes is renumbered 121.58 (4).

SECTION 1105. Subchapter III of chapter 121 of the statutes is renumbered subchapter V of chapter 121, and subchapter V (title), as renumbered, is amended to read:

CHAPTER 121  
SUBCHAPTER V  
TUITION PAYMENTS  
(to precede s. 121.77)

SECTION 1106. Subchapter III (title) of chapter 121 of the statutes is created to read:

CHAPTER 121  
SUBCHAPTER III  
DRIVER EDUCATION AID  
(to precede s. 121.41)

SECTION 1107. 121.76 of the statutes is repealed.

SECTION 1107m. 121.77 (1) of the statutes is amended to read:

121.77 (1) Every elementary school and high school shall be free to all persons of school age who reside in the school district. If facilities are adequate, a school board may admit nonresident pupils who meet the entrance requirements to the schools of the school district. Nonresident pupils shall have all the rights and privileges of resident pupils and shall be subject to the same rules and regulations as resident pupils. The school board shall charge tuition for each nonresident pupil, ~~except a nonresident pupil having legal settlement, as defined in s. 49.10, in the school district.~~

SECTION 1108. 121.78 (2) of the statutes is amended to read:

121.78 (2) A school board, upon its own order, may provide for the enrollment of a pupil in a public school located outside this state, if the course of study in such school is equivalent to the course of study in this state and if the school is at least ~~1-1/2~~ 1.5 miles nearer the pupil's home than any public school in this state. The school board shall pay the tuition for such pupil. ~~The cost of such tuition shall be treated as part of the operation and maintenance costs of the school district and if the school district shall be paid state aid as though such pupil was enrolled in the school district of residence. The school board shall pay for the transportation of a pupil so enrolled who resides 2 or more miles from such out-of-state school. The school district shall be paid state aid under subch. IV for the transportation of such pupil as though he the pupil had been transported to the school of the school district of residence.~~

SECTION 1109. 121.79 (3) of the statutes is amended to read:

121.79 (3) When transportation is provided for children under this section, state aid shall be paid in accordance with subch. ~~II~~ IV.

CHAPTER 29

304

SECTION 1110. 121.81 (2) (b) and (c) of the statutes are amended to read:

121.81 (2) (b) If the parent or legal custodian establishes residence in the school district prior to the expiration of the first 18 school weeks of the school term and if the pupil was enrolled in the school district on the 3rd Friday in September, the pupil shall be considered a resident pupil in computing ~~the state general aid paid to the school district~~ under subch. II.

(c) The parent or legal custodian of a pupil who is enrolled under this subsection shall be responsible for the transportation of such pupil to the school in which ~~he~~ the pupil is so enrolled. No ~~state transportation aid~~ under subch. IV may be paid for such transportation.

SECTION 1111. 121.82 (2) and (3) of the statutes are repealed and recreated to read:

121.82 (2) (a) The tuition for any given year shall be the sum of the school district general fund operational cost and annual capital outlay, minus the operational receipts, plus principal and interest payments on long-term indebtedness for the current school year divided by the average daily membership of the district providing the service, rounded to the nearest dollar.

(b) The tuition for summer classes shall be the tuition for the previous school year multiplied by the quotient of the summer average daily membership equivalent and the average daily membership for the previous school year.

(3) All disbursements for tuition shall be made from the school district general fund. All receipts for tuition shall be made to the school district general fund.

SECTION 1112. 121.83 of the statutes is repealed.

SECTION 1113. 121.84 (3) (a) of the statutes is amended to read:

121.84 (3) (a) A reorganized school district, in its first year of operating high school grades, may provide for its 11th and 12th grade pupils on a tuition basis and, in its 2nd such year, may provide for its 12th grade pupils on a tuition basis. The clerk of the school district in which nonresident pupils under this subsection are enrolled shall certify the number of such pupils enrolled to the department and to the clerk of their school district of residence. The school district of residence shall include such pupils in determining membership for state aid ~~purposes the total number of pupils enrolled in the school district~~ under subch. II.

SECTION 1114. Subchapter VI (title) of chapter 121 of the statutes is created to read:

CHAPTER 121

SUBCHAPTER VI

SPECIAL TRANSFER AID

(to precede s. 121.85)

SECTION 1115. 121.85 (1) (c) of the statutes is amended to read:

121.85 (1) (c) "Total cost" is the sum of the school district general fund operational cost of operation and annual capital outlay, minus the operational receipts, plus the principal and interest payments on long-term indebtedness ~~and annual capital outlay~~, for the current school year.

SECTION 1116. 121.85 (1) (d) of the statutes is created to read:

121.85 (1) (d) "School" means an organized educational activity operated by the school board and approved by the department of public instruction.

SECTION 1117. 121.85 (2) (a) of the statutes is amended to read:

121.85 (2) (a) *Interdistrict*. 1. By minority group pupils who reside in an attendance area in a school district where minority group pupils constitute 30% or more of the number of pupils enrolled in the school serving that attendance area and which the pupil would normally attend, from that district to a school in a school district where minority group pupils constitute less than 30% of the number of pupils enrolled in that school, as of May 1 of the prior year.

2. By nonminority group pupils who reside in an attendance area in a school district where minority group pupils constitute less than 30% of the number of pupils enrolled in the school serving that attendance area and which the pupil would normally attend in the district, from that district to a school in a school district where minority group pupils constitute 30% or more of the number of pupils enrolled in that school, as of May 1 of the prior year.

SECTION 1118. 121.85 (6) (a) 1 to (e) of the statutes are amended to read:

121.85 (6) (a) 1. An amount equal to that produced by counting each transfer pupil as ~~one 1.0~~ pupil ~~enrolled in computing state in membership for general aid under ss. 121.07 and 121.08 subch. II;~~ plus

2. An amount equal to that produced by counting each transfer pupil as ~~2 0.2~~ pupil ~~enrolled for state in membership for general aid computation purposes under ss. 121.07 and 121.08 subch. II.~~

(b) *Interdistrict transfer*. 1. If a pupil transfers from one school district to another under sub. (3) (a), the school district of residence shall count each such pupil as ~~one 1.0~~ pupil ~~enrolled for state in membership for general aid computation purposes under ss. 121.07 and 121.08 subch. II.~~

2. If, in any one school year, the number of pupils transferring from one school district to another under sub. (3) (a) constitute less than 5% of the total ~~pupils enrolled in membership of~~ the school district of attendance, the school district of attendance shall receive an amount equal to that produced by multiplying the number of pupils transferred into the district under sub. (3) (a) by the amount produced by dividing the school district's total net school cost by the sum of the ~~number of resident pupils enrolled, as defined under s. 121.07 (1) membership,~~ plus the number of pupils transferred into the district of attendance under sub. (3) (a).

3. If, in any one school year, the number of pupils transferring from one school district to another under sub. (3) (a) constitute 5% or more of the total ~~pupils enrolled in membership of~~ the school district of attendance, the school district of attendance shall receive an amount equal to 1.2 multiplied by the amount to which the district is entitled under subd. 2.

(c) *Special applications*. If a school district finds that it has incurred costs beyond aids received because of the number of pupils which it has accepted as transfers under this section, it may apply to the department for supplementary aids under this subsection. If the department finds that the school district has incurred costs for which reimbursement has not been made under par. (b) 2 or 3, it shall supplement the state aids paid to the district under this subchapter in an amount equal to the unreimbursed cost.

(d) *Aid in lieu of tuition*. Aid payments under this ~~section subchapter~~ shall be in lieu of tuition payments ~~otherwise~~ required under ~~this subchapter subch. V.~~ Aid payments under this ~~section subchapter~~ shall not be made for interdistrict transfers under sub. (6) (b), if tuition payments are made from funds received by the school district of residence under P.L. 73-167 and P.L. 81-874, as amended, for pupils so transferring from such district of residence.

(e) *Sources of aid payments*. State aid for pupils counted under pars. (a) 1 and (b) 1 shall be paid from the appropriation under s. 20.255 (1) (f). Other state aid

under this ~~subsection~~ subchapter shall be paid from the appropriation under s. 20.255 (1) (fp).

SECTION 1119. 121.85 (7) of the statutes is amended to read:

121.85 (7) TRANSPORTATION. Transportation shall be provided to pupils transferring schools under this ~~section~~ subchapter if required under subch. ~~II~~ IV. Transportation for a pupil attending a public school under sub. (3) (a) outside the pupil's school district of residence shall be provided pursuant to agreement between the school district of residence and the school district of attendance. Transportation for a pupil attending a public school under sub. (3) (b) outside his or her attendance area of residence may be provided by his or her school district. A school district providing transportation under this subsection shall be paid state aid for full costs incurred therefor from the appropriation under s. 20.255 (1) (fp) but may not claim transportation aid under subch. IV for pupils so transported.

SECTION 1120. Subchapter IV of chapter 121 of the statutes is renumbered subchapter VII of chapter 121, and subchapter VII (title), as renumbered, is amended to read:

CHAPTER 121

SUBCHAPTER VII

COST CONTROLS

(to precede s. 121.90)

SECTION 1121. 121.90 of the statutes is repealed and recreated to read:

**121.90 Definitions.** In this subchapter:

(1) "Controllable cost" means shared cost as defined in s. 121.07 (6) (a), excluding any amount included therein for principal and interest payments on long-term indebtedness.

(2) "Average membership" is the average, rounded to the nearest whole number, of the school district's membership for the previous school year and its membership for the current school year.

SECTION 1122. 121.91 (title) and (1) of the statutes are amended to read:

**121.91 (title) Cost control formula.** (1) For the 1975-76 school year, and annually thereafter, ~~for school districts budgeting on a school year basis, the allowable shared cost budget shall be computed as follows: the budgeted per pupil shared controllable cost increase for each school district over its prior school year per pupil shared cost shall be limited to the sum of its controllable cost per member for the previous school year and 9.5% of its controllable cost per member for the previous school year, multiplied by~~ the average membership.

Partial  
Veto  
Overruled

SECTION 1122m. 121.91 (1m) of the statutes is created to read:

121.91 (1m) School districts whose controllable cost per member is below the statewide average may increase their controllable cost per member by an amount not to exceed the statewide average controllable cost per member for the previous school year times the percentage established under sub. (1), multiplied by the average membership.

SECTION 1123. 121.91 (2) to (4) of the statutes are repealed.

SECTION 1123m. 121.91 (2) (f) of the statutes is created to read:

121.91 (2) (f) Prevent the employment of a reading specialist under s. 118.015.

Partial  
Veto  
Overruled

SECTION 1123p. 121.91 (3) (d) of the statutes is created to read:



121.91 (3) (d) *A cost attributable to the upgrading of school buildings to energy efficient standards, but the state superintendent shall, in the subsequent school year, exclude such cost.*

Partial  
Veto  
Overruled

SECTION 1124. 121.91 (5) of the statutes is renumbered 121.91 (2), and 121.91 (2) (intro.), (c) and (d), as renumbered, are amended to read:

121.91 (2) (intro.) In addition to the amounts set forth in ~~subs. sub. (1) or (2)~~ (1m), a school district may include in its ~~allowable shared budgeted~~ budgeted controllable cost budget such additional amounts as determined by the state superintendent, after finding that there is evidence that the shared cost limitation controls under this subchapter would:

(c) Prevent the full implementation of a comprehensive plan to eliminate racial imbalance in the school district by a stated date; ~~or~~

(d) Affect compliance by the school district with the specific order of a court or a state or federal agency, with the exception of orders issued by the department of public instruction, directing that school district to take an action not required by the order of all other school districts;

SECTION 1125. 121.91 (5a) of the statutes is renumbered 121.91 (2) (e) and amended to read:

121.91 (2) (e) ~~In addition to any amounts determined under sub. (5), the state superintendent may determine that a school district may exceed its allowable shared cost budget as set forth in subs. (1) and (2) by Apply to any documented inflationary increase in the costs of heat for buildings and electricity which exceeds 9.5% the percentage established under sub. (1) of the prior previous school year's expenditures for heat for buildings and electricity; or~~

SECTION 1126. 121.91 (5m) of the statutes is renumbered 121.91 (3) and amended to read:

121.91 (3) ~~(a)~~ [(a)] After determining that it has reached the maximum amount allowable ~~for its budgeted controllable cost under sub. (1) or (2) this section~~, a school ~~board~~ district may file a request with the state superintendent for an adjustment of its ~~prior controllable cost per member for the previous school year per pupil shared cost~~, along with such evidence as required by the state superintendent. The state superintendent may ~~adjust the prior year per pupil shared cost of the school district for the purpose of computing the allowable shared cost budget~~ authorize such an adjustment, if supported by clear, convincing and substantial evidence for any of the following:

Vetoed  
in Part

~~(1)~~ [1.] A cost that was payable in the ~~prior previous school~~ year, but paid in the current school year, and only where costs payable in the current school year are not retroactive obligations.

~~(2)~~ [2.] A receipt received in the current school year which was receivable in the ~~prior previous school~~ year.

~~(3)~~ [3.] A change in the classification of receipts and expenditures disbursements that is uniformly applied to all districts.

~~(b)~~ [(b)] Any decision by the state superintendent under this subsection shall be supported by clear, convincing and substantial evidence.

~~(c) The state superintendent shall initiate an adjustment of the prior year per pupil shared cost in order to carry out par. (a) 2.~~ [The state superintendent shall initiate an adjustment of the prior year per pupil shared cost in order to carry out par. (a) 2.]

SECTION 1127. 121.91 (6) of the statutes is renumbered 121.91 (4) and amended to read:

121.91 (4) In a school district whose boundaries have been altered through school district reorganization, the state superintendent shall compute the ~~per pupil shared controllable cost per member for such school district for the purposes of this subchapter. The state superintendent shall compute a base~~ the previous school year per pupil shared cost for the reorganized district which is substantially comparable to the ~~per pupil shared controllable cost per member~~ of the territory included in the reorganized district prior to reorganization.

SECTION 1128. 121.92 of the statutes is repealed.

SECTION 1129. 121.93 (1), (2) (a) and (3) of the statutes are amended to read:

121.93 (1) Notwithstanding any other statutes, school boards and school district annual meetings shall follow the procedures set forth in this section prior to final adoption of any school district ~~shared cost budget which exceeds the allowable shared cost budget contains an excess cost; an "excess cost" is the amount by which the budgeted controllable cost exceeds the controllable cost allowed under this subchapter.~~

(2) (a) Whenever a school board or annual meeting recommends the adoption of a school district budget which ~~exceeds the allowable shared cost budget contains an excess cost~~, it shall promptly adopt a resolution supporting inclusion in the final school district budget of an amount equal to the ~~difference between the proposed shared cost budget and the allowable shared cost budget excess cost.~~

(3) The school district clerk shall publish a class 2 notice, under ch. 985, containing a statement of the purpose of the referendum and the amount of money ~~by which the proposed shared cost budget exceeds the allowable shared cost budget specified in sub. (2) (a)~~, and stating the time, date and place of holding such referendum election and the hours during which the polls will be open.

SECTION 1130. 130.065 (1) of the statutes is amended to read:

130.065 (1) LICENSE REQUIRED. ~~In addition to the requirements of s. 440.85 governing the transacting of business by transient merchants, no~~ No transient merchant as defined by s. 440.85 (1) shall ~~shall~~ may conduct an auction sale, liquidation sale or other sale of more than 4 articles of merchandise in one location in this state (except as otherwise governed by s. 130.07) unless licensed to do so by the city, village or county in which the sale is proposed to be held.

SECTION 1131. 130.065 (1m) of the statutes is created to read:

130.065 (1m) TRANSIENT MERCHANT DEFINED. A transient merchant is one who engages in the sale of merchandise at any place in this state temporarily, and who does not intend to become and does not become a permanent merchant of such place. For purposes of this section, sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm or the sale of produce or other perishable products at retail or wholesale by a resident of this state.

SECTION 1132. 137.01 (1) (a) of the statutes is amended to read:

137.01 (1) (a) The governor shall appoint notaries public who shall be Wisconsin residents and at least 18 years of age. Applicants who are not attorneys shall file an application with the secretary of state and pay a ~~\$10~~ \$12 fee.

SECTION 1133. 137.01 (2) (a) of the statutes is amended to read:

137.01 (2) (a) Any Wisconsin resident who is licensed to practice law in this state shall be entitled to a permanent commission as a notary public upon application to the secretary of state and payment of a ~~\$10~~ \$12 fee. Such application shall include a certificate of good standing from the supreme court, the signature and post-office

address of the applicant and an impression of ~~his~~ the applicant's official seal, or imprint of ~~his~~ the applicant's official rubber stamp.

SECTION 1134. 139.05 (6) of the statutes is amended to read:

139.05 (6) If the occupational tax is not paid when due, there is added to the amount of the tax interest at the rate of ~~one per cent~~ 1.5% per month or fraction of a month from the date the tax became due until paid. ~~Nothing herein contained shall be construed to relieve~~ Any payment of such tax interest does not relieve any person otherwise liable from liability for payment of the occupational tax.

SECTION 1135. 139.07 of the statutes is amended to read:

**139.07 Failure to pay liquor tax.** If the tax imposed in s. 139.03 is not paid when due, interest at the rate of ~~one per cent~~ 1.5% per month or fraction of a month shall accrue from the date the tax became due until paid. If any person liable for such tax files a false or fraudulent return, there shall be added to the tax an amount equal to the tax evaded or attempted to be evaded.

SECTION 1136. 139.13 of the statutes is repealed.

SECTION 1137. 139.22 of the statutes is amended to read:

**139.22 Confiscation.** ~~Whenever~~ If a duly authorized employe of the department of revenue or the department of justice or any sheriff, ~~policeman~~ police officer, marshal or constable, within his or her respective jurisdiction, discovers any fermented malt beverages upon any premises other than the premises of a brewer or bottler, or any intoxicating liquor upon any premises other than the premises of a manufacturer, rectifier, winery or wholesaler, and upon which the tax has not been paid or which was possessed, kept, stored, manufactured, sold, distributed or transported in violation of ss. 139.01 to 139.25 and chs. 66 and 176, the employe or any such officer may ~~forthwith~~ immediately seize ~~said~~ the fermented malt beverages or intoxicating liquors. Any such fermented malt beverages or intoxicating liquors so seized shall be held by the department of revenue and disposed of ~~through the department of administration~~ under s. 176.62 (2) (b).

SECTION 1138. 139.32 (7) of the statutes is amended to read:

139.32 (7) If the tax imposed by s. 139.31 is not paid when due, interest shall accrue at the rate of ~~one per cent~~ 1.5% per month or a fraction of a month from the date the tax became due until paid.

SECTION 1139. 140.01 (3) of the statutes is created to read:

140.01 (3) "State health planning agency" has the meaning designated in s. 150.001 (13).

SECTION 1141. 140.05 (17) of the statutes is repealed and recreated to read:

140.05 (17) The department shall license and regulate campgrounds and camping resorts, recreational and educational camps, mobile home parks, and public swimming pools. No person, state or local government may conduct, maintain, manage or operate a campground and camping resort, recreational camp and educational camp, mobile home park or public swimming pool, as defined by departmental rule, who has not been issued an annual license by the department. A separate license shall be required for each type of establishment and public swimming pool. Licenses shall not be transferable from one premise to another or from one person, state or local government to another. The annual nonreturnable and nonprorated license fee for all places coming under this section shall be \$25 for recreational and educational camps, \$25 for public swimming pools, a graduated fee up to a maximum fee of \$100 for campgrounds and camping resorts, and a graduated fee up to a maximum fee of \$100 for mobile home parks. The department shall establish the graduated fees for campgrounds and camping resorts and for mobile home parks by rule. All such licenses

shall expire on June 30. An additional penalty fee of \$10 shall be required for each license whenever the annual fee for renewal is not paid prior to expiration of the license. Anyone violating this section or any rule of the department under this section shall be fined not less than \$25 nor more than \$250 and anyone failing to comply with an order of the department shall forfeit \$10 for each day of noncompliance after the order is served upon or directed to him or her and in the case of action under sub. (20), after lapse of a reasonable time after final determination.

SECTION 1142m. 140.05 (21) of the statutes is created to read:

140.05 (21) If fees are assessed by local units of government for locally administered regulation and inspection of campgrounds and camping resorts, recreational and educational camps, mobile home parks and public swimming pools, the department may not assess a license fee under sub. (17). Such locally administered activities shall meet the provisions of administrative rules adopted by the department for such regulatory and inspection activities before a license may be issued.

SECTION 1143. 140.28 of the statutes is repealed.

SECTION 1144. 140.45 (4) of the statutes is repealed.

SECTION 1145. 140.45 (5) (a) of the statutes is repealed and recreated to read:

140.45 (5) (a) Standards and qualifications of the department, as established by rule, have been met; or

SECTION 1146. 140.52 (11) of the statutes is amended to read:

140.52 (11) "Special nuclear material" means plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the ~~atomic energy~~ nuclear regulatory commission determines to be special nuclear material; or any material artificially enriched by any of the foregoing. Special nuclear material does not include source material.

SECTION 1147. 140.52 (12) of the statutes is created to read:

140.52 (12) "X-ray tube" means any electron tube which is designed for the conversion of electrical energy into X-ray energy.

SECTION 1148. 140.54 (1) of the statutes is amended to read:

140.54 (1) APPLICATION. Every radiation installation in this state, not exempted by this section or the rules of the department shall be registered by the department by January 1, 1964, by the person in control ~~thereof of the installation~~, and no such radiation installation ~~shall~~ may be operated thereafter unless it has been duly registered by January 1 of each year and a notice of ~~such~~ the registration is possessed by the person in control. Every radiation installation established in this state after January 1, 1964, shall be registered prior to its operation. The application for registration shall be made on forms provided by the department which shall be devised to obtain any information that is considered necessary for evaluation of hazards. Multiple radiation sources at a single radiation installation and under the control of one person shall be listed on a single registration form ~~and only one registration fee shall be required.~~ Registration fees shall be levied in accordance with sub. (3). Registration alone shall not imply approval of manufacture, storage, use, handling, operation or disposal of the radiation installation or radioactive materials, but shall serve merely to inform the department of the location and character of radiation sources. The department shall furnish the department of industry, labor and human relations with a copy of each amended and new registration. Persons engaged in manufacturing, demonstration, sale, testing or repair of radiation sources shall not be required to list such sources on the registration form.

SECTION 1149. 140.54 (3) of the statutes is renumbered 140.54 (3) (a) and amended to read:

140.54 (3) (a) An annual registration fee of ~~\$5~~ under pars. (b) to (f) shall be levied on every person in control of a radiation installation registering under this section. An additional penalty fee of \$10, regardless of the number of X-ray tubes shall be required for each registration whenever the annual fee for renewal is not paid prior to expiration of the registration. No additional fee ~~shall~~ may be required for recording changes in the registration information.

SECTION 1150. 140.54 (3) (b) to (f) of the statutes are created to read:

140.54 (3) (b) For a medical X-ray facility serving physicians and clinics, osteopaths and clinics, and hospitals that possess one X-ray machine source, and radioactive materials in any quantity, the fee shall be \$40 and for each additional X-ray tube \$15. The maximum fee under this paragraph shall be \$150.

(c) For a chiropractic X-ray facility possessing one X-ray machine source, the fee shall be \$40 and for each additional X-ray tube \$15. The maximum fee under this paragraph shall be \$100.

(d) For dental, podiatry and veterinary X-ray facilities the fee for one X-ray machine source shall be \$40 and for each additional X-ray tube \$15. The maximum fee under this paragraph shall be \$100.

(e) For an industrial X-ray facility the fee for one X-ray machine source and radioactive materials in any quantity shall be \$40 and for each additional X-ray tube \$15. The maximum fee under this paragraph shall be \$150.

(f) For schools, research projects and all other X-ray facilities not otherwise specified under this subsection, the fee for one X-ray machine source and radioactive materials in any quantity shall be \$15 and for each additional X-ray tube \$10. The maximum fee under this paragraph shall be \$50.

SECTION 1151. 140.54 (4) of the statutes is amended to read:

140.54 (4) EXEMPTIONS. The department shall exempt from registration any source licensed by the ~~atomic energy~~ nuclear regulatory commission and may exempt from registration any source of radiation installation which the department finds to be without undue radiation hazard as determined by standards established by the national committee on radiation protection and measurements or any comparable nationally recognized agency established for the purpose of recommending standards for radiation protection, and after the initial registration may exempt from subsequent annual radiation requirements any source of radiation devoted primarily to industrial purposes.

SECTION 1152. 140.595 (2) of the statutes is amended to read:

140.595 (2) Sections 140.50 to 140.60 shall not apply to on site activities of any nuclear reactor plant licensed or operated by the ~~atomic energy~~ nuclear regulatory commission.

SECTION 1154. 140.82 (title) of the statutes is amended to read:

**140.82 (title) Health planning.**

SECTION 1155. 140.82 (1) (intro.) and (b) of the statutes are amended to read:

140.82 (1) (intro.) The ~~division of health policy and planning~~ department shall:

(b) Annually prepare the state comprehensive health plan. The plan shall identify state health goals and priorities, determine health fund allocation priorities, provide for the coordination of federal hospital construction, mental health, alcohol, other drug abuse and developmental disability plans. In addition to coordinating the preparation of health-related federal plans, the ~~division~~ department shall coordinate the

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preparation of public and private state health and health-related plans. This shall include the state facilities survey and development of the state health facilities plan.

SECTION 1156. 140.82 (3) and (4) of the statutes are renumbered 140.82 (2) and (3) and amended to read:

140.82 (2) Every department, independent agency and statutory council, and their officers and employes, shall cooperate with the ~~administrator~~ department in ~~these~~ matters relating to ~~his~~ these functions.

(3) Each individual and institutional provider of health services licensed or approved by the state and doing business in the state shall make statistical and other reports of information related to health and health care to the ~~division~~ department.

SECTION 1156m. 140.83 (3) (b) to (e) of the statutes are created to read:

140.83 (3) (b) Coordinate the activities of agencies and organizations providing training for the delivery of emergency medical services.

(c) Assist the development of training for emergency medical technicians — advanced (paramedics).

(d) Assess the emergency medical resources and services of the state and encourage the allocation of resources to areas of identified need.

(e) Assist hospitals in planning for appropriate and efficient handling of the critically ill and injured.

SECTION 1157. 141.045 (1) of the statutes is amended to read:

141.045 (1) The qualifications of all public health nurses ~~hereafter entering such employment~~ shall be prescribed by rules adopted by the department ~~upon recommendation of the public health nurses examining council~~. All public health nurses shall be registered nurses ~~as provided in ch. 441, but practical~~. Practical nurses may be employed by health agencies under the supervision of a certified public health nurse to perform services for which licensed.

SECTION 1157m. 141.045 (2) and (5) of the statutes are repealed.

SECTION 1158. 141.07 of the statutes is amended to read:

**141.07 Dental clinics.** Any county may establish and maintain a dental clinic or clinics to be operated under rules adopted by the county health committee named under ~~section s.~~ 141.06. Monthly reports shall be made by the director of ~~said the~~ clinic or clinics ~~pursuant to section~~ under s. 141.045 (3) on blanks prescribed by the department. Any such clinic is subject to ch. 150.

SECTION 1160. 142.01 (1) of the statutes is amended to read:

142.01 (1) A person having a legal settlement in any county in this state or a state dependent under s. 49.04 who is crippled or ailing and whose condition can probably be remedied or advantageously treated, if he or she or the person liable for his or her support is financially unable to provide proper treatment, may be treated at the Wisconsin general hospital at Madison or in such other hospital or rehabilitation camp as the county judge directs, except that when the person to be treated, or his or her guardian if he ~~be~~ or she is under guardianship, selects that such treatment be at the Wisconsin general hospital or rehabilitation camp, the hospital or rehabilitation camp of his or her selection shall be the place of treatment. The right of such selection shall not exist in counties having a population of 500,000 or more. The right of treatment at Wisconsin general hospital shall not exist for persons whose annual family incomes and economic reasources are in excess of medical assistance limitations for the medically needy under s. 49.47 (4) (b) and (c), unless in the opinion of the county judge special circumstances exist to warrant an exception. If the family income is in excess and, in the opinion of the county judge, special circumstances do not exist, the person shall have the right of treatment at Wisconsin general hospital after the person has incurred

or expended at least one-half of the excess income for medical care or for any other type of remedial care recognized under state law, or for personal health insurance premiums, or both. The county judge shall inform the hospital of the amount of the family's annual excess income as determined by the judge. The hospital shall collect one-half the amount of the annual excess income from the patient. The hospital shall submit a bill to the state for the amount over and above one-half the amount determined as annual excess income.

SECTION 1161. 142.03 (1) of the statutes is amended to read:

142.03 (1) The application shall contain a full statement of the financial situation of the person including a determination of the person's eligibility for medical assistance under s. 49.45, and a general statement of his or her physical condition, and shall be verified. The county judge, or any person he or she designates, shall make investigation and the supervisor for the district containing the town, village or ward of the legal settlement or if none, the residence of the person, or where found, shall supply to the county judge, on request, all material information within his or her knowledge and no compensation or expense shall be paid or allowed by the county to any supervisor supplying such material information. Whenever an application is submitted to a county judge for hospitalization of a crippled child under s. 142.02, the judge shall submit a request for approval on blanks, supplied for the purpose, to the division for handicapped children of the department of public instruction. The division for handicapped children shall report its approval of the request to the county judge and to the Wisconsin general hospital. It shall also send notice to the county judge as to when the hospital can admit the child.

SECTION 1162. 142.04 of the statutes is renumbered 142.04 (1).

SECTION 1163. 142.04 (2) of the statutes is created to read:

142.04 (2) If the county judge is satisfied that the required facts exist for the person to be eligible for medical assistance under s. 49.45, public patient status shall be denied and the person referred to the county department of public welfare for application for medical assistance.

SECTION 1165. 142.07 (1) (d) of the statutes is repealed and recreated to read:

142.07 (1) (d) *Public patients; county share.* The amount charged back to counties for public patients under pars. (b) and (c) shall be one-half the actual net cost of care for each patient. The county share for outpatient care shall be determined in the same manner.

SECTION 1166. 142.08 (1m) of the statutes is amended to read:

142.08 (1m) One-half of the net cost of caring for a patient certified to the hospital shall be paid by the state and one-half by the county of his or her legal settlement or of which he or she is a county-at-large charge. The cost of caring for a state dependent person shall be borne wholly by the state. At the time that the application for admittance of a patient to the hospital is submitted to the division for handicapped children, the county judge shall include a statement regarding the financial status of the parents or guardian and an agreement signed by the parents or guardian as to the amount of money which the parents or guardian will contribute toward the child's care in the hospital. All money so collected by the county judge or the hospital from parents or guardians shall be ~~transmitted to the division for handicapped children of the department of public instruction other than a state dependent, to be deposited in the general fund. One-half of the amount received for each patient admitted through certification of the county judge for care at the hospital, shall be credited to the county on the account of each such patient and the entire amount received for a state dependent shall be paid and credited to the state~~ credited to the patient's account with the hospital. Financial arrangements for hospital care of children admitted by the county judge shall be made with parents or guardians of such children only by the

county judge, or by an agent designated by him or her, or by the division for handicapped children of the department of public instruction, with the knowledge of the county judge.

SECTION 1167. 142.08 (1r) of the statutes is created to read:

142.08 (1r) No payment shall be made under the public patient program for services that are otherwise covered by medical assistance, other medical aid programs, medicare, commercial health insurance or other 3rd party payers. Recovery from liable 3rd parties is the responsibility of the superintendent of Wisconsin general hospital. Notwithstanding any other statute, payments made by 3rd party payers for a patient shall be credited to that patient's account at the hospital. The hospital shall submit a net bill to the state after all credits have been accounted for.

SECTION 1168. 142.08 (4) of the statutes is amended to read:

142.08 (4) The department of administration shall certify to each county one-half the amount paid by the state for each ~~such dependent child~~ public patient from that county except state dependents certified to the hospital, ~~less half the amount which has previously been deposited in the general fund by the division for handicapped children of the department of public instruction, from amounts received for the care of such children other than state dependents in such hospital; and one-half the amount paid by the state for each patient except state dependents certified to the hospital, these amounts to be levied and collected with the general state taxes. The amount to be certified and levied shall be certified and levied according to this subsection. In no event shall the amount charged back to counties for care of public patients at the Wisconsin general hospital exceed one-half of the average daily cost of care for the prior 6-month period ending June 30 and December 31. The adjustment of the charges based on the 6-month period ending June 30 shall be made September 1 and the adjustment of charges based on the 6-month period ending December 31 shall be made on March 1; the adjustment of charges shall be in effect for all patient bills prepared until the following adjustment. In addition one-half of the average daily cost of maintenance of public outpatients in outpatient housing facilities shall be charged back to the counties in the same manner as care is charged back.~~

SECTION 1169. 142.11 of the statutes is created to read:

**142.11 Subject to chapter 150.** The Wisconsin general hospital is subject to ch. 150.

SECTION 1170. 143.15 (4) of the statutes is amended to read:

143.15 (4) The department, after conducting an evaluation and receiving a fee for each specialty area by the laboratory, shall issue an appropriate certificate of approval to the laboratory, covering those examinations it has evaluated which have met the minimum standards established by the department. A certificate of approval shall be valid for 12 months from the date of issue but shall be revoked by the department if the minimum standards established by the department for certification are not met within 2 successive evaluations. ~~Such~~ The evaluations must occur within 60 days of the annual renewal of the certificate of approval.

SECTION 1171. 143.15 (7) of the statutes is repealed and recreated to read:

143.15 (7) The department shall promulgate rules establishing a fee schedule to offset the cost of the certification of laboratories and the collection of fees. The fees established for each specialty area shall be graduated ~~to reflect the volume of tests performed.~~

Vetoed  
in Part

SECTION 1174. 144.025 (2) (t) of the statutes is created to read:

144.025 (2) (t) The department may until September 30, 1979, establish, administer and maintain a safe drinking water program no less stringent than the requirements of the safe drinking water act of 1974, P.L. 93-523, 88 Stat. 1660.



SECTION 1175. 144.03 (1) of the statutes is amended to read:

144.03 (1) Before any septic tank may be purchased or installed, the owner of the property on which the septic tank is to be installed shall obtain a permit for ~~such the~~ installation from the county clerk, the county zoning administrator or other persons designated by the county board. The permit application shall state the owner's name and address, the location of the property on which the septic tank is to be installed, the name of the installer and any state license held by ~~him~~ the installer, the specifications of the septic tank and any other information required by the department of health and social services. Upon receipt of an application together with a fee of ~~\$4~~ \$10, the county clerk or such other person shall issue a permit and shall forward the application and fee to the department of health and social services. If the department of health and social services receives the application within 10 days after the application is filed, it shall reimburse the county clerk or such other person ~~50 cents~~ \$1 for issuing the permit. The department of health and social services shall prescribe and furnish application and permit forms, and may designate any person to issue permits, including sellers of septic tanks.

~~SECTION 1176d. 144.21 (3) (c) of the statutes is renumbered 144.21 (3) (s) 1.~~

~~SECTION 1176m. 144.21 (3) (c) 2 of the statutes is created to read:~~

~~144.21 (3) (c) 2. A municipality applying for a 25% state grant is eligible for such payments under this section on or after the effective date of this act (1977), whether or not the municipality has applied for payments under this section and whether or not the municipality's application under this section has been approved or an agreement entered into under this section prior to the effective date of this act (1977), only if the municipality is in the lower 95% of all municipalities ranked under this subdivision. For the purposes of this subdivision, all cities, villages and towns in the state shall be ranked by the department of natural resources using data from the department of revenue by multiplying 2 factors together. The first factor shall be the full valuation for the city, town or village as defined in s. 79.03 (3) (e) 2. f, divided by the city, town or village population estimate as determined by the department of administration under s. 16.06. The second factor shall be the sum of the Wisconsin adjusted gross income as defined in s. 71.02 (2) (e) of the city, town or village, divided by the city's, village's or town's population, defined as the total dollar amount of exemptions on tax returns taken into account in determining the Wisconsin adjusted gross income for the city, town or village divided by 320. For the purposes of measurement of per capita Wisconsin adjusted gross income as used in this subdivision, the per capita Wisconsin adjusted gross income of a municipality which is located in more than one county shall be that amount for the entire municipality. If the municipality is not a city, village or town, for the purposes of this subdivision it shall have the same rank as the city, village or town with which it has the most area in common. If the municipality is not a city, village or town, it may examine, at its own expense, tax and other records of the department of revenue to determine the exact per capita Wisconsin adjusted gross income of and exact per capita full valuation of all taxable property in that municipality. If such a municipality so determines those factors, the department of natural resources shall, upon sample verification, accept such determinations for the purpose of ranking municipalities under this subdivision. This subdivision does not apply to a project which received payment in whole or in part prior to the effective date of this act (1977).~~

Vetoed  
in Part

SECTION 1177m. 144.21 (6) (b) (intro.) and 2 of the statutes are amended to read:

144.21 (6) (b) (intro.) The department may enter into agreements with municipalities and school districts to make payments to them from the appropriation appropriations made by s. ss. 20.370 (2) (f) and 20.866 (2) (tm).

Partial  
Veto  
Overruled

Partial  
Veto  
Overruled

2. It is the intent of the legislature that state debt not to exceed ~~\$144 million~~ \$150,850,000 in the 10-year period from 1969 to 1979 may be incurred for state water pollution and abatement assistance.

SECTION 1178. 144.22 of the statutes is repealed.

SECTION 1179. 144.22 (3) of the statutes is amended to read:

144.22 (3) Municipalities which desire to participate in the state program shall submit application for participation to the department no later than January 1, 1978. No applications may be accepted after that date. The application shall be in such form and include such information as the department prescribes.

SECTION 1180. 144.22 (5) (a) of the statutes is amended to read:

144.22 (5) (a) Upon approval of an application, the department may enter into an agreement with the municipality to pay from the appropriation under s. 20.370 (2) (d) an amount not to exceed 25% of the estimated reasonable costs of the approved project except as provided in par. (c). The agreement shall be for such duration and subject to such terms as the department may prescribe. The department shall not grant a municipality more than ~~10%~~ 20% of the funds available under s. 20.370 (2) (d) for a given year.

SECTION 1181. 144.22 (9) of the statutes is created to read:

144.22 (9) On a date after January 1, 1978, and prior to March 1, 1978, the department shall rank all applications submitted to the department but neither approved nor disapproved by the department prior to January 1, 1978, according to the criteria under sub. (2).

SECTION 1182. 144.26 (2) (a) of the statutes is repealed.

SECTION 1183. 144.26 (3) (a) and (b) 1 of the statutes are amended to read:

144.26 (3) (a) ~~The subcommittee shall serve in an ex officio advisory capacity to the department and provide a liaison function whereby the several state agencies may better co-ordinate their department shall coordinate the activities of the several state agencies~~ in managing and regulating water resources.

(b) 1. On the basis of these studies and plans make recommendations, ~~through the subcommittee,~~ to existing state agencies relative to their water resource activities.

SECTION 1186. 144.54 (title) and (1) of the statutes are amended to read:

**144.54 (title) Reports on substances used; environmental fee.** (1) The department shall require by rule that all persons, except municipalities, discharging industrial wastes, toxic and hazardous substances or air contaminants in this state report the manner used, amount used and amount discharged for each such waste, substance or contaminant. ~~This~~ The required report shall include industrial wastes and toxic and hazardous substances discharged into any sewerage system operated by a municipality. The department may verify reports received by field monitoring of industrial waste and other waste outfalls and air contaminant sources.

SECTION 1186m. 144.54 (2) of the statutes is renumbered 144.54 (2) (a).

SECTION 1186r. 144.54 (2) (b) of the statutes is created to read:

144.54 (2) (b) The department may, by rule, establish minimum reporting levels for pollutants and minimum effluent volumes for which reports are required under this section.

SECTION 1187. 144.54 (3) of the statutes is renumbered 144.54 (3) (a) and amended to read:

144.54 (3) (a) In order to provide for adequate departmental field planning, standards development, permit administration, surveillance, investigation, monitoring, enforcement and related efforts activities, there is established an annual operating

plant discharge ~~monitoring environmental~~ fee to be paid by each person required to report under sub. (1) ~~(a)~~. Such fee shall be based on an administrative fee of ~~\$50~~ \$100 plus an additional operating plant discharge fee, to be set by the department by rule and to be based on the concentration ~~and or~~ quantity ~~or both~~ of pollutants discharged at that plant in relation to the parameters established under sub. (2) ~~(a)~~. ~~The operating plant discharge fee under this subsection shall be paid for each plant at which pollutants are discharged. No annual operating plant discharge monitoring fee established under this subsection may exceed \$10,000.~~

SECTION 1188. 144.54 (3) (b) to (e) of the statutes are created to read:

144.54 (3) (b) In establishing an annual discharge fee schedule, the department shall distinguish between substances discharged directly to surface waters and those discharged into land disposal systems or publicly owned treatment works based on their relative impacts on the quality of ground and surface waters.

(c) The annual ~~discharge fee schedule~~ shall be designed to generate revenues equal to 30% of the state cost of departmental activities for the administration of air pollution control under this section and ss. 144.30 to 144.42 and water resources under this section and ss. 144.025, 144.04 and 144.55 and ch. 147, except that the costs of departmental inland lake renewal activities under ch. 33, water supply activities under ss. 144.025 (2) (L) and (r) and 144.04, high capacity well activities under s. 144.025 (2) (e) and solid waste activities under ss. 144.44 and 144.445 shall not be included in determining such costs. Vetoed  
in Part

(d) The annual operating plant discharge environmental fee under this section ~~may not exceed \$50,000 per operating plant and~~ shall be paid for each plant at which pollutants are discharged. Vetoed  
in Part

(e) In this subsection, "state cost" means the actual expenditure under s. 20.370 (2) (a) for the fiscal year immediately preceding the fiscal year of assessment.

SECTION 1189. 144.54 (4) of the statutes is amended to read:

144.54 (4) Violators of the reporting requirements established under sub. (1) shall ~~be fined forfeit~~ not less than \$200 nor more than \$10,000 ~~or an amount double the applicable environmental fee under sub. (3), whichever is greater,~~ for each offense.

SECTION 1190. 144.54 (5) of the statutes is repealed and recreated to read:

144.54 (5) The department may hold hearings relating to any aspect of the administration of the system established under this section, including, but not limited to, the assessment of environmental fees against specific plants and, in connection therewith, may compel the attendance of witnesses and the production of evidence.

SECTION 1191. 144.76 of the statutes is repealed and recreated to read:

**144.76 Citizens environmental council.** (1) The citizens environmental council, as created under s. 15.107 (5), shall employ under the classified service an executive director and such clerical staff as is necessary to perform its duties.

(2) The overall objectives of the council shall be to facilitate effective public awareness of environmental activities. To this end the council shall educate and advise the general public and citizens groups on environmental activities.

SECTION 1217b. 146.35 (5) (c) of the statutes is amended to read:

146.35 (5) (c) Pass an examination ~~administered~~ approved by the department.

SECTION 1217d. 146.35 (9) of the statutes is repealed.

SECTION 1217m. 146.50 (3) of the statutes is amended to read:

146.50 (3) RULES. The secretary may adopt rules necessary for administration of this section ~~and prescribe ambulance service equipment and standards therefor, except that any ambulance which does not conform to rules adopted by the secretary may be~~

~~used for a period not to exceed 5 years after December 30, 1974. Counties, municipalities and volunteer or paid-on-call fire departments and rescue squads shall be exempt from all rules prescribing standards for ambulances and other vehicles until January 1, 1979. Rules adopted by the secretary under this section shall not be effective until approved by the senate committee on health, education and welfare and the assembly committee on health and social services.~~

SECTION 1218m. 146.50 (4) of the statutes is repealed.

SECTION 1219. 146.50 (6) (c) of the statutes is amended to read:

146.50 (6) (c) Have passed an examination ~~administered~~ approved by the department.

SECTION 1220. 146.61 of the statutes is created to read:

**146.61 Home health service agency supplement.** The department shall administer a state supplement to promote the expansion of certified home health service agencies in the state. Grants shall be provided to qualified counties from the appropriation under s. 20.435 (1) (fm) to create home health agencies where none exist and expand service capability when the agency is less than 3 years old. State funds shall not be expended to maintain the current level of effort in a county or when federal support is available. The program shall terminate on June 30, 1981.

SECTION 1221. 149.01 (1) of the statutes is amended to read:

149.01 (1) ESTABLISHMENT, GOVERNMENT. Every county may, ~~pursuant to~~ under this section, establish a county tuberculosis sanatorium. In counties ~~whose~~ having a population is of 250,000 or more such institution shall be governed ~~pursuant to~~ under s. 46.21. In all other counties it shall be governed ~~pursuant to~~ under ss. 46.18, 46.19 and 46.20, except as otherwise provided in this section. All such institutions are subject to ch. 150.

SECTION 1222. 149.02 (6) of the statutes is created to read:

149.02 (6) Any institution subject to this section is subject to ch. 150.

SECTION 1223. 149.03 (4) of the statutes is created to read:

149.03 (4) Any institution subject to this section is subject to ch. 150.

SECTION 1224. 149.06 (11) of the statutes is created to read:

149.06 (11) Any institution subject to this section is subject to ch. 150.

SECTION 1225. Chapter 150 of the statutes is created to read:

## CHAPTER 150

### REGULATION OF

### HEALTH CARE INSTITUTIONS

#### SUBCHAPTER I

#### DEFINITIONS AND GENERAL PROVISIONS

**150.001 Definitions.** In this chapter:

(1) "Ambulatory surgical facility" means a facility, not a part of a hospital, which provides surgical treatment to patients not requiring hospitalization, but does not include the offices of private physicians or dentists whether for individual or group practice.

(3) "Clinical equipment" means equipment required to perform diagnostic or therapeutic procedures.

(4) "Community-based residential facility" has the meaning ascribed in s. 50.01 (1) (a).

(5) "Department" means the department of health and social services.

(6) "Health care institutions" include hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, kidney disease treatment centers, including free-standing hemodialysis units, ambulatory surgical facilities, health maintenance organizations, community-based residential facilities for more than 20 persons, home health agencies and other comparable facilities. "Health care institutions" do not include facilities operated solely as part of the practice of an independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99.

(7) "Health maintenance organization" means a public or private organization organized under the laws of this state which provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: usual physician services, hospitalization, laboratory, X-ray, emergency and preventive services and out-of-area coverage; is compensated (except for co-payments) for the provision of the basic health care services to enrolled participants on a predetermined periodic rate basis; and provides physicians' services primarily directly through physicians who are either employees or partners of the organization, or through arrangements with individual physicians or one or more groups of physicians, organized on a group practice or individual practice basis.

(8) "Home health agency" means an organization which offers a program of 2 or more health services in a client's residence or other community setting to people of all ages. Such services may include physician services, nursing services, physical therapy services, occupational therapy services, speech pathology services, home health aid-homemaker services, medically related social services, nutrition counseling services, laboratory services and medical supplies and equipment.

(9) "Hospital" has the meaning ascribed in s. 50.33 (1) but excluding those facilities exempted by s. 50.39 (3).

(10) "Nursing homes" has the meaning ascribed in s. 50.02 (1) (a).

(11) "State health planning agency" means the single state health planning and development agency designated by the governor under P.L. 93-641.

(12) "Statewide health coordinating council" means the body appointed by the governor which meets the requirements under section 1424 of P.L. 93-641.

(13) "Substate health planning agency" means a public or private nonprofit agency which meets the requirements of P.L. 93-641, and which has been designated as a health systems agency.

**150.002 Liability limited.** No officer, board member, employe or agent of the department or a substate health planning agency, nor any state employe, may incur personal liability for any action taken in good faith within such person's authority under law for the purpose of carrying out this chapter.

**150.003 Rule-making authority.** The department may promulgate rules for the administration of this chapter and set standards by rule to carry out this chapter.

**150.004 Injunctions.** Notwithstanding the existence of pursuit of any other remedy, the department may, upon the advice of the attorney general, maintain an action in the name of the state in the circuit court for injunction or other process against any person to restrain or enjoin the violation of this chapter or rules adopted under this chapter.

## SUBCHAPTER II

### CERTIFICATE OF NEED

**150.01 Definitions.** In this subchapter:

(1) (a) "Capital expenditure" means an expenditure by or on behalf of a health care institution which, under generally accepted accounting principles, is not properly

chargeable as an expense of operation and maintenance and which exceeds \$100,000 if health-related or \$150,000 if nonhealth-related. "Nonhealth-related expenditures" means expenditures for parking facilities; alteration or addition of plumbing, heating, cooling or electrical systems; and projects limited to nonpatient areas, such as gift shops, public waiting areas, cafeterias, dietary departments, central supply, maintenance, storage areas, medical libraries, chapels, laundries, housekeeping departments, medical records, classrooms, meeting rooms, administrative offices and such other projects as the department determines, by rule, to be nonhealth-related.

(b) The cost of the studies, surveys, designs, plans, working drawings, specifications and other activities essential to the acquisition, improvement, expansion or replacement of the plant and equipment with respect to which the capital expenditure is made shall be included in determining the amount of the capital expenditure. Transactions which are separated in time but are components of an overall plan for meeting patient care objectives shall, for purposes of this subsection, be viewed in their entirety without regard to their timing.

(1m) "Certificate of need" means a written authorization by the department for a person to implement the project under review.

(2) "Health services" mean clinically related services, including but not limited to diagnostic, treatment, rehabilitative, alcohol, drug abuse and mental health services.

(3) "Institutional health services" mean health services provided in or through health care institutions and includes the entities in or through which services are provided.

(4) "Obligation" means any enforceable contract which is entered into for the construction, acquisition or permanent financing of a capital asset. In this subsection, "acquisition" includes a change in ownership.

(5) "Person" means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies and insurance companies), a state, or a political subdivision or instrumentality (including a municipal corporation) of a state.

(6) "Substantial and continuing progress" means:

- (a) Expenditure of 20% of the approved capital expenditure;
- (b) Commencement of excavation or actual construction of a facility; or
- (c) Commitment of staff required to provide the new service.

(7) "Substantial change in health service" means the offering of a health service which was not offered on a regular basis in or through such a health care institution or health maintenance organization within the 12-month period prior to the time the services would be offered. "Substantial change in a health service" also means the deletion or substantial change in the scope or type of an existing health service provided by the health care institution or health maintenance organization.

(8) "To offer" when used in connection with health services, means that the health care institution holds itself out as capable of providing, or as having the means for the provision of, specified health services.

**150.02 Applicability.** (1) This subchapter applies without limitation to all persons who intend to engage in any of the following activities by or on behalf of a health care institution:

- (a) The lease, construction or purchase of a health care institution.
- (b) A substantial change in health service.
- (c) A change in bed capacity, not including temporary increases in bed capacity, except that transfers of beds between services which do not involve specialized services

are exempt unless the transfer involves more than 10 beds or more than 10% of the institution's capacity, whichever is less, over a 2-year period.

(d) An expenditure, not covered by par. (b), of more than \$100,000 for a single piece of clinical equipment, or of more than \$150,000 for 2 or more pieces of related clinical equipment, if there is an expenditure for one of the pieces of more than \$100,000. Two or more pieces of clinical equipment that can perform their normal functions only when used simultaneously or when connected to each other constitute a single piece of equipment for purposes of this subsection. Pieces of equipment are related if the diagnostic or therapeutic services provided with the equipment are normally provided to the same individual as a clinical service.

(e) Any capital expenditure not covered by pars. (a) to (d).

(1m) The proposed lease or purchase of an existing health care institution is not subject to this subchapter if the institution will continue to operate under the same category of license or permit as the institution possesses prior to the date of the proposed lease or purchase and none of the other activities described in sub. (1) take place in conjunction with such lease or purchase.

(2) This subchapter also applies without limitation to all persons who intend to engage in any of the following activities by or on behalf of an independent practitioner, partnership, unincorporated medical group or service group as defined in s. 180.99:

(a) An expenditure for a single piece of clinical equipment of more than \$100,000, or

(b) An expenditure for clinical equipment which exceeds \$150,000 for 2 or more pieces of related equipment, if there is an expenditure for one of the pieces of more than \$100,000. Two or more pieces of clinical equipment that can perform their normal functions only when used simultaneously or when connected to each other constitute a single piece of equipment for purposes of this subsection. Pieces of equipment are related if the diagnostic or therapeutic services provided with the equipment are normally provided to the same individual as a clinical service.

(3) No person may divide a project to avoid the requirements of this subchapter. When any person acquires under a lease or comparable arrangement, or through donation, any health facility or part thereof, equipment for a facility or clinical equipment which would have been subject to this subchapter had it been purchased, that acquisition is subject to this subchapter.

(4) The department shall, if permitted by the secretary of health, education and welfare, exempt from the formal review requirements, projects which meet the criteria listed below. All requests for such a nonsubstantive review by the applicant or the substate health planning agency must be made in writing to the department. The department, after consultation with the appropriate substate health planning agency, shall make a determination within 15 days after receipt of a written request. The department shall issue a certificate on all approved projects declared nonsubstantive within 20 days of this determination. A project which is determined to be subject to review shall be declared nonsubstantive if it meets one of the following criteria:

(a) A one-time capital expenditure of less than \$10,000.

(b) Capital expenditure projects developed pursuant to a plan of correction for code deficiencies previously approved by the department.

(c) Capital expenditure projects which are required to remedy an emergency situation detected not more than 30 days prior to the request for a nonsubstantive review determination and which threatens the safety of patients or the ability of the institution to remain in operation.

(d) Replacement of clinical equipment with equipment of similar capability if the equipment is included in the facility's annual capital expenditure budget or plan.

(5) The department may promulgate by rule additional criteria which, if approved by the secretary of health, education and welfare, may be used to declare a project nonsubstantive.

**150.03 Compliance required for licensing and approval.** No license may be issued or renewed nor may approval be granted for any health care institution which fails to comply with this subchapter.

**150.04 Initial notification requirement.** No person intending to undertake a project which is subject to this subchapter may engage architectural or professional consultation or fund-raising services with respect to the project other than feasibility studies until it has notified the department and the substate health planning agency for the area in which the project will be located of its intention to engage such services. The form and content of the notification of intent shall be established by rule by the department.

**150.05 Certificate of need requirement.** (1) No person may enter into an obligation in support of a project described in s. 150.02 or engage in activities described in that section unless the obligation or activities are authorized by a valid certificate of need.

(2) The department shall prescribe the form to be used in applying for certificates of need and for applying for renewal, modification or amendment. The department shall consult with the substate planning agencies and appropriate governmental and affected parties prior to prescribing the form of the application. A statement of the applicable rules and procedures to be followed in the review of an application shall be issued with each application form. The department may require no information under this section which is not prescribed and published as being required information.

(3) No person may apply for a certificate of need unless that person submits proof of consultation with the substate health planning agency for the area in which the project is to be located relative to need for the project, including plans, specifications and design of the project. It is the responsibility of the substate health planning agency within the area the project is to be located to notify other agencies potentially impacted by the proposed project. Proof of such consultation shall be submitted in a form prescribed by rule by the department.

(4) An application for a certificate of need shall be filed jointly with the department and the appropriate substate health planning agency.

**150.06 Review process.** (1) The appropriate substate health planning agency shall review each application for a certificate of need in accord with standards and procedures established under s. 150.07, and for consistency with locally developed plans and standards, and shall submit its comments thereon to the department within 60 days after receipt of a complete application. The comments may include a recommendation to approve the application without modifications, to approve the application subject to specified modifications or to reject the application. Suggested modifications, if any, shall relate directly to the project under review.

(2) (a) The appropriate substate health planning agency shall, during the course of its review, provide an opportunity for a public meeting at which interested persons may introduce testimony and exhibits. Public meetings required by this subsection shall be conducted according to rules promulgated by the department.

(b) Any interested person may file written comments and exhibits concerning a proposal under review with the appropriate substate health planning agency and the department.



(c) For the purposes of this subchapter, the department is exempt from the requirements of s. 227.075.

(3) The department shall, except as provided in sub. (4), issue a certificate of need with or without any specified modifications or reject the application within 30 days after receiving the comments on the application from the substate health planning agency. If the department fails to act within such period, the failure to act shall constitute rejection of the application. Modifications shall relate directly to the project and may not constitute conditional approval based on the addition, alteration or termination of other services or facilities provided by the health care institution requesting the certificate.

(4) If the decision by the department contradicts the recommendations of the substate health planning agency, the department shall issue a certificate of need 30 days after notification of approval has been given, if no appeal has been made under s. 150.09. The department may promulgate by rule criteria by which certificates of need for contested cases will be withheld for 30 days to permit appeals to be made under s. 150.09.

**150.065 Extended review.** The department shall promulgate rules establishing criteria for determining when it would not be practicable to complete a review within 90 days from receipt of a completed application. If the department finds that these criteria are met for a particular project, it shall extend the review period for a period not to exceed 60 days, except with the consent of the applicant, and provide notice of such extension to all affected persons. The time limitations in s. 150.06 (2) shall be modified accordingly.

**150.067 Findings.** The department shall, within 15 days after it approves or rejects an application under s. 150.02, provide in writing to the applicant, to the appropriate substate health planning agency and, upon request, to affected persons the findings and conclusions on which it based its decision, including but not limited to the criteria under s. 150.07 used by the department in making such decision.

**150.07 Review criteria and standards.** (1) The department shall by rule promulgate and utilize, as appropriate, specific criteria for conducting its reviews under the subchapter including but not limited to the following general considerations:

(a) The relationship of the health services being reviewed to the applicable health systems plan and annual implementation plan adopted under section 1513 (b) (2) and (3), respectively, of P.L. 93-641.

(b) The relationship of services reviewed to the long-range development plan, if any, of the person providing or proposing the services.

(c) The need that the population served or to be served by the services has for the services.

(d) The availability of less costly or more effective alternative methods of providing the services.

(e) The immediate and long-term financial feasibility of the proposal, as well as the probable impact of the proposal on the costs of and charges for providing health services by the person proposing the new institutional health service.

(f) The relationship of the services proposed to be provided to the existing health care system of the area in which the services are proposed to be provided.

(g) The availability of resources, including but not limited to health manpower, management personnel, and funds for capital and operating needs for the provision of the services proposed to be provided and the availability of alternative uses of those resources for the provision of other health services.

(h) The relationship, including the organizational relationship, of the health services proposed to be provided to ancillary or support services.

(i) Special needs and circumstances of those entities which provide a substantial portion of their services or resources, or both, to individuals not residing in the health service area in which the entities are located or in adjacent health service areas. Such entities may include medical and other health professions schools, multidisciplinary clinics and specialty centers.

(j) The special needs and circumstances of health maintenance organizations for which assistance may be provided under Title XIII of the public health services act. Such needs and circumstances include the needs of and costs to members and projected members of the health maintenance organization in obtaining health services and the potential for a reduction in the use of inpatient care in the community through an extension of preventive health services and the provision of more systematic and comprehensive health services.

(k) The special needs and circumstances of biomedical and behavioral research projects which are designed to meet a national need and for which local conditions offer special advantages.

(L) In the case of a construction project, the costs and methods of the proposed construction, including the costs and methods of energy provision, and the probable impact of the construction project reviewed on the costs of providing health services by the person proposing the construction project.

(2) Each substate health planning agency shall adopt and utilize as appropriate specific criteria for conducting its reviews under this subchapter, including but not limited to the general considerations specified in sub. (1) (a) to (L).

(3) All standards established by the department shall distinguish between rural, urban and metropolitan areas as defined by population density to the extent that variable standards will benefit the development of the most appropriate health care system for the service area. All such standards shall be subject to review and comment by substate health planning agencies, public meetings in each substate health planning area, and review by the statewide health coordinating council prior to use in reviewing certificate of need applications.

(4) Before issuing a certificate of need, the department shall consider, in accordance with the appropriate criteria of sub. (1), the need for health care institutions, services related thereto and clinical equipment as projected in various state plans prepared annually by substate health planning agencies and state agencies, including but not limited to the medical facilities construction and modernization program, mental health centers plan, programs for facilities and services for the mentally retarded, rehabilitation services program, the alcoholic and drug abuse programs, and special studies, surveys and information. Information submitted by a religious organization in support of its application, demonstrating a desire on the part of persons in the area to be served by the facility to be cared for in an institution sponsored by that particular religious organization, shall be a significant consideration in determining the need for that facility. This information may consist of waiting lists substantiated by verified applications for admission to the institution, surveys and any other forms of information which the state health planning agency requires.

**150.08 Forfeiture.** Any person who violates this subchapter or any rule adopted under this subchapter shall forfeit not less than \$100 nor more than \$1,000 for each such offense. Each day of violation constitutes a separate offense.

**150.085 Rehearing.** Any affected person may request a rehearing under s. 227.12 on the basis of the grounds specified in s. 227.12 (3) or such other grounds as the department may specify by rule.

**150.09 Appeals.** The department shall promulgate rules establishing procedures by which any person applying for a new, modified or amended certificate of need or a substate health planning agency may appeal a decision by the department. The procedures shall include an opportunity for an appeal to an independent hearing officer, appointed by the governor under s. 252.075 (3). In an appeal of a decision to deny a certificate of need, the department shall bear the burden of proving that the project fails to meet the criteria specified in its written findings under s. 150.067. In an appeal of a decision to grant a certificate of need, the person appealing that decision must prove that the project fails to meet such criteria. The appeals shall be conducted in the manner described in s. 227.20, except that findings, conclusions and the decision resulting from the hearing shall, to the extent the determinations of the department are reversed or modified, constitute the determinations of the department.

**150.10 Validity of a certificate.** A new, modified or amended certificate of need is valid for a period of one year from the date of issuance and may be renewed at the expiration of this period. The certificate of need may be renewed one or more times for periods of up to one year only if evidence of substantial and continuing progress on the project is submitted or if the applicant demonstrates a commitment to obligate for the proposed project within the extension period. The department may establish rules to assure timely completion of the project.

**150.12 Fees.** Persons applying for certificates of need shall pay application fees according to the schedule in this section.

(1) No fee may be charged for any nonsubstantive project under s. 150.02 (3), any project whose total cost is less than \$10,000 or the purchase of single pieces of replacement equipment.

(2) For all other expenditures the fee shall be 0.2% of the estimated project cost with a maximum fee of \$15,000 and a minimum fee of \$100.

### SUBCHAPTER III

#### DECERTIFICATION OF SPECIALIZED HOSPITAL SERVICES

**150.41 Definitions.** In this subchapter:

(1) "Specialized services" are the specialized facilities, equipment and staff necessary:

- (a) To perform heart catheterization studies or cardiac surgery.
- (b) To perform radiation therapy treatment of cancer and other diseases.
- (c) For hemodialysis treatment of acute or chronic renal insufficiency.
- (d) To perform kidney transplants.
- (e) For the intensive care and management of high-risk maternal, high-risk fetal patients or high-risk neonatal patients.

(f) To perform computed tomography.

(2) "Certificate" means a written authorization by the department for an institution to provide specialized services.

**150.42 Administration.** The bureau or agency with primary responsibility for activities under subch. II shall be responsible for certifying the need for individual specialized services. After certification, the responsibility for monitoring compliance with standards and rules promulgated under this subchapter shall be the responsibility of the single agency responsible for facility licensing and inspection.

**150.44 Regulations.** (1) The department shall promulgate all regulations necessary to implement this subchapter and to ensure that the specialized services

offered are needed, reasonably accessible, and provided in a manner which is consistent with community-defined quality-of-care standards.

(2) All rules and standards proposed by the department under this subchapter shall be reviewed by the statewide health coordinating council prior to becoming effective.

**150.45 Decertification.** (1) The department, after due notice, may decertify a specialized service if the service is clearly and demonstrably not needed by the community being served or the resources of the institution are incapable of maintaining the service.

(2) The department shall issue a notice of intent to decertify a service at least 90 days prior to initiating formal action. Such notice shall be in writing and shall specify with particularity the basis on which the department reached its preliminary position. No final determination may be made by the department unless a hearing has been held and written findings and conclusions have been prepared by the presiding officer at the hearing or the hearing has been waived by the institution.

(3) The appropriate substate health planning agency shall be notified of the department's preliminary findings and shall be given a minimum of 60 days to review and comment on the proposed decertification.

(4) If the department determines a service is temporarily not in full compliance with applicable standards and rules promulgated under this subchapter, but the service is needed, the department shall issue a warning to the certificate holder and work with the hospital to establish a plan of correction with a reasonable timetable. Failure to comply with such a timetable is grounds for decertification. Capital expenditures which are necessitated to meet certification standards shall automatically be considered nonsubstantive projects under subch. II, if the service or facility in question will be in full compliance with all applicable rules and standards upon completion of the project.

(5) The certification review process specified in this subchapter shall, after the initial review, be conducted for each service not more frequently than every 3 years or less frequently than every 5 years. The initial review must be completed within 12 months from the date regulations are published.

(6) The hospital shall be given a reasonable period of time, not to exceed one year, to phase out a specialized service.

**150.46 Appeals.** The department shall promulgate rules establishing procedures by which a person may appeal a decision by the department. The procedures shall include an opportunity for an appeal to an independent hearing officer appointed by the governor under s. 252.075 (3). In any appeal of a decision by the department, the department shall bear the burden of proving that the decision is in accordance with s. 150.45 and the rules, regulations and standards promulgated under this subchapter. Such appeals shall be conducted in accordance with s. 227.20, except that the findings, conclusions and decisions resulting from the hearing shall, to the extent the determinations of the department are reversed or modified, constitute the determinations of the department.

**150.47 Operation without a certificate; penalty.** No hospital may maintain or operate a specialized service without a certificate. Any hospital which violates this section shall forfeit not less than \$100 nor more than \$1,000. Each day of violation constitutes a separate offense.

**150.48 Inspections.** The department shall make inspections as are reasonably necessary under this subchapter, but not more often than annually, to obtain compliance with the rules and standards promulgated under this subchapter. To the

maximum extent possible, these inspections shall be coordinated with other regulatory and accrediting bodies, both governmental and private.

SECTION 1226. 156.04 (2) of the statutes is amended to read:

156.04 (2) No person ~~shall~~ may engage in the business of a funeral director, or make a representation as engaged in such business, in whole or in part, unless first licensed as a funeral director by the examining board. Application for ~~such a~~ such a license (other than a renewal) shall be in writing and verified on a form to be furnished by the examining board. The application must specify the address at which the applicant proposes to conduct the business of a funeral director and shall contain such other information as the examining board requires to determine compliance with the requirements of this chapter. Accompanying the application shall be ~~an~~ the examination fee of ~~\$30 specified under s. 440.05 (1)~~, together with affidavits from at least 2 reputable freeholders of the county in which the applicant resides or proposes to conduct the business of a funeral director, to the effect that the applicant is of good moral character, ~~of and~~ and temperate habits, and a citizen of the United States. ~~The fee for the license, if granted, is \$10.~~

SECTION 1227. 156.05 (3) of the statutes is amended to read:

156.05 (3) Applications for the examination for an embalmer's license shall be in writing and verified on a blank to be prescribed and furnished by the examining board, and be accompanied by such proof of compliance with the requirements of this chapter and with such other information as the examining board requires and shall be accompanied by ~~a~~ the examination fee of ~~\$30 specified under s. 440.05 (1)~~. ~~The fee for the license, if granted, is \$10.~~

SECTION 1228. 156.06 and 156.07 of the statutes are amended to read:

**156.06 Renewal of licenses.** The examining board shall issue separate renewal licenses to funeral directors and to embalmers. ~~All licenses shall expire at the close of the calendar year. A renewal license for the ensuing year shall be issued to any licensed funeral director or licensed embalmer on payment of a renewal fee of \$10, providing the application is made prior to the close of the license year, and in case the application is made after the close of the license year, the renewal fee shall be \$20. The renewal fee shall be that specified in s. 440.05 (3).~~ Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to ~~such a~~ such a renewal license at any time during that license year period, when located at a recognized funeral establishment, without payment of any additional renewal fee. The license shall expire on December 31 of odd-numbered years.

**156.07 Restoration of licenses.** A licensed funeral director or embalmer who fails to renew ~~his a~~ a license may on application filed within ~~3~~ 4 years after the expiration of ~~his~~ the person's last license secure a renewal license without examination by payment of a renewal fee of \$20 for each year ~~he was~~ he was ~~biennium~~ not licensed or by examination and payment of the ~~fees as provided in ss. 156.04 and 156.05~~ fee under s. 440.05 (1). Any licensed funeral director or embalmer whose license has lapsed ~~3~~ 4 years or more may obtain a new license by examination and payment of the ~~fees as provided in s. 156.04 or 156.05~~ fee under s. 440.05 (1). The time limitations prescribed in this section shall not include the service period of a funeral director or embalmer as an active member of the U.S. armed forces.

SECTION 1229. 156.08 (4) (a) of the statutes is amended to read:

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156.08 (4) (a) Applications for the examination at a time and place to be arranged and conducted by the examining board for a reciprocal funeral director's or embalmer's license shall be in writing and verified on a blank to be prescribed and furnished by the examining board, and be accompanied by such proof of compliance with the requirements for a reciprocal funeral director's or embalmer's license and with such other information as the examining board requires and shall be accompanied by a the examination fee of \$30 for each application. ~~The fee for each license, if granted, shall be as determined in par. (b).~~

SECTION 1230. 156.08 (4) (b) of the statutes is repealed.

SECTION 1231. 156.095 (1) (a) and (c) of the statutes are amended to read:

156.095 (1) (a) A person desiring to become an apprentice as a funeral director or embalmer shall ~~make application~~ apply on a form provided for the purpose and ~~must~~ appear before the examining board, or any duly appointed representative of the examining board. The application shall state that the applicant is over 18 years of age, of temperate habits, of good moral character, a citizen of the United States, and holds a high school diploma or possesses equivalent education as defined by the examining board and has completed one academic year of instruction in a recognized college or university in a course of study approved by the examining board or has equivalent education. ~~Such~~ The application must be substantiated by the oath of the applicant and be accompanied by a the fee of ~~\$5 specified in s. 440.05 (6)~~. When the examining board is satisfied as to the qualification of an applicant for apprenticeship, it shall issue a certificate of apprenticeship. When the apprentice enters the employment of a licensed embalmer or funeral director, the apprentice shall immediately notify the examining board, giving the name and place of business of the embalmer or funeral director whose service the apprentice has entered. If, at any time thereafter, ~~such~~ the apprentice leaves the employ of the licensed embalmer or funeral director whose service the apprentice has entered, ~~such~~ the licensed embalmer or funeral director shall ~~give~~ such ~~the~~ apprentice an affidavit showing the length of time served as an apprentice with that employer, and the work done in detail, which affidavit shall be filed with the examining board and made a matter of record in that office. If ~~such~~ the apprentice thereafter enters the employ of another licensed embalmer or funeral director in this state, the applicant shall forthwith report such employment to the examining board.

(c) A certificate of apprenticeship issued ~~as provided in~~ under this section shall be signed by the apprentice and shall be renewable annually upon the payment on January 1 of each year of a the renewal fee of ~~\$5 specified in s. 440.05 (6)~~. The examining board shall mail during the month of December of each year, to each registered apprentice at the ~~last known~~ last-known address, a notice that the renewal fee is due, ~~and that, if not paid by February 1 following, the penalty for the lapse in renewal will be \$1 in addition to such renewal fee.~~

SECTION 1232. 156.105 (3) of the statutes is amended to read:

156.105 (3) Applications for ~~such~~ funeral establishment permits shall be made on blanks furnished by the examining board and filed with the examining board on or before July 1 ~~of each year~~ and shall be accompanied by a the fee of ~~\$20 if the application is made prior to the close of the license year, and if the application is made after the close of the license year, the renewal fee shall be \$40 specified under s. 440.05 (8)~~. All ~~such~~ permits shall expire on June 30 of ~~each year~~ odd-numbered years.

SECTION 1233. 158.03 (1) and (4) of the statutes are amended to read:

158.03 (1) No person ~~shall~~ may operate a school for the purpose of teaching barbering for compensation unless ~~an annual~~ a biennial certificate of registration has been obtained from the examining board. Application for ~~such~~ the certificate shall be filed with the examining board in ~~such~~ the form as the examining board ~~shall prescribe~~

prescribes. The original fee for certificate of registration shall be \$900 the fee specified under s. 440.05 (8) and shall be paid before the school is opened. The renewal fee ~~shall be \$300 and specified in s. 440.05 (8)~~ shall be paid before September 1 ~~annually; when renewed after said date, an additional penalty fee of \$300 shall be paid in odd-numbered years.~~ Barber schools shall make no charge to patrons for barbering services. Vocational, technical and adult education schools in this state are exempt from paying registration fees.

(4) No person may engage in teaching or instructing apprentices in any school or college teaching barbering unless he or she holds a Wisconsin master barber's license, is a graduate from an approved high school or its equivalent as determined by examination by the board of vocational, technical and adult education or the university of Wisconsin extension and has passed an examination for an instructor's certificate in barbering conducted by the examining board and paid the fee specified in s. 440.05 (1). ~~Such~~ The certificate shall expire on June 1 ~~next in odd-numbered years~~ succeeding issuance and be renewed on or before the expiration date at a the renewal fee specified ~~by the examining board, not to exceed \$25. After that date an additional fee of \$10 shall be paid in s. 440.05 (3).~~ The examination shall cover ~~such subjects as are~~ usually taught in barber schools and colleges in practical work and theory. ~~The examination fee for instructors shall be specified by the examining board, but shall not exceed \$50.~~

SECTION 1234. 158.04 (5) (b) of the statutes is amended to read:

158.04 (5) (b) Any person or persons proposing to open a shop in a new location or to make major alterations shall first make application to the examining board for an inspection and approval of the premises, submitting an exact description and floor plan of the proposed location of the premises on a form prescribed by the examining board accompanied by an inspection fee of \$30.

SECTION 1235. 158.09 (6) of the statutes is amended to read:

158.09 (6) Each application for an apprentice's permit shall be accompanied by a fee specified by the examining board, not to exceed \$25 in s. 440.05 (6).

SECTION 1236. 158.10 (2) and (4) of the statutes are amended to read:

158.10 (2) Each application for a journeyman's license other than a renewal shall be in writing and accompanying the application shall be an examination the fee specified by the examining board, not to exceed \$50. The fee for the license, if granted, shall be specified by the examining board, but shall not exceed \$25 in s. 440.05 (6). Issuance of a journeyman's license shall entitle the applicant to practice barbering under a licensed shop manager in this state for a period of one year from the date of the license. After expiration of this license it must be renewed by payment of the fee specified in s. 440.05 (6) and such the journeyman must take the first examination for a master barber's license given in his or her respective locality, and pay the fee specified in s. 440.05 (1), if he or she has served one year as a journeyman in this state.

(4) Any barber who is at least 20 years of age, of good moral character and temperate habits and has an active license or certificate as a practicing barber or eligibility therefor with 4 years' experience from another state which has substantially the same requirements as this state may be granted a journeyman license upon passing an examination consisting of a written test and practical examination. ~~The fee for the examination shall be specified by the examining board, but shall not exceed \$50.~~ The application blank and fee specified in s. 440.05 (1) must be filed with the examining board at least 10 days previous to the examination. The examining board shall not permit the applicant to work as a journeyman or a barber pending the examination.

SECTION 1237. 158.11 (2) of the statutes is amended to read:

158.11 (2) The fee to be paid by an applicant for an examination to determine fitness to receive a master barber's license shall be that specified by the examining board, but shall not exceed \$50 and the fee for the issuance of the master barber's license shall be specified by the examining board, but shall not exceed \$25 in s. 440.05 (1).

SECTION 1238. 158.11 (3) of the statutes is amended to read:

158.11 (3) All master barber licenses shall expire on June 1 of the license year odd-numbered years. A renewal license for the ensuing year shall be issued to any licensed master barber on payment of a the renewal fee specified by the examining board, not to exceed \$25 if the application, together with the fee, is filed before the beginning of the next license year. In case the application, together with the fee, is filed after the close of the license year the renewal fee shall be specified by the examining board, but shall not exceed \$50 in s. 440.05 (3).

SECTION 1239. 158.12 (2) (b), (3) and (4) of the statutes are amended to read:

158.12 (2) (b) Who has satisfactorily passed an examination conducted by the examining board to determine fitness in managing a shop. The fee for examination for a shop manager's license shall be specified by the examining board, but shall not exceed \$50. The application blank and fee for such examination specified in s. 440.05 (1) must be received by the examining board at least 10 days prior to the examination.

(3) The fee to be paid upon application for the issuance of a shop manager's license shall be specified by the examining board, but shall not exceed \$25. When application is made by more than one qualified person for a license covering the same shop such license may be issued in the name of all applicants. Any person seeking a shop manager's license for more than one shop shall pay a separate fee for each shop.

(4) All shop manager licenses shall expire on June 1 of the license year. A renewal license for the ensuing year shall be issued to any licensed shop manager odd-numbered years and may be renewed on payment of a the renewal fee specified by the examining board, not to exceed \$25 if the application, together with the fee, is filed before the beginning of the next license year. If the application, together with the fee, is filed after the close of the license year the renewal fee shall be specified by the examining board, but shall not exceed \$50 in s. 440.05 (3).

SECTION 1240. 158.124 (1) of the statutes is amended to read:

158.124 (1) A manager previously licensed in this state who fails to renew his or her license may, on application, if filed within ~~3~~ 4 years after the expiration of his or her last license, secure a license without examination by payment of a the fee specified by the examining board, not to exceed \$50 for each year not licensed in s. 440.05 (3) or by examination and payment of the fees as required for compliance with s. 158.12 fee under s. 440.05 (1). A shop manager who fails to renew his or her license within ~~3~~ 4 years after the expiration of his or her last license may secure a license only by examination and payment of the fees required for compliance with s. 158.12 fee under s. 440.05 (1). The time limitations prescribed in this subsection shall not include the service period of the shop manager as an active member of the U.S. armed forces.

SECTION 1241. 159.02 (7) of the statutes is amended to read:

159.02 (7) The initial license fee and the biennial renewal fee for a certificate of registration for a school to teach cosmetology shall be not less than \$400 for all schools holding a certificate of registration are specified in s. 440.05 (8). Applicants for a new certificate of registration shall accompany their application with a fee of \$1,200. The application fee shall include the fee for the first certificate of registration if the application is granted. The biennial fee for a certificate of registration shall be paid on



or before November 30, ~~biennially; after that date an additional fee of \$50 shall be paid in odd-numbered years.~~

SECTION 1241m. 159.08 (1) of the statutes is amended to read:

159.08 (1) All applications for licenses under this chapter shall be filed with the examining board. No license may be issued unless the applicant presents proof that the applicant is of good moral character, in good physical and mental health, and has completed the 12th grade or its equivalent as determined by the extension division of the university of Wisconsin or has reached the age of 18. All applications for examination shall be on file in the office of the examining board at least 3 weeks prior to the examination. Failure to have the application on file within the required time may necessitate postponement of the applicant's appearance to the next regular examination. All applications shall expire and be canceled after a period of one year if the applicant fails to appear for examination within such period. ~~All fees for original licenses except cosmetology school certificates shall be prorated on the basis of one-twenty-fourth of the fee for each month remaining in the license period.~~

SECTION 1242. 159.08 (2a) and (4a) of the statutes are amended to read:

159.08 (2a) The fee to be paid by an applicant for an examination to determine ~~his~~ the applicant's fitness to receive a manager's license shall be \$20. ~~If a license is issued the fee for said license shall be \$20 that specified in s. 440.05 (1).~~

(4a) The fee to be paid by an applicant for an examination to determine his fitness to receive an operator's license shall be \$15. ~~If a license is issued the fee for said license shall be \$12 that specified in s. 440.05 (1).~~

SECTION 1243. 159.08 (6m) (e), (7), (8) and (9) of the statutes are amended to read:

159.08 (6m) (e) Has satisfactorily passed an examination conducted by the examining board to determine fitness to practice as an electrologist and paid the examination fee provided in s. 440.05 (1). ~~The fee to be paid by an applicant to take the electrologist examination is \$20. If a license is issued, the fee for said license is \$20.~~

(7) Applicants for a manicurist's license shall be at least 18 years of age; shall have completed a course of instruction of at least 200 hours in not more than 3 months under the supervision of a licensed instructor in a school of cosmetology or under the supervision of a licensed manager in a beauty salon. No license may be issued to an applicant unless the applicant has successfully passed an examination conducted by the examining board to determine fitness to practice as a manicurist and paid the examination fee provided in s. 440.05 (1). ~~The fee to be paid by an applicant to take the manicurist's examination shall be \$10. If a license is issued, the fee for the license shall be \$12.~~

(8) The examining board may grant a temporary permit to practice as an operator, manicurist, manager or instructor without examination if the applicant meets all the other requirements of this state for licensure and has graduated from a registered school of cosmetology in this state; or is fulfilling reciprocity requirements under sub. (6); or is otherwise eligible for licensure under sub. (6) (a). Each temporary permit shall be valid for not more than 4 months. No more than 3 such temporary permits shall be issued to any one applicant for any one license. The fee for each temporary permit is \$10 payable at the time that the application is submitted and this fee is in addition to all other fees required under this section, ~~except that the first operator's permit issued to graduates of schools of cosmetology of this state shall be without charge shall be that specified in s. 440.05 (6).~~

(9) Applicants for a junior instructor's permit shall be high school graduates, or have an equivalent education as determined by the extension division of the university

of Wisconsin, have had at least one year of full-time experience as a cosmetologist and shall complete a minimum of 500 hours of instruction and supervised practice in teaching methods; or shall be high school graduates, or have an equivalent education as determined by the extension division of the university of Wisconsin, licensed as a cosmetologist and shall complete a minimum of 1,000 hours of instruction and supervised practice in teaching methods in accordance with rules established by the examining board. The fee for a junior instructor's permit shall be \$10 that specified in s. 440.05 (6). The permit shall be issued for a one-year period beginning with the date of issuance and may be renewed for one additional year upon application and payment of the renewal fee of \$10 specified in s. 440.05 (6). Applicants for an instructor's license shall be high school graduates, or have an equivalent education as determined by the extension division of the university of Wisconsin, have had at least 3 years' experience as a cosmetologist and have been licensed as a managing cosmetologist at least one year, or have completed the junior instructor course or an equivalent training as determined by the examining board, and shall pass such examination as the examining board deems fit and pay the fee specified in s. 440.05 (1). ~~The fee to be paid by an applicant to take the instructor's examination shall be \$20. If a license is issued, the fee for said license is \$20.~~ All persons holding instructor's licenses shall within each ~~3-year~~ 2-year period provide evidence of having completed a minimum of ~~50~~ 34 hours of in-service training designed to contribute to their professional growth and development as an instructor. The holder of an instructor's license shall have the rights allowed those holding a manager's license.

SECTION 1244. 159.09 (3) of the statutes is amended to read:

159.09 (3) The examining board shall establish minimum standards through rules ~~and regulations~~ pertaining to the maintenance, equipment and plans and specifications for beauty and electrolysis salons as they relate to the public health and safety. No premises ~~shall~~ may be licensed for use as such a salon unless it meets the standards established by the examining board. Any person proposing to open such a salon in a new location shall first make application to the examining board for an inspection and approval of the premises, submitting an exact description and floor plan of the proposed location of the premises on a form prescribed by the examining board accompanied by ~~an inspection fee of \$20~~ the fee specified in s. 440.05 (8).

SECTION 1245. 159.09 (5) of the statutes is repealed.

SECTION 1246. 159.10 of the statutes is amended to read:

**159.10 Persons formerly licensed.** Any person who held a Wisconsin license as a manager, operator, instructor, electrologist or manicurist and who failed to renew ~~such~~ the license on or before the date of its expiration may renew the license after passing such examinations as may be required by the examining board, or by providing evidence of at least 8 hours of in-service training for each year in which the license was not renewed and by paying such fees as would have been paid under s. 440.05 (3) had the license been renewed ~~each year in addition to one late fee~~. ~~The fee shall not exceed 5 times the biennial license fee for any renewal.~~

SECTION 1247. 159.11 (2) of the statutes is amended to read:

159.11 (2) ~~No license may be for a longer period than 2 years.~~ All licenses shall expire on November 30 of the odd-numbered years. Apprentices' permits shall expire at the end of 3 years from the date of issue.

SECTION 1248. 159.11 (3) of the statutes is repealed and recreated to read:

159.11 (3) Applications for renewal of licenses issued under this chapter shall be accompanied by the fee specified in s. 440.05 (3).

SECTION 1249. 165.055 (3) of the statutes is amended to read:

165.055 (3) The attorney general may appoint in the unclassified service a director of research and information services, whose salary shall not exceed the maximum of range 5 7 in pay schedule 1 of the classified service.

SECTION 1250. 165.055 (4) of the statutes is created to read:

165.055 (4) The attorney general shall appoint, in the unclassified service, the administrator of the legal services division.

SECTION 1252. 165.85 (5) (b) of the statutes is amended to read:

165.85 (5) (b) The board shall authorize, on a uniform percentage basis, the reimbursement to each political subdivision of 100% for the first 240 hours of recruit training, and ~~not less than 60% nor more than 75%~~ for additional recruit training up to 320 hours, of the salary and of the allowable tuition, living and travel expenses incurred by the officers in attendance at schools approved by the board. ~~Additional funds which may be available shall be distributed for attendance at other training programs and courses on a priority basis to be decided by the board. Municipal or county law enforcement training programs meeting standards of the board shall be acceptable as meeting these training requirements.~~

SECTION 1253. 165.87 of the statutes is created to read:

**165.87 Law enforcement training fund.** (1) FUND. All moneys collected from penalty assessments under this section shall be deposited in s. 20.455 (2) (i), and utilized in accordance with s. 165.85 (5). The moneys deposited in s. 20.455 (2) (i) shall constitute a continuing program revenue account which shall be known as the law enforcement training fund.

(2) LEVY OF PENALTY ASSESSMENT. (a) On or after January 1, 1978, whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for state laws or such ordinances involving nonmoving traffic violations, there shall be imposed in addition a penalty assessment in an amount of 10% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

(b) If a fine or forfeiture is imposed by a court of record, after a determination by the court of the amount due, the clerk of the court shall collect and transmit such amount to the county treasurer as provided in s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

(c) If a fine or forfeiture is imposed by a municipal court, after a determination by the court of the amount due, the court shall collect and transmit such amount to the treasurer of the county, city, town or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.12 (1) (b).

(d) If any deposit of bail is made for a noncriminal offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the assessment prescribed in this section for forfeited bail. If bail is forfeited, the amount of the assessment shall be transmitted monthly to the state treasurer under this section. If bail is returned, the assessment shall also be returned.

SECTION 1254. 168.03 of the statutes is amended to read:

**168.03 Petroleum products defined.** "Petroleum products" means gasoline ~~and~~, kerosene, fuel oil, burner oil and diesel fuel oil.

SECTION 1255. 168.04 of the statutes is repealed and recreated to read:

**168.04 Standards.** The department by rule shall prescribe minimum product grade specifications for gasoline and kerosene and may prescribe product grade specifications for automotive gasoline, aviation gasoline, fuel oils and diesel fuels. Automotive

gasoline specifications shall include lead content. The rules shall be in conformity with nationally recognized standards, specifications and classifications, such as those published by the American society for testing and materials, the society of automotive engineers and the U.S. environmental protection agency.

SECTION 1256. 168.07 (1) of the statutes is amended to read:

168.07 (1) The inspector shall inspect each sample of petroleum product and if ~~he~~ the inspector finds that it meets the minimum specifications ~~herein provided, he prescribed by the department, the inspector~~ shall issue an inspection certificate, ~~except that inspections for particular grade specifications shall be at the discretion of the department. If an inspector believes that a product has been misidentified, an inspection shall be performed.~~ If the inspector finds that the petroleum product does not meet the minimum specifications ~~herein provided, he prescribed by the department, the inspector~~ shall notify the person for whom the inspection was made ~~and after. After~~ such notice ~~it shall be unlawful for such person or any other, no person to~~ may sell or use ~~said~~ the product in this state or remove it from storage as long as it fails to meet the minimum specifications prescribed by the department or until satisfactory disposition ~~has been~~ is approved by the inspector.

SECTION 1257. 168.11 (1) of the statutes is amended to read:

168.11 (1) All devices used for drawing products of petroleum from ~~underground~~ storage containers at filling stations, garages or other places where such products are sold or offered for sale shall be marked or labeled in a conspicuous place and in a conspicuous manner with the name and the grades of the product of petroleum being dispensed.

SECTION 1258. 168.11 (2) (intro.) of the statutes is amended to read:

168.11 (2) (intro.) No person ~~shall~~ may deliver, place, receive or store in any visible container: ~~1) any gasoline; 2) any product of petroleum, regardless of name, meeting the gasoline specifications set forth in prescribed by the department under s. 168.04 (1); or 3) any product of petroleum commonly or commercially used as a fuel in a spark-ignition internal combustion engine or as a fuel for any appliance or device if such product of petroleum has a flash point of less than 110°F. when tested in the Tagliabue closed cup tester unless the container a) is constructed of sound metal or of equally sound nonflammable material meeting the requirements of the department of industry, labor and human relations' department's flammable and combustible liquids code, b); is substantially a bright red color; and c) has the common name of the product clearly labeled or painted on it. These requirements shall do~~ not apply to:

SECTION 1259. 168.12 (1) of the statutes is amended to read:

168.12 (1) The department shall demand and receive within 2 weeks after demand, from the owner or other person for whom it inspects any petroleum product, an inspection fee of ~~2 cents~~ at a rate prescribed by the department by rule for each 50 gallons from which the sample was taken. Such fees shall be a lien on the products so inspected, ~~and when collected shall be paid within 2 weeks after receipt into the general fund. Within 30 days after the close of each fiscal year, the department shall determine what the cost of inspection has been for the preceding fiscal year, and shall divide that cost by the gallons inspected. If the cost so calculated is less than 2 cents for each 50 gallons it shall adopt a rule fixing the nearest one-quarter cent above such calculated cost as the fee to be charged for such inspection during the then current fiscal year and for the 30 days next succeeding. The fee fixed by such rule shall be the fee which the department shall collect in lieu of the legal fee heretofore fixed until such time as the rule is amended on the basis of the department's annual determinations of inspection costs. Rules adopted pursuant to this section are~~

~~exempted from notice and hearing requirements, but must otherwise comply with ch. 227.~~

SECTION 1260. 168.14 (2) of the statutes is amended to read:

168.14 (2) ~~It shall be unlawful for any~~ No person to may receive, unload, use, sell or offer for sale in this state, any gasoline, kerosene, ~~other refined oils,~~ fuel oils and diesel fuels or other petroleum distillates which ~~he~~ the person knows, or reasonably should know, is ~~misnamed~~ misidentified as to name or grade.

SECTION 1260g. 174.07 (1) of the statutes is amended to read:

174.07 (1) Upon payment of the required dog license tax on any dog the collecting officer shall execute and issue to the taxpayer a license for such dog which shall be in the form prescribed by the department of agriculture, trade and consumer protection and shall state the date of its expiration, shall bear a serial number, the owner's name and address, and the name, sex, spayed and unspayed, breed and color of the dog licensed, and a duplicate copy of the license shall be kept on file. In counties having a population of 500,000 or more, the collecting officer shall send forthwith to the county clerk or whatever agency the county board may direct, a triplicate copy of the license. At the same time ~~he~~ the officer shall deliver to the licensee a tag of durable material which shall bear the same serial number as the license, the name of the county in which issued and the license year. The department shall contract for and have prepared and furnished annually to the county clerk of each county a sufficient number of such tags. The cost of making and furnishing such tags and the cost of printing all forms shall be paid by the several counties out of the dog license fund. The collecting officer shall assess and collect an additional fee of \$1 from every owner of a dog 5 months of age, where such owner has failed and neglected to obtain a license prior to March 1 of each year, or within 30 days of acquiring ownership of a licensable dog, or where such owner has failed and neglected to obtain a license within 30 days after the dog has reached licensable age; ~~and all.~~ All moneys so received or collected by any collecting officer shall be paid to the local treasurer as revenue of the town, village or city in which the license was issued.

SECTION 1260h. 174.08 of the statutes is amended to read:

**174.08 License fees paid to county treasurer.** Every town, village or city treasurer or other tax collecting officer shall pay all dog license taxes received by ~~him~~ such officer, after deducting any additional tax which may have been levied by the municipal governing body, to the county treasurer at such time as settlement is made with the county treasurer for collections of personal property taxes, and shall at the same time report in writing to the county clerk the licenses issued. Such report shall be in the form prescribed by the department of agriculture, trade and consumer protection, which forms shall be furnished by the several county clerks.

~~SECTION 1260m. 175.22 of the statutes is created to read:~~

~~**175.22 Amusement device license.** Any person who owns a juke box or other coin-operated amusement device which is located in this state shall obtain an annual license for each such juke box or amusement device from the department of revenue. The fee for the license shall be \$10 which the department shall enter as a credit against taxes due from the person under subch. III of ch. 77. The license shall not be transferable from one device to another or from one person to another. A license certificate provided by the department shall be affixed to each licensed juke box or amusement device. The department may promulgate rules necessary for the enforcement of this section. Any person who violates this section may be fined not more than \$100 for each unlicensed juke box or other coin-operated amusement device.~~

Vetoed  
in Part

SECTION 1263. 176.62 (2) (b) of the statutes is amended to read:

176.62 (2) (b) ~~From time to time the department of revenue shall submit to the department of administration an inventory of such intoxicating liquors and fermented malt beverages in its possession, such inventory showing kinds, quantities, brands and container sizes and taxes due thereon. Upon receipt of such inventory, the department of administration shall first procure and distribute from such inventory~~ The secretary of revenue shall dispose of such intoxicating liquors and fermented malt beverages by either giving it to state-operated veterans' hospitals as can be used in amounts needed for medicinal purposes and shall publish a class 2 notice, under ch. 985, for sealed bids on such inventory from licensees and permittees under this chapter or ch. 66 or 139 and may sell same; or selling it to the highest bidder, provided such if the bidder is a licensee or permittee; or destroying it, at the discretion of the secretary of revenue. If the secretary of revenue elects to sell such intoxicating liquor or fermented malt beverages the secretary shall cause to be published a class 2 notice, under ch. 985, asking for sealed bids from licensees and permittees under ch. 66 or 139. Any items or groups of items in such inventory subject to a lien or liens established, by intervention or otherwise, in the proceedings for conviction as being bona fide and as having been created without the lienor having notice that such items were being used or were to be used in connection with such violation, shall be sold separately. The net proceeds from any such sale, less all costs of seizure, storage and sale shall be turned over to the state treasurer and credited to the common school fund.

SECTION 1264. 180.54 of the statutes is amended to read:

**180.54 Filing and recording articles of amendment.** The articles of amendment shall be filed and recorded, and upon receipt of the certificate of the register of deeds, the secretary of state ~~shall~~ may issue a certificate of amendment.

SECTION 1265. 180.65 (3) of the statutes is amended to read:

180.65 (3) The certificate of merger or consolidation ~~shall~~ may be issued by the secretary of state upon expiration of the period for filing a certificate of abandonment, and after receipt of the requisite certificates from the registers of deeds.

SECTION 1266. 180.767 of the statutes is amended to read:

**180.767 Filing and recording articles of dissolution and effect thereof.** The articles of dissolution shall be filed and recorded, and ~~thereupon~~ the existence of the corporation shall cease at that time, except for the purpose of suits, other proceedings and appropriate corporate action of shareholders, directors and officers as provided in this chapter. Upon receipt of the certificate of the register of deeds, the secretary of state ~~shall~~ may issue a certificate of dissolution.

SECTION 1267. 180.769 (3) of the statutes is created to read:

180.769 (3) (a) If it is established by the records in the office of the secretary of state that a corporation has failed to file its annual report as required by this chapter for the preceding 3 or more consecutive years, the secretary may involuntarily dissolve the corporation in the following manner:

1. Each year the secretary of state may publish a class 1 notice, under ch. 985, in each county in which is located the situs of one or more corporations which have failed to file annual reports for the preceding 3 or more consecutive years. Each such notice shall state the names of each such corporation whose situs is within the county within which the notice is being published; that each such corporation is not in good standing because of failure to file annual reports in the office of the secretary of state; that unless each corporation named is restored to good standing under s. 180.793 (4), within 90 days after the publication date of the notice, the secretary of state will commence a class action under s. 803.08 in the circuit court for Dane county against any corporation named in one of the published notices, which has similarly failed to file annual reports, to have that defendant corporation dissolved involuntarily; and that the judgment in that class action shall be as binding upon each corporation, listed in

the notice and which is not restored to good standing in the secretary of state's records prior to entry of that judgment, as if that corporation were the named defendant in the class action.

2. In addition to the publications under subd. 1, the secretary of state shall send a notice, substantially containing the published information except that in each mailed notice the name of the addressee corporation shall be substituted for the list of corporate names set forth in the published notices, to each of the corporations listed in those published notices, by first class mail, to its situs. Each of those mailings shall be made not less than 90 days prior to the commencement of such a class action.

3. At any time after the expiration of such 90-day period, the secretary of state may commence a class action under s. 803.08 in the circuit court for Dane county against any corporation, named in one of the published notices, to have that defendant corporation dissolved involuntarily. The court may dissolve the corporation if it is established that the corporation has failed to file its annual report as required by this chapter.

4. If any corporation listed in such a published notice is restored to good standing under s. 180.793 (4), prior to the entry of judgment in the class action, it shall be exempt from the effects of that judgment, but otherwise shall be bound by the judgment to the same extent as if it had been named defendant in the class action. Subsequent to the entry of judgment in such a class action, the secretary of state shall note in the office records, for each corporation listed in the published notices, that the corporation has been dissolved under this section.

(b) In this subsection, "situs" means the corporation's last-known principal place of business as shown by the most recently filed annual report, or if none its registered office, or if none its designated location.

SECTION 1268. 180.793 (1) of the statutes is amended to read:

180.793 (1) The annual report shall be delivered to the secretary of state between January 1 and March 31 of each year. Unless the secretary of state finds that such report fails to conform to the requirements of law, ~~he the secretary of state~~ shall file the same. If ~~he the secretary of state~~ finds that it does not so conform ~~he the secretary of state~~ shall return the same to the corporation for any necessary corrections, in which event the ~~penalties hereinafter~~ late fees prescribed in this section for failure to file such report within the time ~~hereinabove~~ provided shall do not apply, if such report is corrected to conform to the requirements of this chapter and returned to the secretary of state within 30 days after it ~~shall have been~~ was mailed to the corporation for correction.

SECTION 1269. 180.793 (3) of the statutes is amended to read:

180.793 (3) If ~~said~~ the report is not filed before the following January 1, the corporation shall not be in good standing. Within the next 6 months the secretary of state shall mail to the corporation a notice that it is no longer in good standing. If a corporation has been out of good standing for more than 3 consecutive years immediately prior to January 1, 1977, the secretary of state shall provide only the notice required under s. 180.769 (3). Until the corporation is restored to good standing the secretary of state shall not accept for filing any documents respecting such corporation except documents incident to its dissolution.

SECTION 1270. 180.829 of the statutes is amended to read:

**180.829 Merger of foreign corporation authorized to transact business in this state.** ~~Whenever~~ If a foreign corporation authorized to transact business in this state is a party to a statutory merger permitted by the laws of the state, territory or country under which it is organized, ~~and such corporation is the surviving corporation,~~ it shall within 30 days after such merger becomes effective file with the secretary of state a

copy of the articles of merger duly authenticated by the proper officer of the state, territory or country under the laws of which such statutory merger was effected; and it shall not be necessary for ~~such a surviving~~ corporation to procure either a new or an amended certificate of authority to transact business in this state unless the name of such corporation is changed thereby or unless the corporation desires to pursue in this state other or additional purposes than those which it is then authorized to transact in this state.

SECTION 1271. 180.835 of the statutes is amended to read:

**180.835 Filing of annual report of foreign corporation.** (1) The first annual report of a foreign corporation shall be delivered to the secretary of state between January 1 and March 31 of the year next succeeding the calendar year in which such corporation was authorized to transact business in this state. Subsequent annual reports of a foreign corporation shall be delivered to the secretary of state between January 1 and March 31 of each year. Unless the secretary of state finds such report does not conform to the requirements of this chapter, ~~he the secretary of state~~ shall, when all fees and charges have been paid as in this chapter provided, file the same. If ~~he the secretary of state~~ the secretary of state finds that it does not so conform, ~~he the secretary of state~~ shall return the same to the corporation for any necessary corrections, in which event the ~~penalties hereinafter~~ late fees prescribed in this section for failure to file such report within the time ~~hereinabove~~ provided shall do not apply if such report is corrected to conform to the requirements of this chapter and returned to the secretary of state not more than 30 days after the date it was mailed back to the foreign corporation by the secretary of state.

(2) If the annual report is delivered to the secretary of state after March 31 and prior to June 1, the corporation shall pay a ~~penalty for late filing~~ late fee of \$25, and the secretary of state shall not file ~~such the~~ report until ~~said penalty has been~~ the late fee is paid. If the annual report is delivered to the secretary of state on or after June 1, the corporation shall pay a ~~penalty for late filing~~ late fee of \$55 and the secretary of state shall not file ~~such the~~ report until ~~said penalty has been~~ the late fee is paid.

SECTION 1272. 180.86 (1) (c) of the statutes is amended to read:

180.86 (1) (c) ~~Affix to the other duplicate original a certificate showing~~ Certify the other duplicate original acknowledging the date of such filing, and return ~~the same such other duplicate original~~ to the corporation or its representative.

SECTION 1273. 180.86 (3) of the statutes is amended to read:

180.86 (3) If such document is required to be recorded in more than one county, additional originals may be delivered to the secretary of state ~~and by him indorsed and certificates affixed thereto, and any.~~ The secretary of state may indorse and certify such duplicate originals. Any such original, or a copy of the filed original certified by the secretary of state, may be recorded in any county where required, all in the manner ~~as above~~ provided in respect to this section for duplicate originals.

SECTION 1274. 180.86 (6) of the statutes is amended to read:

180.86 (6) The secretary of state may waive any requirement under this chapter for recital in any document presented to him or her for filing, of the votes requisite for adoption or the votes requisite for approval and may waive any omission of or deficiency in any other recital of fact required under this chapter or otherwise made in such document, including a statement to the effect that the corporation has no seal even though the document is not sealed with a corporate seal, if under the particular circumstances it appears to ~~him~~ the secretary without burdensome investigation or inquiry that the vote was in fact sufficient or that such other omission or deficiency is not material. Such waiver shall be conclusively evidenced by ~~his~~ acceptance of such document for filing, either with or without notation ~~thereon~~ on the document by ~~him~~



the secretary in respect ~~thereto to acceptance~~, and ~~thereupon~~ the form of such document shall be deemed in compliance with this chapter.

SECTION 1275. 180.87 (1) (a) to (d), (i) to (m) and (p) of the statutes are amended to read:

180.87 (1) (a) Filing articles of incorporation, ~~\$1 \$1.25~~ for each \$1,000 or fraction thereof of authorized par value shares, and ~~2 2.5~~ cents for each authorized share without par value, the minimum fee to be ~~\$50 \$55~~.

(b) Filing articles of amendment, ~~\$15~~ or restated articles of incorporation, \$17; and an additional sum equal to ~~\$1 \$1.25~~ for each \$1,000 or fraction thereof par value shares and ~~2 2.5~~ cents for each share without par value as authorized after such amendment or restated articles, less a credit computed at the foregoing rates upon all shares as authorized immediately prior to such amendment or restated articles.

(c) Filing articles of merger, or consolidation, \$20; and an additional sum equal to ~~\$1 \$1.25~~ for each \$1,000 or fraction thereof par value shares and ~~2 2.5~~ cents for each share without par value as authorized after such merger or consolidation, less a credit computed at the foregoing rates upon all shares of domestic corporations which are parties to merger or consolidation as authorized immediately prior to such merger or consolidation.

(d) Filing a statement of intent to dissolve or statement of revocation of voluntary dissolution procedures, \$5.

(i) Filing an application of a foreign corporation for certificate of authority to transact business in this state, ~~\$50 \$55~~, and ~~\$1 \$1.25~~ for every \$1,000 of its capital exceeding \$50,000 employed or to be employed in this state, computed as provided in s. 180.813, as shown by such application.

(j) Filing an annual report of a foreign corporation ~~\$15 \$17~~, and in case said annual report shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.813, an additional fee which with previous payments made on account of capital employed in this state, will amount to ~~\$1 \$1.25~~ for each \$1,000 of such excess.

(k) Filing an application of a foreign corporation for amended certificate of authority to transact business in this state, \$10, and in case ~~said the~~ application shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.813, an additional fee which with previous payments made on account of capital employed in this state, will amount to ~~\$1 \$1.25~~ for each \$1,000 of such excess.

(L) Filing a copy of amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to transact business in this state, ~~\$15 \$17~~. If the amendment is filed more than 60 days after the same has become effective in the home state, the corporation shall pay to the secretary of state a ~~penalty~~ late fee of \$25.

(m) Filing a copy of articles of merger of a foreign corporation holding a certificate of authority to transact business in this state other than with a domestic corporation, ~~\$15 \$17~~.

(p) Filing an annual report of a domestic corporation, ~~\$7 \$8~~.

SECTION 1276. 180.87 (1) (s) of the statutes is created to read:

180.87 (1) (s) Filing a report of election of officers and directors, \$3.

SECTION 1277. 181.09 (1) (b) of the statutes is amended to read:

181.09 (1) (b) The name and address, including street and number, if any, of its registered agent as changed;

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SECTION 1278. 181.31 (1) (g) of the statutes is amended to read:

181.31 (1) (g) The location mailing address of the principal office of the corporation in some city, village or town in this state and the name and address, including street and number, if any, of its initial registered agent.

SECTION 1279. 181.38 of the statutes is amended to read:

**181.38 Filing of articles of amendment.** The articles of amendment shall be filed and recorded, and upon receipt of the certificate of the register of deeds, the secretary of state ~~shall may~~ issue a certificate of amendment.

SECTION 1280. 181.39 (1) (a) of the statutes is amended to read:

181.39 (1) (a) In lieu of setting forth the location mailing address of the principal office of the corporation and the name and address of its initial registered agent, it shall set forth the location mailing address of the principal office of the corporation and the name and address of its registered agent at the time of the adoption of the restated articles of incorporation; and

SECTION 1281. 181.45 (3) of the statutes is amended to read:

181.45 (3) The certificate of merger or consolidation ~~shall may~~ be issued by the secretary of state upon expiration of the period for filing a certificate of abandonment, and after receipt of the requisite certificates from the registers of deeds.

SECTION 1282. 181.55 of the statutes is amended to read:

**181.55 Filing and recording of articles of dissolution and effect thereof.** The articles of dissolution shall be filed and recorded, and thereupon the existence of the corporation shall cease, except for the purpose of suits, other proceedings and appropriate corporate action of members, directors and officers as provided in this chapter. Upon receipt of the certificate of the register of deeds, the secretary of state ~~shall may~~ issue a certificate of dissolution.

SECTION 1283. 181.67 (1) (c) of the statutes is amended to read:

181.67 (1) (c) ~~Affix to the other duplicate original a certificate showing~~ Certify the other duplicate original acknowledging the date of such filing, and return ~~the same~~ such other duplicate original to the corporation or its representative.

SECTION 1284. 181.67 (3) of the statutes is amended to read:

181.67 (3) If such document is required to be recorded in more than one county, additional originals may be delivered to the secretary of state ~~and by him indorsed and certificates affixed thereto, and any.~~ The secretary of state may indorse and certify such additional originals. Any such original, or a copy of the filed original certified by the secretary of state, may be recorded in any county where required, ~~all~~ in the manner ~~as above~~ provided in respect to this section for duplicate originals.

SECTION 1285. 181.67 (6) of the statutes is amended to read:

181.67 (6) The secretary of state may waive any omission of or deficiency in any recital of fact required under this chapter or otherwise made in such document, including a statement to the effect that the corporation has no seal even though the document is not sealed with the corporate seal, if under the particular circumstances it appears to ~~him~~ the secretary without burdensome investigation or inquiry that the vote was in fact sufficient or that such other omission or deficiency is not material. Such waiver shall be conclusively evidenced by ~~his~~ the secretary's acceptance of such document for filing, either with or without notation thereon by him or her in respect thereto, and thereupon the form of such document shall be deemed in compliance with this chapter.

SECTION 1286f. 184.01 (2) of the statutes is amended to read:

184.01 (2) "Commission" means the transportation commission in the case of railroads and the public service commission in the case of other public service corporations.

SECTION 1286j. 184.10 (3) of the statutes is amended to read:

184.10 (3) Whenever the commission deems it necessary to make an investigation of the books, accounts and practices or to make an appraisal of the property of any public service corporation which has filed an application for authority to issue any securities to which this chapter is applicable, such public service corporation shall pay all expenses reasonably attributable to such special investigation, or to such an appraisal of the property. The procedure set up by s. 195.60 or 196.85, whichever is appropriate, for the rendering and collection of bills ~~rendered under s. 196.85~~ shall be in all ways applicable to the rendering and collection of bills under this section. All amounts paid to the public service commission under authority of this subsection shall be credited to the appropriation made in s. 20.155 (1) (g).

SECTION 1287. 185.02 of the statutes is amended to read:

**185.02 Purposes.** ~~Co-operatives~~ Cooperatives may be organized under this chapter for any lawful purpose except banking, and insurance, ~~and building or operating public railroads,~~ but subject to statutes relating to the organization of specified kinds of corporations.

SECTION 1288. 185.48 (5) of the statutes is amended to read:

185.48 (5) If the report is not filed before the following January 1, the cooperative is not in good standing. Within the next 6 months the secretary of state shall mail to the cooperative a notice that it is no longer in good standing. If a cooperative has been out of good standing for more than 3 consecutive years immediately prior to January 1, 1977, the secretary of state shall provide only the notice required under s. 185.72 (3). Until restored to good standing, the secretary of state ~~may~~ shall not accept for filing any document respecting such cooperative except those incident to its dissolution.

SECTION 1289. 185.72 (3) of the statutes is created to read:

185.72 (3) (a) If it is established by the records in the office of the secretary of state that a cooperative has failed to file its annual report as required by this chapter for the preceding 3 or more consecutive years, the secretary may involuntarily dissolve the corporation in the following manner:

1. Each year the secretary of state may publish a class 1 notice, under ch. 985, in each county in which is located the situs of one or more cooperatives which have failed to file annual reports for the preceding 3 or more consecutive years. Each such notice shall state the names of each such cooperative whose situs is within the county within which the notice is being published; that each such cooperative is not in good standing because of failure to file annual reports in the office of the secretary of state; that unless each cooperative named is restored to good standing, under s. 185.48 (6), within 90 days after the publication date of the notice, the secretary of state will commence a class action under s. 803.08 in the circuit court for Dane county against any cooperative named in one of the published notices, which has similarly failed to file annual reports, to have that defendant cooperative dissolved involuntarily; and that the judgment in that class action shall be as binding upon each cooperative, listed in the notice and which is not restored to good standing in the secretary of state's records prior to entry of that judgment, as if that cooperative were the named defendant in the class action.

2. In addition to the publications under subd. 1, the secretary of state shall send a notice, substantially containing the published information except that in each mailed notice the name of the addressee cooperative shall be substituted for the list of cooperative names set forth in the published notices, to each of the cooperatives listed

in those published notices, by first class mail, to its situs. Each of those mailings shall be made not less than 90 days prior to the commencement of such a class action.

3. At any time after the expiration of such 90-day period, the secretary of state may commence a class action under s. 803.08 in the circuit court for Dane county against any cooperative, named in one of the published notices, to have that defendant cooperative dissolved involuntarily. The court may dissolve the cooperative if it is established that the cooperative has failed to file its annual report as required by this chapter.

4. If any cooperative listed in such a published notice is restored to good standing under s. 185.48 (6), prior to the entry of judgment in the class action, it shall be exempt from the effects of that judgment, but otherwise shall be bound by the judgment to the same extent as if it had been named defendant in the class action. Subsequent to the entry of judgment in such a class action, the secretary of state shall note in the office records, for each cooperative listed in the published notices, that the cooperative has been dissolved under this section.

(b) In this subsection, "situs" means the cooperative's last-known address as shown by the most recently filed annual report, or if none its principal office or the address of its registered agent, or if none its designated location.

SECTION 1290. 185.83 (1) (a) and (b) of the statutes are amended to read:

185.83 (1) (a) Articles of association for a new cooperative, ~~\$1~~ \$1.25 for each \$1,000 of authorized stock, but in no case less than \$25. A cooperative organized without capital stock shall pay a fee of \$25.

(b) An amendment to or restatement of the articles or articles of merger, consolidation, or division, \$10; and an additional fee of ~~\$1~~ \$1.25 for each \$1,000 of authorized stock not authorized at the time of amendment, restatement, merger, consolidation or division.

SECTION 1291. 185.83 (1) (e) of the statutes is amended to read:

185.83 (1) (e) Filing an annual report of a cooperative, ~~\$7~~ \$8.

SECTION 1291m. Chapter 189 of the statutes is created to read:

#### CHAPTER 189

##### TRANSPORTATION COMMISSION

**189.01 Definitions.** In this chapter:

- (1) "Commission" means the transportation commission.
- (2) "Department" means the department of transportation.
- (3) "Secretary" means the secretary of transportation.

**189.02 Transportation commission; powers and duties.** (1) The commission may adopt rules to govern its proceedings and to regulate the mode and manner of hearings.

(2) The commission may employ staff, including hearing examiners.

(3) The commission may administer oaths, subpoena witnesses and documents or other physical evidence, take testimony and cause the taking of depositions.

(4) Any hearing granted by the department pursuant to a request therefor under s. 227.075 shall be conducted before the transportation commission which shall decide the matter.

(5) Decisions of the commission are subject to judicial review under ch. 227.

(6) The secretary may request the commission to hold hearings and advise the secretary on transportation plans, policies, goals, priorities and programs, including

such hearings as may be required for highway, airport or other transportation location matters.

(7) The secretary may by rule provide for administrative appellate review by the commission of determinations of the department in areas specified by the secretary. In areas where such administrative appellate review is provided, recourse thereto shall be a condition precedent to judicial review under ch. 227.

**189.03 Transportation plans.** In performing its duties and making its decisions the commission may consider transportation plans, policies, or other documents if they are admitted into evidence. A party may conduct cross-examinations reasonably required for a full and true disclosure of the facts.

**189.05 Transportation commission decisions.** The transportation commission shall cause its principal decisions to be reproduced, indexed, and bound and made available to the public on an annual or other basis, and shall maintain such advance sheet service as is necessary to inform the public of its principal decisions. All decisions of the commission shall be maintained in an archive, separate from the commission's case files or dockets, and shall be indexed by subject matter, in a manner sufficient to permit reasonable access by the public to all decisions of the commission.

SECTION 1292. 190.001 of the statutes is created to read:

**190.001 Definitions.** In this chapter:

(1) "Commission" means the transportation commission.

SECTION 1293. 190.01 (2) of the statutes is amended to read:

190.01 (2) The articles of incorporation and amendments thereto shall be filed with the secretary of state; in the case of articles, ~~he~~ the secretary shall thereupon issue a certificate of incorporation and the corporation shall then have legal existence. The articles of incorporation or special charter of any railroad company may be amended by a majority vote of all the stock in the respects and for the purposes provided in s. 180.50. ~~As of the effective date of ch. 180, the~~ The fees for filing articles and amendments thereto shall be as provided in s. 180.87.

SECTION 1294. 190.02 (6) and (11) of the statutes are amended to read:

190.02 (6) RAILROAD INTERSECTIONS. To cross, intersect, join or unite its railroad with any other railroad, at any point, with the necessary turnouts, sidings and switches and other conveniences in furtherance of the objects of its connections. And if the ~~two~~ 2 corporations cannot agree upon the amount of compensation to be made therefor or the points and manner of such crossings and connections the same shall be ascertained by the commission on application of either corporation. ~~But no corporation which shall have constructed its road at the point of intersection before the application to the commission may be made, shall be required to alter the grade or change the location of its road, or be required to bear any part of the expense of making and maintaining such crossing or of such proceeding.~~

(11) OPERATE BUSES. Any railroad company ~~operating a railroad in this state by the power of steam,~~ may own and operate ~~automobile busses or~~ motor vehicles for the purpose of transporting persons and property upon the public highways, for hire, subject to ~~the provisions of chapter ch. 194 of the statutes;~~ and may also own and operate equipment for, and engage in, aerial transportation; ~~and any such.~~ Any railroad company may purchase and own the capital stock and securities of corporations organized for, or engaged in, the business specified in this ~~section~~ subsection.

SECTION 1295. 191.001 of the statutes is created to read:

**191.001 Definitions.** In this chapter:

(1) "Commission" means the transportation commission.

SECTION 1296. 191.18 of the statutes is renumbered 195.305 and amended to read:

**195.305 Railroad crossings; grade; expense.** ~~Every crossing of the track of a steam railroad hereafter made by the track of another steam railroad, and every crossing of the track of an electric or street railway surface road hereafter made by the tracks of a steam railroad and every crossing of the track of a steam railroad or of any other electric or street railway surface road hereafter made by the track of an electric or street railway~~ Whenever a railroad proposes to cross, intersect, join or unite its track with another railroad track, the surface road of the proposed track shall be above, below or at grade of the tracks proposed to be crossed as the ~~public service~~ commission shall determine after hearing the parties upon reasonable notice ~~prescribed by said commission.~~ In ~~such its~~ its determination, the ~~public service~~ commission shall fix the proportion of the expense of originally constructing, operating, and maintaining such crossing, intersecting, joining or uniting which shall be paid by the owners of said tracks respectively.

SECTION 1297. 192.001 of the statutes is created to read:

**192.001 Definitions.** In this chapter:

(1) "Commission" means the transportation commission.

(2) "Department" means the department of transportation.

SECTION 1298. 192.28 (3) of the statutes is repealed.

SECTION 1299. 192.327 (1) (a) of the statutes is repealed.

SECTION 1300. 192.465 of the statutes is repealed.

SECTION 1301. 192.48 of the statutes is renumbered 195.286, and 195.286 (1), as renumbered, is amended to read:

195.286 (1) (title) RAILROADS TO FURNISH; PLACEMENT. Each ~~steam and each interurban~~ railroad company shall furnish to each county in which it operates, upon request of the county highway commissioner, a sufficient quantity of advance warning signs to enable the county and town to comply with this section. The county highway commissioner on roads maintained by the county and the town board on roads maintained by the town shall immediately install and thereafter maintain such signs in good condition, near each grade crossing (other than state trunk highway crossings and crossings within the limits of cities and incorporated villages). The town board shall requisition its needs for advance warning signs from the county highway commissioner. The cost of such installation and maintenance shall be paid out of moneys received by the county or town, as the case may be, for highway maintenance. ~~The highway commission department~~ department shall provide, install and maintain advance warning signs at all railroad grade crossings on the state trunk highway system outside of cities and incorporated villages. ~~The public service commission department,~~ upon petition and upon investigation and finding that such signs are impracticable or unnecessary on any highway, may release the town, county or state from the provisions of this section as to such highway.

SECTION 1302. 193.001 of the statutes is created to read:

**193.001 Definition.** In this chapter "commission" means the transportation commission.

SECTION 1303. 194.01 (3d) and (3s) of the statutes are created to read:

194.01 (3d) "Department" means the department of transportation.

(3s) "Secretary" means the secretary of transportation.

SECTION 1304. 194.01 (15) of the statutes is amended to read:

194.01 (15) "For hire" means for compensation, and includes compensation obtained by a motor carrier indirectly, by subtraction from the purchase price or addition to the selling price of property transported, where the purchase or sale thereof is not a bona fide purchase or sale. Any person who pretends to purchase property to be transported by him; such person or who purchases ~~such~~ property immediately prior to and sells ~~the same~~ it immediately after the transportation thereof shall be presumed to be transporting ~~such~~ the property for hire and not a bona fide purchaser or seller thereof, which presumption may be rebutted. The lease or rental of a motor vehicle to a person for transportation of ~~such~~ the person's property which lease or rental directly or indirectly includes the lessor's services as a driver shall be presumed to be transportation for hire and not private carriage, except under arrangements approved by the ~~public service commission and the division of motor vehicles~~ department. Nothing herein contained shall be construed to include motor vehicle operations which are conducted merely as an incident to or in furtherance of any business or industrial activity. ~~Nothing contained in this subsection shall affect the rights of persons regulated under ss. 440.81 to 440.95.~~

SECTION 1304m. 194.04 (2) of the statutes is amended to read:

194.04 (2) PERMITS; APPLICATION, EXPIRATION. Every permit, except the quarterly ~~and multiple-year~~ permits issued pursuant to sub. (1) (cm), for the operation of a motor vehicle expires on December 31 of each year. Except as herein provided application for permits shall be made annually and shall be accompanied by the annual fee reduced by one-fourth for each quarter of the permit year in which the vehicle has not been operated, except that there shall be no reduction of the fees paid by private motor carriers or on renewals. No permit shall be issued or renewed for any motor vehicle unless the registration required by ch. 341 is paid in this state.

SECTION 1305. 194.04 (5a) of the statutes is amended to read:

194.04 (5a) COLLECTION OF FEES. The ~~division of motor vehicles~~ department shall collect all fees prescribed by this section ~~except filing fees, which shall be collected by the public service commission.~~

SECTION 1306. 194.13 of the statutes is repealed.

SECTION 1306m. 194.14 (1) of the statutes is amended to read:

194.14 (1) In exercising the powers conferred by this chapter, the ~~public service commission and division of motor vehicles~~ shall be guided as to the procedure by chs. 189 and 195 and 196 insofar as the same are applicable and not inconsistent with the specific requirements of this chapter.

SECTION 1307. 194.145 of the statutes is created to read:

**194.145 Commission; hearing; decision.** (1) Any person adversely affected by a determination of the department under this chapter may petition the commission for review. The commission shall set a time for a hearing on the matter, and notice of the hearing shall be given to the petitioner and the department at least 10 days prior to the hearing. The hearing shall be conducted as are hearings for contested cases under ch. 227.

(2) In its decision the commission may confirm or reverse or may modify, with or without conditions, the determination of the department. Where appropriate, the commission may by order direct the department to implement the decision of the commission.

(3) Review of department determinations made under this chapter is a condition precedent to judicial review under ch. 227. Decisions of the commission are subject to judicial review under ch. 227.

SECTION 1307m. 194.17 (2) of the statutes is amended to read:

194.17 (2) When leases are required to be carried on the vehicles ~~under public service commission rules~~ any person failing to do so ~~although he has complied with all other provisions~~ may be ~~fined~~ required to forfeit not more than \$20. Subsection (1) ~~shall~~ does not apply to violations under this subsection.

SECTION 1308. 194.175 (1) of the statutes is amended to read:

194.175 (1) Whenever a person is arrested for a violation of ~~ch. 194 and ss. 440.81 to 440.95~~, this chapter or administrative orders issued pursuant to law, the sheriff, chief of police or clerk of the court having jurisdiction of the violation is authorized to receive at his or her office, from the accused, a deposit in money not to exceed the amount of the maximum penalty which may be imposed if the accused is found guilty. Thereupon, the accused may be released from arrest until the court having jurisdiction of the violation opens on the next succeeding day in which ~~such~~ the court is in session or until such time as is fixed for the hearing of the case.

SECTION 1310. 194.19 of the statutes is renumbered 194.19 (1).

SECTION 1311. 194.19 (2) and (3) of the statutes are created to read:

194.19 (2) All rates, fares and charges, or changes with respect thereto, shall be filed with the commission. In the case of rates, fares and charges, or changes with respect thereto, which have a general effect, the commission shall set the matter for hearing. Copies of all such filings shall also be submitted to the department by the common motor carrier. Whenever a hearing is required, the commission shall set a time and date for the hearing, and shall give such notice of the hearing as it deems necessary to the common motor carrier and the public. Such notice shall be given at least 10 days prior to the hearing. The hearing shall be conducted as are hearings for contested cases under ch. 227. The department and any other interested person may appear at the hearing. The decision of the commission is subject to judicial review under ch. 227.

(3) If at any time the department or any other person believes that any rates, fares, charges or classifications are not just, fair, reasonable or sufficient, it may petition the commission to alter the same, after notice and hearing as prescribed in sub. (2).

SECTION 1312. 194.22 (1) of the statutes is amended to read:

194.22 (1) No change ~~shall~~ may be made by any common motor carrier of property or passengers in any tariff schedule or in any classification, unless such change ~~shall be~~ is first approved ~~by the commission and all such~~ under s. 194.19. ~~All~~ changes shall be plainly indicated upon existing tariff schedules, or by filing new tariff schedules in lieu thereof, 30 days prior to the time the same are to take effect; ~~provided, that the commission.~~ The commission may authorize the filing of such tariff schedules on shorter notice in particular cases.

SECTION 1313. 194.24 of the statutes is repealed and recreated to read:

**194.24 Application; form.** Applications for all certificates, licenses and permits required under this chapter shall be verified, written, and in conformity with department requirements as to form and content. The department shall prepare and make available such forms as the commission may request. The department shall make provision on applications for any information required by the commission.

SECTION 1314. 194.28 of the statutes is amended to read:

**194.28 Reports; time for filing.** Prior to April 1 of each year, unless the time therefor is extended by the commission for cause, the holder of every certificate shall file with the commission and department a report upon such forms as the commission shall prescribe and the department shall furnish. Such reports shall be under oath



and, if made on behalf of a corporation, shall be sworn to by the president and secretary thereof, and shall contain such information as to the operation of motor vehicles under the certificate and the furnishing of service, and such financial statements and other information as the commission may prescribe.

SECTION 1315. 194.34 (1) (b) and (c) of the statutes are amended to read:

194.34 (1) (b) The commission shall grant or deny in whole or in part all applications for a license or amendment without hearing, except as hereinafter provided. The commission shall publish the authority granted without hearing, if any, in such manner as it deems proper, and in such detail as is necessary to show the extent thereof. Any person ~~having a legal interest~~ may, within 30 days after publication of any grant or denial of a license or amendment without hearing, petition the commission for a public hearing thereon or on any part thereof and such petition shall be granted by the commission as a matter of course, and the commission may suspend such license or amendment until further order of the commission. If the petition is made by the applicant, the hearing shall be on the entire application for a license or amendment. If the petition is made by any other interested party the hearing shall be only on that portion of the application in which an interest has been indicated.

(c) Before making its determination without hearing the commission may, for purposes of determining if any interested party desires a public hearing on the application, publish the authority requested in the application in such detail as is necessary to show the extent thereof. If any interested party files with or mails to the commission a written request for a hearing within 15 days after the date of publication, the commission may not make a determination without hearing and the request for hearing shall be granted as a matter of course. Notice of the hearing containing the time and place of the hearing and the name and address of the parties requesting the hearing shall be mailed by the commission to the applicant and those parties at least 7 days prior to the hearing. If no interested party files or mails a written request within 15 days after the date of publication the commission ~~shall~~ may make its determination without hearing, the same as in other cases, except it may not republish any portion of the application, and no person other than the applicant is entitled to a hearing within 30 days after the grant or denial as provided herein.

SECTION 1316. 194.35 of the statutes is repealed.

SECTION 1317. 194.36 (7) (intro.) and (c) and (8) (intro.) and (a) of the statutes are amended to read:

194.36 (7) (intro.) If at any time, after full hearing upon complaint ~~or in an investigation on its initiative~~, the commission finds that any charge for the transportation of property by a contract motor carrier by motor vehicle is unduly low in that it:

(c) By unfair competition unduly impairs the service or business or the regulation of the service or business of any common carrier, the commission may determine, prescribe and order the minimum charge to be thereafter assessed and collected or imposed by such contract motor carrier ~~in the particulars set forth in the complaint or in the notice of investigation by the commission.~~

(8) (intro.) The commission may, by general order ~~or~~, special order or rule, prescribe a general scale of minimum and maximum rates for contract carriers applicable to their operations in all or any specified part or parts of the state, and ~~prescribe~~ may adopt such rules as it deems necessary to carry out this chapter. Such power shall be exercised only after a hearing and on order of a majority of the members of said commission.

(a) Upon application of 25 contract motor carriers, or of a duly organized association representing motor carriers, the commission shall require the department to

institute an investigation relating to the necessity of prescribing a minimum or maximum scale of rates and charges, or both, applicable to their operations. Upon a finding of necessity therefor, the commission shall prescribe by general order, special order or rule adopt such minimum or maximum scale of rates and charges, or both.

SECTION 1318. 194.37 (title) and (3) of the statutes are amended to read:

**194.37 (title) Division of powers; cooperation.**

(3) Applications for certificates, licenses, or amendments thereto, or approval of assignments thereof shall be made on forms prescribed by the commission and furnished by the ~~public service commission~~ department. The commission shall determine whether a filing fee is required and the amount thereof, and shall collect the same, and for deposit it in the state treasury transportation fund.

SECTION 1319. 194.41 (5) of the statutes is created to read:

194.41 (5) The department of transportation may require blanket filings of insurance, subject to such rules as the department may adopt.

SECTION 1320. 194.44 (4) of the statutes is created to read:

194.44 (4) The department of transportation may issue blanket permits under this section, subject to such rules as the department may adopt.

SECTION 1321. 194.46 of the statutes is amended to read:

**194.46 Amendment or revocation of certificate, license or permit, or license under s. 194.44; hearing.** The commission may at any time, by its order duly entered after a hearing had, upon notice to the holder of any certificate, license or permit, or a permit holder under s. 194.44, and an opportunity to be heard, at which it shall be proved that such holder has wilfully violated or refused to comply with any of the provisions of this chapter, or any orders, or rules or regulations of the commission or department, alter, amend, suspend or revoke such certificate or license or suspend or revoke such permit or operation under s. 194.44. After notice given to the licensee and opportunity to be heard, the commission may suspend or revoke any license upon a finding that service has been abandoned thereunder; and may suspend or revoke any item of authority under a license upon a finding that service under such item of authority has been abandoned.

SECTION 1322. Chapter 195 (title) of the statutes is amended to read:

CHAPTER 195

PUBLIC SERVICE COMMISSION RAILROAD REGULATION

SECTION 1323. 195.001 of the statutes is created to read:

**195.001 Definitions.** In this chapter:

- (1) "Commission" means the transportation commission.
- (2) "Department" means the department of transportation.

SECTION 1324. 195.01 (title) and (2) of the statutes are repealed.

SECTION 1325. 195.01 (1) and (3) of the statutes are renumbered 195.03 (28) and (29).

SECTION 1326. 195.02 (2) of the statutes is repealed.

SECTION 1327. 195.02 (3) of the statutes is amended to read:

195.02 (3) This chapter ~~shall apply~~ applies to the ~~receiving, transmitting and delivering of messages by telegraph, and to all charges connected therewith, and to the~~ transportation of passengers and property between points within this state, and to the receiving, switching, delivering, storing and handling of such property, and to all charges connected therewith, and ~~shall apply~~ applies to all common carriers engaged in the transportation of passengers or property wholly by rail or partly by rail and partly

by water, and to all common carriers of property wholly by water which operate between fixed termini, but shall not apply to transportation of property by water under contract as a private carrier.

SECTION 1328. 195.03 (1) of the statutes is amended to read:

195.03 (1) PRACTICE RULES. The commission ~~shall have power to~~ may take testimony and administer oaths and may adopt rules to govern its proceedings and to regulate the mode and manner of all ~~investigations and hearings; and all.~~ All hearings shall be open to the public.

SECTION 1329. 195.03 (2) and (3) of the statutes are renumbered 196.02 (7) and (8).

SECTION 1330. 195.03 (4) and (6) of the statutes are repealed.

SECTION 1331. 195.03 (5) of the statutes is renumbered 196.02 (9).

SECTION 1332. 195.03 (20) of the statutes is repealed.

SECTION 1332m. 195.03 (21) of the statutes is created to read:

195.03 (21) EXECUTIVE ASSISTANT. The chairman of the commission may appoint, outside the classified service, an executive assistant to serve at the chairman's pleasure and perform such duties as the chairman prescribes.

SECTION 1333. 195.03 (26) and (27) of the statutes are renumbered 196.02 (10) and (11).

SECTION 1334. 195.04 of the statutes is repealed and recreated to read:

**195.04 Complaints, investigation, hearings, notice.** (1) Upon complaint of any person, including any state agency or railroad, that any railroad rate, fare, charge, or classification or any regulation or practice whatever affecting the transportation of persons or property, or any service in connection therewith, is in any respect unreasonable or unjustly discriminatory or that any service is inadequate, the commission may direct the department to investigate the complaint and shall set the complaint for hearing. The report of the department shall be presented to the commission only at the hearing on the complaint, if hearing is requested and held. No order may be entered by the commission without a public hearing.

(2) The commission shall, prior to such hearing, notify the railroad complained of that a complaint has been made, and 20 days after such notice has been given the commission may proceed to set a time and place for a hearing.

(3) The commission shall give the railroad and the complainant 20 days' notice of the hearing and the matters to be considered and determined. Both the railroad and complainant shall be entitled to be heard and shall have process to enforce the attendance of witnesses.

(4) The notice provided for in subs. (2) and (3) may be combined but if combined the notice shall not be less than 20 days.

SECTION 1335. 195.041 to 195.048 of the statutes are created to read:

**195.041 Separate rate hearings; absence of direct damage.** The commission may, when complaint is made of more than one rate or charge, order separate hearings thereon, and may consider and determine the several matters complained of separately and at such times as it may prescribe. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

**195.042 Summary investigations.** Whenever the commission believes that any rate or charge may be unreasonable or unjustly discriminatory or that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any

railroad should for any reason be made, it may request the department to investigate the same with or without notice.

**195.043 Procedure after summary investigation.** (1) If, after summary investigation by the department, the commission becomes satisfied that sufficient grounds exist to warrant a formal hearing being ordered as to the matters investigated, it shall set a time and place for a hearing. The commission shall publish notice of any such investigation in its weekly calendar and the report of the department and all matters considered by the commission with respect thereto shall be available for public inspection upon request.

(2) Notice of the time and place for such hearing shall be given to the railroad, and to such other interested persons as the commission deems necessary, as provided in s. 195.04, and thereafter proceedings shall be had and conducted in reference to the matter investigated in like manner as though complaint had been filed with the commission relative to the matter investigated, and the same order or orders may be made in reference thereto as if such investigation had been made on complaint.

**195.044 Witness fees and mileage.** (1) Each witness who appears before the commission or its agent, by its order, shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record, which shall be audited and paid by the state in the same manner as other expenses are audited and paid, upon the presentation of proper vouchers sworn to by such witnesses and approved by the chairman of the commission. Said fees and mileage shall be charged to the appropriation for the commission.

(2) No witness subpoenaed at the instance of parties other than the commission is entitled to compensation from the state for attendance or travel unless the commission certifies that his testimony was material to the matter investigated.

**195.045 Depositions.** The commission or any party may in any hearing cause the depositions of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in circuit courts. Any expense incurred or authorized by the commission in taking such depositions shall be charged to the appropriation for the commission.

**195.046 Record.** A full and complete record shall be kept of all proceedings before the commission or its hearing examiners.

**195.047 Transcripts as evidence.** A transcribed copy of the evidence and proceedings or any specific part thereof, on any hearing under this chapter taken by the stenographer, being certified by such stenographer to be a true and correct transcript of all the testimony or of a particular witness, or of other specific part thereof, carefully compared with the original notes, and to be a correct statement of the evidence and proceedings had on such hearing so purporting to be taken and transcribed, shall be received in evidence with the same effect as if such reporter were present and testified to the fact so certified. A copy of such transcript shall be furnished on demand free of cost to any party to such hearing.

**195.048 Incriminating evidence.** No person may be excused from testifying or from producing books, accounts and papers in any proceeding based upon or growing out of any violation of ch. 195 on the ground or for the reason that the testimony or evidence, documentary or otherwise, required by him may tend to incriminate him or subject him to penalty or forfeiture, but no person having so testified may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may have testified or produced any documentary evidence; provided, that no person so testifying may be exempted from prosecution or punishment for perjury in so testifying.

SECTION 1336. 195.055 of the statutes is created to read:

**195.055 Judicial review.** All orders and determinations of the commission are subject to judicial review under ch. 227.

SECTION 1337. 195.07 of the statutes is renumbered 196.44.

SECTION 1338. 195.07 of the statutes is created to read:

**195.07 Law enforcement.** (1) **POWERS.** The commission may request the department to inquire into the neglect or violation of the laws of this state by railroads, or by the officers, agents or employes thereof, or by persons operating railroads, and the department may report violations to the attorney general.

(2) **ATTORNEY GENERAL AND DISTRICT ATTORNEY TO PROSECUTE.** Upon request of the department, the attorney general or the district attorney of the proper county shall aid in any investigation, hearing or trial had under, and shall institute and prosecute all necessary actions or proceedings for the enforcement of, laws relating to railroads.

(3) **ACTIONS, CHARACTER, VENUE.** Any forfeiture, fine or other penalty provided in chs. 192 to 195 may be recovered as a forfeiture in a civil action brought in the name of the state in the circuit court of Dane County, or in the county that would be the proper place of trial under s. 801.50.

SECTION 1339. 195.08 (9) of the statutes is amended to read:

195.08 (9) **COMPLAINT AGAINST CHANGE IN SCHEDULES.** Whenever a complaint is filed with the commission before any change in any schedule, or in any classification, rule, regulation or practice becomes effective to the effect that such change is unreasonable or unjustly discriminatory, ~~it shall be the duty of the commission to shall~~ give notice to the railroad that complaint has been made, ~~and to proceed~~ may direct the department to investigate the same and ~~to order a~~ shall set the complaint for hearing thereon in the usual manner, and the Any report of the department shall be presented to the commission only at the hearing on the complaint. The commission may, in its discretion, by order, stay such change pending the determination of the matters investigated at any time before said change shall take effect. ~~If upon such investigation the change complained of shall be is found unreasonable or unjustly discriminatory such change shall not take effect if the same have been stayed and in case such, and if the change has become effective pending such investigation the commission shall order the discontinuance thereof.~~ The commission may fix and order substituted for any such change such rates, joint rates, fares, charges, classification, rule, regulation, practice or service as it shall have determined to be just and reasonable and which shall be charged, imposed or followed in the future, and shall make such order respecting such rule, regulation, practice or service as it shall determine to be reasonable and which shall be observed and followed in the future. Procedure and notice shall be as provided in s. 195.04 (2) to (4).

SECTION 1340. 195.18 of the statutes is renumbered 196.627.

SECTION 1341. 195.195 of the statutes is created to read:

**195.195 Reorganization subject to commission approval.** Reorganizations of all railroads shall be subject to the supervision and control of the commission, and no such reorganization shall be had or given effect without the written approval of the commission. No plan of reorganization shall be approved by the commission unless the applicant establishes that the plan of reorganization is consistent with the public interest.

SECTION 1342. 195.196 of the statutes is created to read:

**195.196 Consolidation or merger.** (1) With the consent and approval of the commission:

- (a) Any 2 or more railroads may merge or consolidate with one another.
  - (b) Any railroad may acquire the stock of any other railroad or any part thereof.
  - (c) Any railroad may consolidate or merge with any corporation substantially all of whose assets consist of the entire stock of such railroad. The total of the resulting securities outstanding of the possessor corporation if not theretofore authorized pursuant to ch. 184, shall require such authorization as a condition precedent to such merger.
  - (d) Any railroad may sell, acquire, lease or rent any property constituting an operating unit or system.
- (2) Application for the approval and consent of the commission shall be made by the interested railroad, and shall contain a concise statement of the proposed action, the reasons therefor and such other information as may be required by the commission. Upon the filing of such application the commission shall request the department to investigate the same. After the report of the department is received, the commission may conduct a public hearing upon such notice as the commission may require, and if it finds that the proposed action is consistent with the public interest it shall give its consent and approval in writing. In reaching its determination the commission shall take into consideration the reasonable value of the property and assets of the corporation to be acquired or merged.
- (3) Any transaction required by this section to be submitted to the commission for its consent and approval shall be void unless the commission gives its consent and approval in writing.
- (4) Nothing in this section shall be construed as affecting or limiting the operation of ss. 197.01 to 197.10 or of ss. 66.06 to 66.078.

SECTION 1343. 195.199 of the statutes is created to read:

**195.199 Acquisition of abandoned property.** (1) **DEFINITIONS.** As used in this section:

- (a) "Railroad" has the meaning designated under s. 195.02 (1).
  - (b) "Railway" means a corporation described in s. 193.01.
  - (c) "State agency" means state departments and independent agencies.
- (2) The department shall have the first right to acquire, for present or future transportational, recreational or scenic purposes, any property used in operating a railroad or railway including rights-of-way and rails, ties, switches, trestles, bridges and the like located thereon, which has been abandoned. Acquisition may be by gift, purchase or condemnation in accordance with the procedure under s. 32.05. No person owning such abandoned property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned property without first obtaining a written statement from the department indicating that it does not intend to exercise its right to acquire the property. Any conveyance made without obtaining such release is void.
- (3) For purposes of this section, railroad or railway property shall be deemed abandoned if:
- (a) A certificate or approval of abandonment has been issued by the interstate commerce commission or any other federal or state agency having jurisdiction over the abandonment of such property and operations have been terminated in accordance with the certificate or approval; or
  - (b) Such certificate or approval of abandonment is not required and the use of such property for railroad or railway purposes has been discontinued with the intent

not to resume. Intent not to resume may be inferred from circumstances including, but not limited to, the following:

1. If the property is not used for railroad purposes for 2 consecutive years.
2. If the facilities on the property are removed or rendered unfit for service.
3. If the property is used for other than railroad purposes.

(4) Upon its own initiative, the department may determine at any time whether the property of the railroad or railway is abandoned, and whether it is in the best interest of the state to acquire such property. The department shall make this determination within 90 days if requested to do so by any state agency, any railroad or railway, or any county or municipality in which the property is located. After a decision has been made to acquire the property or any interest therein, the department shall, within 6 months, determine the fair market value of the property and acquire the property at a price deemed reasonable by the department or make a relocation order under s. 32.05. In making its determination, the department shall consider long-range potential for use of such property for restoration of railroad service and for public transit. The department shall solicit the opinions of appropriate state agencies, affected counties and municipalities and other interested persons. The department shall give due consideration to an expressed desire by a state agency or an affected county or municipality to acquire, in whole or in part, the property under consideration. All or part of any interest in abandoned property acquired by the department under this section or under s. 66.941 (7), 1975 stats., may be subsequently conveyed to another state agency or a county or municipality for transportation, recreational or scenic purposes, and the department may make such conveyances for such purposes. Any determination of the department under this section that property is not abandoned shall not preclude the undertaking of a subsequent investigation and determination concerning the same property or any portion thereof. If at any time subsequent to the acquisition of property under this section the department determines that the property is not suitable for transportation, recreational or scenic purposes, or that the property or any interest therein may be conveyed to any other person on terms which are not inconsistent with the potential use of the property for transportation, recreational or scenic purposes or which yield a benefit, including financial benefits, to the state which outweighs the benefit derived from the property if used for transportation, recreational or scenic purposes, the department may convey the property or such interest therein. The department shall give notice of its intention to make the conveyance, and state and local units of government shall have the first 6 months in which to exercise their opportunity to acquire the property or interest therein. The railroad or railway from which the property was acquired shall have the next 6 months in which to exercise their opportunity to acquire the property or interest therein. The department may adopt such rules as it deems necessary to accomplish the purposes of this section.

(5) To the extent that the costs of acquiring abandoned property under this section cannot be properly charged to other appropriations, the department may expend moneys for that purpose from appropriations available for the ~~all-mode transportation aids program~~ under s. 85.08.

Vetoed  
in Part

SECTION 1344. 195.37 (1) and (3) of the statutes are amended to read:

195.37 (1) COMPLAINTS, INVESTIGATIONS, HEARINGS, FINDINGS, REFUND. The commission may direct the department to investigate and hear the complaint of any person aggrieved that the charge exacted for the transportation of property between points in Wisconsin this state, or for any service in connection therewith with transportation of property, or that the charge exacted for the storage of such property, or that any car service or demurrage charge exacted is erroneous, illegal, unusual or exorbitant and shall set the complaint for hearing as provided in s. 195.04 (2) to (4). If the commission ~~shall find~~ finds that the rate or charge exacted is erroneous, illegal,

unusual or exorbitant, it shall find what would have been a reasonable rate or charge for such service. If the rate or charge so found ~~shall be~~ is less than the charge exacted, the carrier shall refund the excess.

(3) **LIMITATION FOR FILING CLAIM.** All complaints provided for in ~~subsection sub.~~ sub. (1), except those for straight overcharges, shall be filed with the commission within 2 years after delivery of the shipment of property at destination, subject to ~~subsection sub.~~ sub. (6).

SECTION 1345. 195.38 of the statutes is amended to read:

**195.38 Freight bills; examination; refunds.** Within ~~three~~ 3 years after the delivery of any shipment of property at destination, any person, firm or corporation may submit to the ~~public service~~ commission, by mail or in person, any railroad ~~or express company~~ expense bill or receipt showing charges paid for transportation of such property by freight ~~or express~~ for the purpose of having the same examined with respect to the correctness of weights, rates and charges indicated thereon. Upon receipt of any such expense bill or receipt the commission ~~shall~~ may request the department to make such examination as is necessary, and if it ~~shall be~~ is found that any such weights, rates or charges are incorrect, the commission shall order the ~~express or railroad company~~ in error to refund to the person, firm or corporation which submitted such expense bills or receipts, any over or excessive charges paid by such person, firm or corporation; ~~provided, however, that the public service commission shall not be required to audit or examine more than fifteen such expense bills or receipts from any one shipper or consignee in any one calendar month.~~

SECTION 1346. 195.40 of the statutes is renumbered 196.95.

SECTION 1347. 195.50 of the statutes is created to read:

**195.50 Information, papers and accounting.** (1) Any officer, agent or employe of any railroad who fails to fill out and return any forms as required by this chapter, or fails to answer any question therein propounded, or knowingly gives a false answer to any such question, or evades the answer to any such question where the fact inquired of is within his knowledge, or who, upon proper demand, fails to exhibit to the commission or department or any person authorized to examine the same, any book, paper, account, record or memoranda of such railroad which is in his possession or under his control, or who fails to properly use and keep his sytem of accounting or any part thereof as prescribed by the commission, or who refuses to do any act or thing in connection with such system of accounting when so directed by the commission or its authorized representative, shall be required to forfeit not less than \$100 nor more than \$1,000 for each offense.

(2) A forfeiture of not less than \$500 nor more than \$1,000 shall be recovered from the railroad for each such offense when such officer, agent or employe acted in obedience to the direction, instruction or request of such railroad or any general officer thereof.

SECTION 1348. 195.60 of the statutes is created to read:

**195.60 Payment of commission's expenditures by railroads.** (1) Whenever the commission in a proceeding upon its own motion, on complaint, or upon an application to it deems it necessary in order to carry out the duties imposed upon it by law to investigate the books, accounts, practices and activities of, or make appraisals of the property of any railroad or to render any engineering or accounting services to any railroad, the railroad shall pay the expenses attributable to such investigation, appraisal or service. The commission shall ascertain such expenses, including all expenses incurred by the department at the request or direction of the commission and shall render a bill therefor, by mail, to the railroad, either at the conclusion of the investigation, appraisal or services, or during its progress. The bill shall constitute notice of assessment and demand of payment thereof. The railroad shall, within 30



days after the mailing thereof, pay to the commission the amount of the special expense for which it is billed. The total amount, in any one calendar year, for which any railroad becomes liable, by reason of costs incurred by the commission within such calendar year, shall not exceed four-fifths of one percent of its gross operating revenues derived from intrastate operations in the last preceding calendar year. Where, under this subsection, costs are incurred within any calendar year, which are in excess of four-fifths of one percent of such gross operating revenues, the excess costs shall not be chargeable as part of the remainder under sub. (2) but shall be paid out of the general appropriation to the commission. Nothing in this subsection shall prevent the commission from rendering bills in one calendar year for costs incurred within a previous year.

(2) The commission shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures during such year which are reasonably attributable to the performance of its duties relating to railroads, and shall deduct therefrom all amounts chargeable to railroads under sub. (1) and s. 184.10 (3). The remainder shall be assessed by the commission to the several railroads in proportion to their respective gross operating revenues during the last calendar year, derived from intrastate operations. Such assessment shall be paid within 30 days after the bill has been mailed to the several railroads, which bill shall constitute notice of assessment and demand of payment thereof. The total amount which may be assessed to the railroads under authority of this subsection shall not exceed one percent of the total gross operating revenues of such railroads, during such calendar year, derived from intrastate operations.

(3) If any railroad against which a bill has been rendered under sub. (1) or (2) within 30 days after the rendering of such bill a) neglects or refuses to pay the same, or b) fails to file objections to the bill with the commission, the commission shall transmit to the state treasurer a certified copy of the bill, together with notice of neglect or refusal to pay the bill, and on the same day the commission shall mail to the railroad against which the bill has been rendered a copy of the notice which it has transmitted to the state treasurer. Within 10 days after the receipt of such notice and certified copy of such bill the state treasurer shall levy the amount stated on such bill to be due, with interest, by distress and sale of any goods and chattels, including stocks, securities, bank accounts, evidences of debt, and accounts receivable belonging to such delinquent railroad. Such levy by distress and sale shall be governed by the provisions of s. 74.10 except that it shall be made by the state treasurer and that said goods and chattels anywhere within the state may be levied upon.

(4) (a) Within 30 days after the date of the mailing of any bill as provided by subs. (1) and (2) the railroad against which such bill has been rendered may file with the commission objections setting out in detail the grounds upon which the objector regards the bill to be excessive, erroneous, unlawful or invalid. The commission, after notice to the objector, shall hold a hearing upon such objections, not less than 5 nor more than 10 days after such notice. If after such hearing the commission finds any part of the bill to be excessive, erroneous, unlawful or invalid it shall record its findings upon its minutes and transmit to the objector an amended bill, in accordance with such findings. The amended bill shall have in all ways the same force and effect under this section as an original bill rendered under subs. (1) and (2).

(b) If after hearing the commission finds the entire bill unlawful or invalid it shall notify the objector of such determination, in which case the original bill shall be deemed void.

(c) If after hearing the commission finds that the bill as rendered is neither excessive, erroneous, unlawful or invalid either in whole or in part it shall record such findings upon its minutes, and transmit to the objector notice of such finding.

(d) If any bill against which objections have been filed is not paid within 10 days after notice of a finding that such objections have been overruled and disallowed by the commission has been mailed to the objector, the commission shall give notice of such delinquency to the state treasurer and to the objector, in the manner provided in sub. (3). The state treasurer shall then proceed to collect the amount of the bill as provided in sub. (3). If an amended bill is not paid within 10 days after a copy thereof is mailed to the objector by registered mail, the commission shall notify the state treasurer and the objector as in the case of delinquency in the payment of an original bill. The state treasurer shall then proceed to collect the amount of the bill as provided in the case of an original bill.

(5) No suit or proceeding shall be maintained in any court for the purpose of restraining or in any way delaying the collection or payment of any bill rendered under subs. (1) and (2). Every railroad against which a bill is rendered shall pay the amount thereof, and after such payment may in the manner herein provided, at any time within 2 years from the date the payment was made, sue the state in an action at law to recover the amount paid with legal interest thereon from the date of payment, upon the ground that the assessment was excessive, erroneous, unlawful or invalid in whole or in part. If it is finally determined in such action that any part of the bill for which payment was made was excessive, erroneous, unlawful or invalid, the state treasurer shall make a refund to the claimant as directed by the court, which shall be charged to the appropriations to the commission.

(6) No action for recovery of any amount paid under this section shall be maintained in any court unless objections have been filed with the commission as provided in this section. In any action for recovery of any payments made under this section the claimant shall be entitled to raise every relevant issue of law, but the commission's findings of fact made pursuant to this section shall be prima facie evidence of the facts therein stated.

(7) The following shall be deemed to be findings of fact of the commission, within the meaning of this section:

(a) Determinations of fact expressed in bills rendered under this section; and

(b) Determinations of fact set out in those minutes of the commission which record the action of the commission in passing upon said bills, and in passing upon objections thereto.

(8) The procedure by this section providing for determining the lawfulness of bills and the recovery back of payments made pursuant to such bills shall be exclusive of all other remedies and procedures.

SECTION 1349. 196.01 (1) of the statutes is amended to read:

196.01 (1) "Public utility" means ~~and embraces~~ every corporation, company, individual, association, their lessees, trustees or receivers appointed by any court, and every sanitary district, town, village or city that may own, operate, manage or control any toll bridge or any plant or equipment or any part of a plant or equipment, within the state, for the conveyance of telephone messages, for the receiving, transmitting or delivery of messages by telegraph, or for the production, transmission, delivery or furnishing of heat, light, water or power either directly or indirectly to or for the public. No ~~co-operative~~ cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power or water to its members only shall be deemed a public utility under this definition. ~~The term "public~~ "Public utility" ~~as herein defined~~ includes any person engaged in the transmission or delivery of natural gas for compensation within this state by means of pipes or mains. Any privately owned public utility which furnishes sewer services or sewer facilities may

elect to have the public service commission establish suitable and proper rates for its services.

SECTION 1351. 196.01 (8) of the statutes is created to read:

196.01 (8) "Commission" means the public service commission.

SECTION 1352. 196.02 (3) of the statutes is amended to read:

196.02 (3) The commission ~~shall have power to~~ may adopt reasonable rules ~~and regulations relative to all to govern its proceedings and to regulate the mode and manner of all inspections, tests, audits and, investigations and hearings.~~

SECTION 1356. 196.79 of the statutes is amended to read:

**196.79 Reorganization subject to commission approval.** Reorganizations of all public utilities ~~and railroads, steam railroads excepted,~~ shall be subject to the supervision and control of the commission, and no such reorganization shall be had or given effect without the written approval of ~~such~~ the commission. No plan of reorganization shall be approved by the commission unless it ~~shall be~~ is established by the applicant for such approval that the plan of reorganization is consistent with the public interest.

SECTION 1357. 196.80 (title) of the statutes is amended to read:

**196.80 (title) Consolidation or merger of utilities.**

SECTION 1358. 196.81 (1) of the statutes is amended to read:

196.81 (1) No public utility ~~or railroad as defined in chs. 195 and 196 shall~~ may abandon or discontinue any line, ~~branch line~~ or extension or service thereon without first securing the approval of the commission. ~~No railroad shall discontinue any regularly scheduled passenger train without notifying the commission in writing not less than 20 days before such discontinuance and the commission, if it deems that the public interest so requires, may within said period give notice of a hearing thereon, whereupon the railroad shall continue the operation of said train until and unless otherwise authorized by the commission after hearing, provided that this amendment (1951) shall not apply to street or interurban electric railway operations. In granting its approval, the commission may impose such terms, conditions or requirements as in its judgment are it deems necessary to protect the public interest. Any public utility or railroad abandoning or discontinuing in pursuance of authority granted by the commission shall be deemed to have waived any and all objections to the terms, conditions or requirements imposed by the commission in that regard. Nothing herein contained, however, shall be construed to eliminate the necessity of obtaining the consent of the proper municipal authorities as required by s. 193.11. The provisions of this section shall apply only so far as the constitution and laws of the United States permit.~~

SECTION 1359. 196.85 (1) and (2) (a) of the statutes are amended to read:

196.85 (1) Whenever the commission in a proceeding upon its own motion, on complaint, or upon an application to it deems it necessary in order to carry out the duties imposed upon it by law to investigate the books, accounts, practices and activities of, or make appraisals of the property of any public utility, power district or railroad or to render any engineering or accounting services to any public utility, power district, sewerage district or railroad, such public utility, power district, sewerage district or railroad shall pay the expenses attributable to such investigation, including the cost of litigation, appraisal or service. The commission shall ascertain such expenses, and shall ~~render~~ send a bill therefor, by mail, to the public utility, power district, sewerage district or railroad, either at the conclusion of the investigation, appraisal or services, or during its progress, which bill shall constitute notice of ~~said~~ the assessment and demand of payment thereof. ~~Upon bill so rendered such~~ If sent a bill, the public utility, power district, sewerage district or railroad shall, within 30 days after the mailing ~~thereof~~ of the bill pay to the commission the amount

of the special expense for which it is billed, and ~~such the~~ payment when made shall be credited to the appropriation to the commission in s. 20.155 (1) (g). The total amount, in any one calendar year, for which any public utility, power district, sewerage district or railroad shall become liable, by reason of costs incurred by the commission within such calendar year including charges under s. 184.10 (3), shall not exceed four-fifths of one ~~per cent percent~~ of its gross operating revenues derived from intrastate operations in the last preceding calendar year. ~~Where, pursuant to this subsection, costs are incurred within any calendar year, which are in excess of four-fifths of one per cent of such gross operating revenues, the excess costs shall not be chargeable as part of the remainder under sub. (2) but shall be paid out of the general appropriation to the public service commission. Nothing herein contained in this subsection shall prevent the commission from rendering bills in one calendar year for costs incurred within a previous year.~~

(2) (a) The commission shall annually, within 90 days after of the ~~close commencement~~ of each fiscal year, ascertain the total of its expenditures during ~~such the prior fiscal~~ year which are reasonably attributable to the performance of its duties relating to public utilities and power districts under chs. 184, 196 and 198, and shall deduct therefrom all amounts chargeable to public utilities and power districts under sub. (1) and s. 184.10 (3). ~~The A sum equal to the remainder plus 10% of the remainder shall be assessed by the commission to the several public utilities and power districts in proportion to their respective gross operating revenues during the last calendar year, derived from intrastate operations. If, at the time of payment, it is determined that the prior year's expenditures made under this section exceeded the payment made under this section in the prior year, the remainder shall be charged to the several public utilities and power districts in proportion to their gross operating revenues during the last calendar year. If, at the time of payment it is determined that the prior year's expenditures made under this section were less than the payment made under this section in the prior year, the difference shall be credited to the current year's payment.~~ Such assessment shall be paid within 30 days after the bill has been mailed to the several public utilities and power districts, which shall constitute notice of ~~said the~~ assessment and demand of payment thereof. When paid ~~said the~~ assessment shall be credited to the appropriation made in s. 20.155 (1) (g). ~~The total amount which may be assessed to the public utilities and power districts, under authority of this subsection, shall not exceed one-fifth of one per cent of the total gross operating revenues of such public utilities and power districts, during such calendar year, derived from intrastate operations.~~

SECTION 1360. 196.85 (2) (b) of the statutes is repealed.

SECTION 1362. 197.10 (6) of the statutes is created to read:

197.10 (6) For the purpose of this section, the transportation commission has jurisdiction over matters related to street railways and interurban railways, and the public service commission has jurisdiction over matters related to public utilities.

SECTION 1363. 218.01 (1) (L) of the statutes is repealed.

SECTION 1364. 218.01 (1) (v) and (w) of the statutes are created to read:

218.01 (1) (v) "Department" means the department of transportation.

(w) "Secretary" means the secretary of transportation.

SECTION 1365. 218.01 (2) (bd) 2 of the statutes is amended to read:

218.01 (2) (bd) 2. Any dealer or distributor discontinued or canceled may within such 60-day notice period, file with the division department and transportation commission and serve upon the respondent a verified complaint in triplicate for a determination of unfair discontinuation or cancellation under sub. (3) (a) 17. Allowing opportunity for an answer, the transportation commission shall thereafter

schedule a hearing on and decide the matter. Agreements and certificates of appointment shall continue in effect until final determination of the issues raised in such complaint. If the complainant prevails he or she shall have a cause of action against the defendant for reasonable expenses and attorney's fees incurred by him or her in such matter.

SECTION 1366. 218.01 (3) (b) of the statutes is amended to read:

218.01 (3) (b) The licensor may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. ~~Upon request by the applicant, whose license has been so denied, the licensor shall set the time and place of hearing a review of such denial, the same to be heard with reasonable promptness. Within 30 days after such notice, the applicant may petition the transportation commission to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness.~~

SECTION 1367. 218.01 (3) (c) of the statutes is amended to read:

218.01 (3) (c) No license ~~shall~~ may be suspended or revoked except after a hearing thereon. The licensor shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the licensor, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions or revocations brought before the department shall be heard and decided upon by the transportation commission.

SECTION 1368. 218.01 (3) (g) of the statutes is amended to read:

218.01 (3) (g) Any person in interest aggrieved by ~~an order of the division a decision of the transportation commission~~ may have a review thereof as provided in ch. 227 or aggrieved by an order of the commissioner may have a review thereof as provided in s. 220.037.

SECTION 1369. 218.01 (3) (h) of the statutes is amended to read:

218.01 (3) (h) In addition to the licensor's authority to deny, suspend or revoke a license under this section, the ~~licensor commissioner~~, after public hearing, may issue a special order enjoining any licensee from engaging in any act or practice which is determined by the ~~licensor commissioner~~ to be in violation of any provision of par. (a), and the transportation commission may be petitioned to issue such a special order after notice and hearing thereon.

SECTION 1370. 218.01 (3c) (c) and (d) of the statutes are amended to read:

218.01 (3c) (c) If a manufacturer, factory branch or distributor believes it has good cause for refusing to honor the succession to the ownership and operation of a dealership by a family member of a deceased or incapacitated dealer under the existing franchise agreement, such manufacturer, factory branch or distributor may, within 30 days of receipt of notice of the designated family member's intent to succeed the dealer in the ownership and operation of the dealership, serve upon such designated family member and the ~~division department~~ notice of its refusal to honor the succession and of its intent to discontinue the existing franchise agreement with the dealership no sooner than 60 days from the date such notice is served. Such notice shall state the specific grounds for the refusal to honor the succession and the discontinuance of the franchise agreement. If no notice of such refusal and discontinuance is timely served upon the family member and ~~division department~~, or if the ~~division transportation commission~~ rules in favor of the complainant in a hearing held under par. (d), the franchise agreement shall continue in effect subject to termination only in the manner prescribed in this subchapter.

(d) Any designated family member who receives a notice of the manufacturer's, factory branch's or distributor's refusal to honor his or her succession to the ownership and operation of the dealership may within the 60-day notice period, serve on the respondent and file in triplicate with the ~~division~~ transportation commission a verified complaint for a hearing and determination by the ~~division~~ transportation commission on whether good cause exists for such refusal and discontinuance. The transportation commission shall forward a copy of the complaint to the department. The manufacturer, factory branch or distributor shall have the burden of establishing good cause for such refusal by showing that the succession would be detrimental to the public interest or to the representation of the manufacturer, factory branch or distributor. The franchise agreement shall continue in effect until the final determination of the issues raised in such complaint. If the complainant prevails he or she shall have a cause of action against the defendant for reasonable expenses and attorney's fees incurred in such matter. If the manufacturer, factory branch or distributor prevails, the ~~division~~ transportation commission shall include in its order approving the termination of the franchise agreement such conditions as are reasonable and adequate to afford the complainant an opportunity to receive fair and reasonable compensation for the value of the dealership.

SECTION 1371. 218.01 (5) (b) of the statutes is amended to read:

218.01 (5) (b) The ~~licensor commissioner and transportation commission~~ shall have the power in hearings and trials arising under this ~~section~~ chapter to determine the place, in the state of Wisconsin, where they shall be held; to subpoena witnesses; to take depositions of witnesses residing without the state, in the manner provided for in civil actions in courts of record; to pay such witnesses the fees and mileage for their attendance as is provided for witnesses in civil actions in courts of record; and to administer oaths. ~~Whenever a hearing or trial shall be held by the licensor or by an examiner, he shall report his findings in writing to the licensor, which shall thereupon make its rulings and orders.~~

SECTION 1372. 218.01 (9) of the statutes is amended to read:

218.01 (9) CIVIL DAMAGES. Any licensee suffering pecuniary loss because of a violation by any other licensee of sub. (3) (a) 4, 11, 15, 16, 17, 23, 24 or 26 or because of any unfair practice found by the ~~licensor commissioner or transportation commission~~ under sub. (5) (a), may recover damages therefor in any court of competent jurisdiction in an amount equal to 3 times the pecuniary loss together with costs including a reasonable attorney's fee.

SECTION 1373. 218.11 (7) (a) and (b) of the statutes are amended to read:

218.11 (7) (a) The licensor may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. ~~Upon request by the applicant, whose license has been so denied, the licensor shall set the time and place of hearing a review of such denial, the same to be heard with reasonable promptness. Within 30 days after such notice, the applicant may petition the transportation commission to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness.~~

(b) No license shall be suspended or revoked except after a hearing thereon. The licensor shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the licensor, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department shall be heard and decided upon by the transportation commission.

SECTION 1373m. 218.22 (2m) of the statutes is created to read:

218.22 (2m) License fees collected under this subchapter shall be deposited in the transportation fund.

SECTION 1374. 218.22 (4) (a) and (b) of the statutes are amended to read:

218.22 (4) (a) The licensor may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. ~~Upon request by the applicant, whose license has been so denied, the licensor shall set the time and place of hearing a review of such denial, the same to be heard with reasonable promptness.~~ Within 30 days after such notice, the applicant may petition the transportation commission to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness.

(b) No license shall be suspended or revoked except after a hearing thereon. The licensor shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the licensor, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department shall be heard and decided upon by the transportation commission.

SECTION 1375. 218.32 (4) (a) and (b) of the statutes are amended to read:

218.32 (4) (a) The licensor may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. ~~Upon request by the applicant, whose license has been so denied, the licensor shall set the time and place of hearing a review of such denial, the same to be heard with reasonable promptness.~~ Within 30 days after such notice, the applicant may petition the transportation commission to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness.

(b) No license shall be suspended or revoked except after a hearing thereon. The licensor shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the licensor, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department shall be heard and decided upon by the transportation commission.

SECTION 1376. 226.025 (3) of the statutes is amended to read:

226.025 (3) The appointment of the secretary of state or the designation of a resident agent as attorney for the service of summons, notice, pleadings or process under s. 180.821 shall be applicable only to actions or proceedings against the foreign corporations described in this section (unless such corporations have been admitted to this state for purposes other than those mentioned in this section) where the cause of action or proceeding arises out of transactions between such foreign corporations and public utilities operating in this state with which such foreign corporations are affiliated; and to actions or proceedings by or before the public service commission or transportation commission involving the transactions described in sub. (1) ~~herein~~, or involving the relation between such foreign corporations and public utilities operating in this state with which they are affiliated.

SECTION 1378. 227.05 (2) (e) of the statutes is amended to read:

227.05 (2) (e) Proceedings under s. 56.07 (7), 56.21, 66.191 or 101.22 or ss. 227.15 to 227.21 or under ch. 102 ~~or~~, 108 or 949 for review of decisions and orders of administrative agencies ~~provided if~~ the validity of the rule involved was duly challenged in the proceeding before the agency in which the order or decision sought to be reviewed was made or entered.

SECTION 1379. 227.22 (2) of the statutes is amended to read:

227.22 (2) Only the provisions of ss. 227.01 to 227.21 relative to rules are applicable to matters arising out of ~~the worker's compensation act or the unemployment compensation act~~ s. 56.07 (7), 56.21, 66.191 or 101.22 or ch. 102, 108 or 949.

SECTION 1380. 227.25 of the statutes is amended to read:

**227.25 Certification of certain cases from the circuit court of Dane county to other circuits.** Any action or proceeding for the review of any order of an administrative officer, commission, department or other administrative tribunal of the state required by law to be instituted in or taken to the circuit court of Dane county except an action or appeal for the review of any order of the department of industry, labor and human relations or findings and orders of the labor and industry review commission which ~~shall have been so~~ is instituted or taken and ~~shall is not have been~~ called for trial or hearing within 6 months after such proceeding or action ~~has been is~~ instituted, and the trial or hearing of which ~~shall is not have been~~ continued by stipulation of the parties or by order of the court for cause shown, shall on the application of either party on 5 days' written notice to the other be certified and transmitted for trial to the circuit court of the county of the residence or principal place of business of the plaintiff or petitioner, where such action or proceeding shall have ~~the~~ precedence over all ordinary civil actions. Unless written objection ~~shall be is~~ filed within such 5-day period, the order certifying and transmitting such proceeding shall be entered without hearing. The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane county a fee of \$2 for transmitting the record.

SECTION 1380h. 231.01 (2) of the statutes is amended to read:

231.01 (2) "Health facility" means any nonprofit institution, place, building or agency required to be approved or licensed under either ~~ch. 140 or~~ s. 50.02 or subch. II of ch. 50, and also means any such facility exempted from such approval or licensure when the secretary of health and social services attests that the exempted facility meets the statutory definition of a facility subject to approval or licensure. "Health facility" also means any other nonprofit health service institution, place, building or agency not now subject to approval or licensure under state law which the secretary attests is subject to certification by the U.S. department of health, education and welfare under the social security act, as now or hereafter amended, or which the secretary attests is subject to standard-setting by a recognized public or voluntary accrediting or standard-setting agency. "Health facility" also means any nonprofit institution, place, building or agency engaged solely in providing one or more supporting services to a health facility. "Health facility" does not include any institution, place or building used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 1380i. 231.01 (4) of the statutes is amended to read:

231.01 (4) "Project" means a specific health facility work or improvement to be refinanced, acquired, constructed, enlarged, remodeled, renovated, improved, furnished or equipped, or any combination thereof, by the authority for lease to a participating health institution. "Project" also means one or more structures suitable for use as a health facility, laboratory, laundry, nurses' or interns' residence or other multiunit housing facility for staff, employes, patients or relatives of patients admitted for treatment or care in a health facility, physician's facility, administration building,



research facility, maintenance, storage or utility facility and other structures or facilities related to any of the foregoing or required or useful for the operation of a health facility, including parking and other facilities or other supporting service structures essential or convenient for the orderly conduct of such health facility. "Project" includes site preparation, landscaping, machinery, equipment and furnishings and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended, but does not include such items as fuel, supplies or other items, the costs of which are customarily deemed to result in a current operating cost. "Project" may include any combination of one or more of the foregoing undertaken jointly by any participating health institution with one or more other participating health institutions. "Project" does not include any institution, place or building used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 1380j. 231.02 (1) of the statutes is amended to read:

231.02 (1) There is created a public body politic and corporate to be known as the "Wisconsin Health Facilities Authority". ~~The authority is constituted a public instrumentality and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function.~~ The authority shall consist of 7 members nominated by the governor, and with the advice and consent of the senate appointed for staggered 7-year terms. Members shall be residents of the state, and not more than 4 shall be members of the same political party. The members of the authority first appointed shall serve for terms expiring on June 30 in 1974, 1975, 1976, 1977, 1978, 1979 and 1980, respectively. As soon as possible after the appointment of the initial members, the authority shall organize for the transaction of business. Annually, the governor shall appoint one member as chairman and the authority shall elect one member as vice chairman.

SECTION 1380k. 231.03 (intro.) of the statutes is amended to read:

**231.03 Powers.** (intro.) The authority has all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter. In addition to all other powers granted by this chapter, the authority may:

SECTION 1380L. 231.03 (8) of the statutes is amended to read:

231.03 (8) Establish rules for the use of a project or other health facilities owned by the authority or any portion thereof, and designate a participating health institution as its agent to establish rules for the use of a project or other health facilities owned by the authority undertaken for that participating health institution. The rules shall ensure that a project, health facility or property may not be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 1380m. 231.03 (19) of the statutes is created to read:

231.03 (19) Obtain, or aid in obtaining, from any department or agency of the United States or of this state or any private company, any insurance or guaranty concerning the payment or repayment of, interest or principal, or both, or any part thereof, on any loan, lease or obligation or any instrument evidencing or securing the same, made or entered into under the provisions of this chapter; and notwithstanding any other provisions of this chapter, to enter into any agreement, contract or any other instrument with respect to that insurance or guaranty, to accept payment in the manner and form provided therein in the event of default by a participating health institution, and to assign the insurance or guaranty as security for the authority's bonds.

SECTION 1380n. 231.06 of the statutes is amended to read:

**231.06 Property acquisition.** The authority may acquire, directly or by and through a participating health institution as its agent, by purchase ~~solely from funds provided under the authority of this chapter,~~ or by gift or devise, such lands, structures, property, rights, rights-of-way, franchises, easements and other interests in lands, including lands lying under water and riparian rights, which are located within this state as it deems necessary or convenient for the construction or operation of a project, upon such terms and at such prices as it considers reasonable and can be agreed upon between it and the owner thereof, and take title thereto in the name of the authority or in the name of a participating health facility as its agent.

SECTION 1380o. 231.07 of the statutes is amended to read:

**231.07 Property conveyance.** When the principal of and interest on bonds issued by the authority to finance the cost of a project or to refinance outstanding indebtedness of one or more participating health institutions, including any refunding bonds issued to refund and refinance such bonds, have been fully paid and retired or when adequate provision has been made to fully pay and retire the same, and all other conditions of the resolution, lease, trust indenture and mortgage or deed of trust, if any, authorizing and securing the same have been satisfied and the lien of such mortgage or deed of trust has been released in accordance with the provisions thereof, the authority shall promptly do all things and execute such deeds and conveyances as are necessary and required to convey its right, title and interest in such project so financed, and any other health facilities mortgaged to secure the bonds, to the participating health institutions, provided that the reconveyance shall provide that the facility financed shall not be used thereafter primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 1380p. 231.09 of the statutes is amended to read:

**231.09 Bond security.** The authority may secure any bonds issued under this chapter by a trust agreement, trust indenture, indenture of mortgage or deed of trust by and between the authority and one or more corporate trustees, which may be any trust company or bank in this state having the powers of a trust company. The bond resolution providing for the issuance of bonds so secured shall pledge the revenues to be received by the authority ~~from the project or other related health facilities, as a result of the terms of the financing referred to in the resolution, and~~ may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as are reasonable and proper and not in violation of law, including particularly such provisions as are specifically authorized by this chapter to be included in any bond resolution of the authority, and may restrict the individual right of action by bondholders. In addition, any bond resolution may contain such other provisions as the authority deems reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of the bond resolution may be treated as a part of the cost of the operation of a project.

SECTION 1380q. 231.10 (1) of the statutes is amended to read:

231.10 (1) ~~Bonds issued under this chapter shall not be deemed to constitute a debt or liability of the state or of any political subdivision thereof other than the authority, or a pledge of the faith and credit of the state or of any such political subdivision other than the authority, but shall be payable solely from the funds provided therefor in this chapter. The state is not liable on notes or bonds of the authority and the notes and bonds are not a debt of the state. All notes and bonds of the authority shall contain on the face thereof a statement to this effect.~~ The issuance of bonds under this chapter shall not, directly or indirectly or contingently, obligate the state or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment. Nothing in this section prevents the authority from pledging its full

faith and credit or the full faith and credit of a health institution to the payment of bonds authorized under this chapter.

SECTION 1380r. 231.11 of the statutes is amended to read:

**231.11 State pledge.** The state pledges to and agrees with the holders of any obligations issued under this chapter, and with those parties who may enter into contracts with the authority under this chapter, that the state will not limit or alter the rights vested in the authority by this chapter until such obligations, together with the interest thereon, are fully met and discharged and such contracts are fully performed on the part of the authority, but nothing shall preclude such a limitation or alteration if adequate provision is made by law for the protection of the holders of such obligations of the authority or those entering into such contracts with the authority. ~~The authority, as agent for the state, may include this pledge and undertaking for the state in such obligations or contracts.~~

SECTION 1380s. 231.13 (1) (intro.) of the statutes is amended to read:

231.13 (1) (intro.) The authority shall fix, revise, charge and collect rents for the use of each project ~~and contract with any person in respect thereof~~ which is leased to a participating health institution. Each lease entered into by the authority with a participating health institution shall provide that the rents payable by the health facility shall be sufficient at all times to:

SECTION 1380t. 231.17 of the statutes is amended to read:

**231.17 Investment of funds.** The authority may invest any funds in bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal and interest of which are guaranteed by, the United States; in those certificates of deposit or time deposits constituting direct obligations of any bank which are insured by the federal deposit insurance corporation; or in short-term discount obligations of the federal national mortgage association. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. ~~Only such funds may be so invested as, in the judgment of the authority, will not be required for expenditure within a period of 50 days from the date of the investment thereof.~~

SECTION 1380u. 231.25 of the statutes is amended to read:

**231.25 Tax exemption.** The exercise of the powers granted by this chapter will be in all respects for the benefit of the people of this state, for the increase of their commerce, welfare and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of a project ~~by the authority or its agent undertaken pursuant to this chapter~~ will constitute the performance of an essential public function, neither the authority nor ~~its~~ any agent with which it contracts to operate or maintain a project is required to pay any taxes or assessments, including mortgage recording taxes, upon or in respect of a project or any property acquired or used by the authority or its agent under this chapter and the authority's income therefrom shall at all times be free from taxation of every kind by the state and by political subdivisions of the state.

SECTION 1384. 236.13 (1) (e) of the statutes is amended to read:

236.13 (1) (e) The rules of the ~~highway commission~~ department of transportation relating to provision for the safety of entrance upon and departure from the abutting state trunk highways or connecting ~~streets~~ highways and for the preservation of the public interest and investment in such highways ~~or streets~~.

SECTION 1390. 247.25 of the statutes is amended to read:

**247.25 Revision of judgment.** The court may from time to time afterwards, on the petition of either of the parties, or on the petition of the department of health and social services, a county welfare agency or a child support agency if an assignment has

been made under s. 49.19 (4) (h) or if either party receives aid under ch. 49, and upon notice to the family court commissioner, revise and alter such judgment concerning the care, custody, maintenance and education of any of the children, and make a new judgment concerning the same as the circumstances of the parents and the benefit of the children shall require. Any change in child support because of alleged change in circumstances shall take into consideration the earning capacity of each parent and the parent's spouse, if any. Section 52.02 shall not be construed to reduce either parent's support obligation unless the stepparent voluntarily consents to such reduction.

SECTION 1391. 251.182 (intro.) of the statutes is amended to read:

**251.182 Assignment of judges.** (intro.) The chief justice of the supreme court or an associate justice designated by the supreme court shall keep informed of the status of the administration of judicial business in the courts of the state and may designate and assign active circuit and county judges and county judges qualified under s. 253.195 to serve temporarily in either the circuit or county court and supreme court justices and circuit judges qualified under article VII, section 24 of the Wisconsin constitution to serve temporarily in circuit or county court.

SECTION 1391m. 252.075 (3) of the statutes is created to read:

252.075 (3) **SERVICE AS HEARING OFFICER.** Retired supreme court justices and retired circuit court judges may be appointed by the governor to serve as independent hearing officers under ss. 150.09 to 150.46. Subsection (2) shall apply except that the compensation shall be paid by the department of health and social services.

SECTION 1391p. 252.18 (2) of the statutes is amended to read:

252.18 (2) A reporter or assistant reporter attending a term of court or attending by the direction of the court the trial of a compulsory reference, outside the county in which he or she resides provided he or she resides within the appointing judge's circuit, or attending the sessions of court presided over in other circuits by the judge appointing him or her, at the request of ~~such the~~ judge, shall be reimbursed his or her necessary traveling expenses and hotel bills. Every assistant reporter shall be compensated in such amount as the judge appointing him or her directs, but not more than the per diem equivalent of the state salary of the official court reporter for any day or more than the monthly state salary of the official court reporter for any month.

SECTION 1392. 256.65 (8) and (9) of the statutes are amended to read:

256.65 (8) Attorney fees if counsel was appointed by the court prior to implementation of the state program for determination of indigency and appointment of counsel by the state public defender.

(9) Meals, lodging and mileage for attorneys if the attorney was appointed by the court prior to implementation of the state program for determination of indigency and appointment of counsel by the state public defender.

SECTION 1393. 257.01 of the statutes is repealed and recreated to read:

**257.01 State law library.** The supreme court shall maintain a state law library for the use of officers and employes of this state, attorneys and the public. The supreme court may promulgate and enforce rules governing the use of the library and appoint and fix the compensation of a librarian and such staff as is necessary to operate the library.

SECTION 1394. 257.03 to 257.11 of the statutes are repealed.

SECTION 1395. 257.19 (3) of the statutes is amended to read:

257.19 (3) **APPOINTMENT, TERM AND SALARY.** The administrative director shall be appointed by the supreme court for an indefinite term. The appointment shall be approved by a majority of the justices upon recommendation of the appointee by the

chief justice. ~~His~~ The term shall end when termination is approved by a majority of the justices. ~~He~~ The administrative director shall devote full time to his official duties to the exclusion of engagement in any other business or profession for profit. ~~His~~ The salary shall be fixed by the supreme court, but shall not exceed compensation paid by the state and the counties to any circuit judge. ~~He~~ in accordance with s. 20.923 (4) (f) 7. The administrative director shall be included within the Wisconsin retirement fund and subch. I of ch. 41 shall apply to him as they apply applies to the administrative director in the same manner as it applies to justices of the supreme court.

SECTION 1396. 257.23 of the statutes is repealed.

SECTION 1397. 288.02 of the statutes is amended to read:

**288.02 Action in name of state; complaint; attachment.** Every such forfeiture action shall be in the name of the state of Wisconsin, and it shall be sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, according to the provisions of the statute which imposes it, specifying the statute and for the penalty assessment imposed by s. 165.87. ~~And when~~ If such statute imposes a forfeiture for several offenses or delinquencies the complaint shall specify the particular offense or delinquency for which the action is brought, with a demand for judgment for the amount of such forfeiture and the penalty assessment. ~~In case~~ If the defendant is a nonresident of the state an attachment may issue.

SECTION 1398. 288.03 of the statutes is amended to read:

**288.03 Complaint to recover forfeited goods.** In an action to recover property forfeited by any statute it shall be sufficient to allege in the complaint that such the property has been forfeited, specifying the statute, with a demand of judgment for the delivery of the property, or the value thereof and for payment of the penalty assessment imposed by s. 165.87.

SECTION 1399. 288.06 of the statutes is amended to read:

**288.06 Action for what sum.** When a forfeiture is imposed, not exceeding a specific sum or when it is not less than one sum or more than another, the action may be brought for the highest sum specified and for the penalty assessment imposed by s. 165.87; and judgment may be rendered for such sum as the court or jury shall assess or determine to be proportionate to the offense.

SECTION 1400. 288.08 of the statutes is repealed.

SECTION 1401. 288.10 of the statutes is amended to read:

**288.10 Municipal forfeitures, how recovered.** All forfeitures imposed by any ordinance or regulation of any county, town, city or village, or of any other domestic corporation may be sued for and recovered, pursuant to this chapter, in the name of such the county, town, city, village or corporation. It shall be sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, specifying the ordinance or regulation which imposes it and of the penalty assessment imposed by s. 165.87. And when such the ordinance or regulation imposes a penalty or forfeiture for several offenses or delinquencies the complaint shall specify the particular offenses or delinquency for which the action is brought, with a demand for judgment for the amount of such the forfeiture and of the penalty assessment imposed by s. 165.87. All moneys collected on such the judgment shall be paid to the treasurer of such the county, town, city, village or corporation.

SECTION 1402. 288.105 of the statutes is amended to read:

**288.105 Disposition of forfeitures.** Revenues from forfeitures imposed by any court or any branch thereof for the violation of any municipal or county ordinance shall be

paid to ~~such the~~ municipality or county. Penalty assessment payments shall be made as provided in s. 165.87.

SECTION 1403. 288.13 of the statutes is amended to read:

**288.13 Forfeitures collected, to whom paid.** All moneys collected in favor of the state for forfeiture, except the portion to be paid to any person who sues with the state therefor, shall be paid by the officer who collects the same (except municipal justices and town and city treasurers) to the treasurer of the county within which ~~such the~~ forfeiture was incurred within 20 days after its receipt ~~by him~~; and in case of any failure in such payment ~~such the~~ county treasurer may collect the ~~same~~ payment of such officer by action, in ~~his the~~ name of ~~the~~ office and upon the official bond of ~~such the~~ officer, with interest at the rate of 12% per annum from the time when it should have been paid. Penalty assessment payments shall be made as provided in s. 165.87.

SECTION 1404. 288.18 of the statutes is amended to read:

**288.18 Penalty upon municipal justice.** If any municipal justice ~~shall~~, of his ~~or her~~ own will, ~~dismiss~~ dismisses any action brought before ~~him~~ such justice under this chapter, ~~or release or discharge any property seized or detained under s. 440.96 (1),~~ unless by order of the district attorney or attorney general or the person joined as plaintiff with the state, or ~~render renders~~ a less judgment therein than is prescribed by law, or ~~release releases or discharge discharges~~ any such judgment or part thereof without payment or collection, ~~he the~~ justice and ~~his the~~ justice's sureties shall be liable, in an action upon ~~his the~~ justice's bond, for the full amount of the forfeitures imposed by law or of the forfeiture imposed by ~~him the~~ justice, as the case may be, and for the penalty assessment imposed by s. 165.87, or for an amount equal to the amount in which ~~he shall release or discharge~~ any such judgment or any part thereof; ~~and if he shall give is released or discharged.~~ If any municipal justice gives time or delay to any person against whom any such judgment is rendered by him the justice, or take takes any bond or security for its future payment, he and his the justice and the justice's sureties shall also be liable for the payment of such judgment upon ~~his the~~ justice's bond.

SECTION 1405. 340.01 (1) of the statutes is repealed.

SECTION 1406. 340.01 (9) of the statutes is repealed and recreated to read:

340.01 (9) "Connecting highway" means a highway designated as such under s. 86.32.

SECTION 1407. 340.01 (12) of the statutes is created to read:

340.01 (12) "Department" means the department of transportation.

SECTION 1408. 340.01 (15f) of the statutes is repealed.

SECTION 1408m. 340.01 (17) of the statutes is amended to read:

340.01 (17) "Farm trailer" means a trailer or semitrailer with a gross weight greater than 3,000 pounds which is owned and operated by a farmer and is used ~~exclusively~~ [exclusively] ~~primarily~~ for the transportation of farm products from the owner's farm to market or for the transportation of supplies to ~~his the~~ owner's farm.

Vetoed  
in Part

SECTION 1410. 340.01 (56f) of the statutes is created to read:

340.01 (56f) "Secretary" means the secretary of transportation.

SECTION 1410m. 341.045 of the statutes is created to read:

**341.045 Use of registered farm trucks regulated.** A motor truck registered as a farm truck under s. 341.26 (3) (a) may be used for personal and family purposes if the primary use of that motor truck is for purposes specified in s. 340.01 (18), except that a registered farm truck may not be used in furtherance of any nonfarm occupation, trade, profession or other employment, including commuting to or from

the place of such nonfarm occupation, trade, profession or employment. Any violations of this section are subject to the penalty prescribed for violations of s. 341.04 (2).

SECTION 1411. 341.05 (3) of the statutes is created to read:

341.05 (3) Is operated in accordance with s. 341.405.

SECTION 1411m. 341.05 (10) of the statutes is repealed.

SECTION 1412. 341.05 (13) of the statutes is repealed.

SECTION 1413. 341.06 (1) (a) of the statutes is repealed.

SECTION 1414. 341.08 (4) of the statutes is amended to read:

341.08 (4) Applications for renewal of registration shall contain the information required in sub. (2) for original applications or such parts thereof as the ~~division~~ department deems necessary to assure the proper registration of the vehicle. The ~~division~~ department may require that applications for renewal of registration be accompanied by the certificate of title issued for the vehicle only when the true ownership or proper ~~prior~~ registration of the vehicle is in doubt and cannot be resolved from records maintained by the ~~division~~ department.

SECTION 1414m. 341.085 of the statutes is created to read:

**341.085 Registration of ambulances.** (1) The department shall inspect all ambulances prior to issuing an original or renewal registration to determine that the vehicles meet requirements specified by law or administrative rule as to specifications, medical equipment, supplies and sanitation.

(2) The department may adopt rules necessary for administration of this section and prescribe ambulance service equipment and standards therefor, except that any ambulance which does not conform to rules adopted by the department may be used until December 30, 1979.

SECTION 1415. 341.12 (1), (2) and (4) (a) of the statutes are amended to read:

341.12 (1) The ~~division~~ department upon registering a vehicle pursuant to s. 341.25 or 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an automobile, motor truck, motor bus, school bus, self-propelled mobile home or dual purpose motor home and one plate for other vehicles. The ~~division~~ department upon registering a vehicle pursuant to any other section shall issue one plate unless the ~~division~~ department determines that 2 plates will better serve the interests of law enforcement.

(2) The ~~division~~ department shall purchase plates from the state prison at Waupun unless otherwise approved by the governor. Subject to any specific requirements which may be imposed by statute, the ~~division~~ department shall determine the size, color and design of registration plates with a view toward making them visible evidence of the period for which the vehicle is registered and the fee class into which the vehicle falls as well as making them a ready means of identifying the specific vehicle or owner for which the plates were issued.

(4) (a) All registration plates issued under s. 341.25 (1) (a) and for motor trucks having a gross weight of not more than ~~10,000~~ 8,000 pounds shall be treated with a reflectorized material. ~~An additional fee of 15 cents per year per set of registration plates shall be collected for cost of reflectorization and administration.~~ The ~~division~~ department shall prescribe the term for the use of reflectorized plates.

SECTION 1416. 341.13 (2) and (3) of the statutes are amended to read:

341.13 (2) In addition to the matter specified in s. 341.12 (3), the registration plates for a vehicle registered on the basis of gross weight except a dual purpose motor home shall ~~bear a distinguishing letter or letters~~ to indicate the weight class into which

the vehicle falls in a manner prescribed by the department. The gross weight which determines the registration fee for a dual purpose motor home shall be shown on its certificate of registration.

(3) In lieu of issuing new plates upon each renewal of registration of a vehicle, the ~~division~~ department may issue ~~an insert tag or decal~~ tag, decal or other identification to indicate the period of registration. Such tags ~~or~~ decal or other identification are to be provided by the ~~division~~ department and used only to the extent that outstanding plates are in suitable condition for further usage.

SECTION 1417. 341.14 (1), (1a) and (5) of the statutes are amended to read:

341.14 (1) Whenever any resident of this state who is registering or has registered ~~his~~ an automobile submits a statement from the U.S. veterans administration certifying to the ~~division~~ department that ~~he~~ the resident is, by reason of injuries sustained while in the active U.S. military service ~~of the United States~~, disabled by paraplegia, amputation of leg, foot, both hands or if ~~he~~ or she is disabled by loss of use of a leg, foot, or both hands, minimum faulty vision of 20/200 or other condition certified to by the veterans administration resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the ~~division~~ department shall procure, issue and deliver to ~~him~~, the veteran, plates of a special design in lieu of the plates which ordinarily would be issued for the automobile. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile is owned by a disabled veteran and is entitled to the parking privileges specified in s. 346.50 (2). No charge in addition to the registration fee shall be made for the issuance of such plates.

(1a) Whenever any resident of this state, who is registering or has registered ~~his~~ an automobile, submits a statement from a physician duly licensed to practice medicine in this state certifying to the ~~division~~ department that ~~he~~ the resident is disabled by paraplegia, amputation of leg, foot or both hands or if ~~he~~ or she is disabled by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition certified to by a physician duly licensed to practice medicine in this state resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the ~~division~~ department shall procure, issue and deliver to ~~him~~, plates the disabled person, plates of a special design in lieu of plates which ordinarily would be issued for the automobile. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile is owned by a nonveteran disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee shall be made for the issuance of such plates.

(5) Upon application by any person awarded the congressional medal of honor and submission of proper proof thereof, the ~~division of motor vehicles~~ department shall issue special plates so designed as to indicate such award. No charge whatever shall be made for the issuance of such plates.

SECTION 1418. 341.14 (1m) and (1q) of the statutes are created to read:

341.14 (1m) If any licensed driver submits to the department a statement from a physician duly licensed to practice medicine certifying that another person who is regularly dependent on the licensed driver for transportation is disabled by paraplegia, amputation of leg, foot or both hands, or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall issue and deliver to the licensed driver plates of a special design in lieu of the plates which ordinarily would be issued for the automobile. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile is operated by a licensed driver on whom a nonveteran disabled person is regularly dependent and is entitled to the parking



privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the plates. The plates shall conform to the plates required in sub. (1a).

(1q) If any employer who provides an automobile, whether owned or leased by the employer, for an employe's use submits to the department a statement from a physician duly licensed to practice medicine certifying that the employe is disabled by paraplegia, amputation of leg, foot or both hands or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall issue and deliver to such employer a plates of a special design in lieu of the plates which ordinarily would be issued for the automobile. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile is operated by a nonveteran disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the plates. The plates shall conform to the plates required in sub. (1a).

SECTION 1419. 341.145 (2) (intro.) of the statutes is amended to read:

341.145 (2) (intro.) The ~~division~~ department shall issue a special license number only upon request and upon the payment of an additional fee of ~~\$3~~ \$5 when license plates are issued, if:

SECTION 1421. 341.16 (title) and (3) of the statutes are amended to read:

**341.16 (title) Issuance of duplicate plate.**

(3) When issuing a replacement plate, the ~~division~~ department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the applicant shall destroy all plates replaced.

SECTION 1422. 341.17 (4) (f) of the statutes is repealed.

SECTION 1422m. 341.25 (1) (a) of the statutes is amended to read:

341.25 (1) (a) For each automobile or station wagon, a fee of \$18, except that an automobile registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be registered at such lesser fee plus an additional fee of \$2. ~~An amount equal to \$2 of each fee prescribed under this paragraph shall be estimated and allotted as follows: 20% of the estimated total amount shall be allotted to s. 20.395 (1) (qd) and 80% of the estimated total amount shall be allotted to s. 20.395 (4) (q) 6; and such \$2 shall not be considered a portion of the net registration fee under s. 86.35.~~

SECTION 1424. 341.25 (1) (b) of the statutes is amended to read:

341.25 (1) (b) For each motor vehicle with a shipping weight of 1,000 pounds or less which is designed primarily for the transportation of persons rather than property, a fee of \$5, ~~plus a fixed fee of \$2 which shall be credited to the appropriation under s. 20.370 (1) (wm) and such \$2 shall not be considered a portion of the net registered fee under s. 86.35, plus a fixed fee of \$2 which shall be credited to the appropriation under s. 20.370 (1) (wp).~~

SECTION 1425. 341.25 (1) (f), (fm) and (g) of the statutes are amended to read:

341.25 (1) (f) For each semitrailer operated in connection with a truck tractor, a fee of ~~\$10~~ \$5. In lieu of the \$5 annual fee required under this paragraph, the registrant, at the registrant's option, may pay a 5-year registration fee of \$25.

(fm) For each semitrailer hauled by a motor truck and used with a device which converts the semitrailer to a trailer, a fee of ~~\$10~~ \$5 plus such semitrailer and motor truck combination shall be licensed and pay the fee under par. (e). In lieu of the

annual fee required under this paragraph, the registrant may, at the registrant's option, pay a 5-year registration fee of \$25.

(g) For each trailer or semitrailer designed to be hauled by a motor vehicle other than a truck tractor and not coming within the provisions of par. (fm) or (gd), a fee which is ~~one-half of equal to~~ the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck.

SECTION 1426. 341.25 (1) (gd) of the statutes is created to read:

341.25 (1) (gd) For each trailer or semitrailer having a gross weight of 3,000 pounds or less and not used for hire, a fee of \$15 for a 3-year registration period.

SECTION 1427. 341.25 (1) (gg) of the statutes is created to read:

341.25 (1) (gg) For each camping trailer having a gross weight of 3,000 pounds or less and not used for hire, a fee of \$15 for a 3-year registration period. For each camping trailer having a gross weight of more than 3,000 pounds and not used for hire, an annual fee equal to the fee prescribed for a mobile home having the same length.

SECTION 1428. 341.25 (1) (i) of the statutes is amended to read:

341.25 (1) (i) For each mobile home 25 feet or less in length, a fee of ~~\$5~~ \$12; for each mobile home more than 25 feet in length, a fee of ~~\$10~~ \$18.

SECTION 1429. 341.25 (1) (j) of the statutes is repealed and recreated to read:

341.25 (1) (j) For each motor home, including any vehicle which is converted to be used as a motor home, an annual fee based on gross weight, as follows:

Gross weight in pounds	Annual Fee
1. Not more than 5,000	\$30
2. Not more than 8,000	36
3. Not more than 12,000	48
4. Not more than 16,000	60
5. Not more than 20,000	72
6. Not more than 26,000	84
7. More than 26,000	96

SECTION 1430. 341.25 (2) of the statutes is repealed and recreated to read:

341.25 (2) The following schedule shall be used in determining fees based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

Maximum gross weight in pounds	Annual Fee
(a) Not more than 5,000	\$30
(b) Not more than 8,000	57
(c) Not more than 12,000	117
(d) Not more than 16,000	168
(e) Not more than 20,000	216
(f) Not more than 26,000	294
(g) Not more than 32,000	381
(h) Not more than 38,000	483
(i) Not more than 44,000	576
(j) Not more than 50,000	666
(k) Not more than 56,000	756
(l) Not more than 62,000	855
(m) Not more than 68,000	966
(n) Not more than 73,000	1098
(o) Not more than 76,000	1302
(p) Not more than 80,000	1602

SECTION 1431. 341.26 (1) (intro.) of the statutes is repealed and recreated to read:

341.26 (1) (intro.) SPECIAL MOBILE EQUIPMENT FEE. Unless exempted under s. 341.05, a fee of \$18 or a fee which is 10% of the fee prescribed for a motor truck of the same weight under s. 341.25 (2), whichever is greater, shall be paid to the department for annual registration of the following types of special mobile equipment:

SECTION 1432. 341.26 (2m) (a) of the statutes is amended to read:

341.26 (2m) (a) A fee of \$3 shall be paid to the ~~division~~ department for the original issuance of a registration and license plates for any vehicle owned by this state or by any county or municipality of this state and operated exclusively, except for operation under s. 20.916 (7), in the public service by such state, county or municipality. The registration shall be valid while the vehicle is owned and operated by the licensee.

SECTION 1433. 341.26 (3) (a) and (b) of the statutes are repealed and recreated to read:

341.26 (3) (a) For each farm truck having a gross weight of 12,000 pounds or less, a fee of \$18. For each farm truck having a gross weight of more than 12,000 pounds, a fee which is one-fourth of the fee prescribed in s. 341.25 (2) for a motor truck having the same gross weight.

(b) For each farm trailer, a fee which is one-fourth of the fee prescribed by s. 341.25 (2) for a motor truck having the same gross weight.

SECTION 1434. 341.26 (3) (g) of the statutes is repealed and recreated to read:

341.26 (3) (g) The following schedule shall be used in determining fees for vehicles registered under par. (c), (d), (da) or (e), based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

	Maximum gross weight in pounds	Annual Fee
1.	Not more than 5,000	\$21
2.	Not more than 8,000	36
3.	Not more than 12,000	72
4.	Not more than 16,000	102
5.	Not more than 20,000	132
6.	Not more than 26,000	177
7.	Not more than 32,000	228
8.	Not more than 38,000	288
9.	Not more than 44,000	345
10.	Not more than 50,000	396
11.	Not more than 56,000	453
12.	Not more than 62,000	513
13.	Not more than 68,000	579
14.	Not more than 73,000	660
15.	Not more than 76,000	780
16.	Not more than 80,000	960

SECTION 1438. 341.27 (3) (a) of the statutes is amended to read:

341.27 (3) (a) If the applicant holds a current registration plates which were removed from an automobile of which the applicant no longer is the owner, or which has been junked, or is no longer used on the highways, and such plates were issued under the monthly series system, the ~~division~~ department shall register the automobile which is the subject of the application for the remainder of such unexpired registration period.

SECTION 1440. 341.29 (2) of the statutes is amended to read:

341.29 (2) If an application for registration of a vehicle subject to registration on an annual basis is received less than 2 months prior to the beginning of any registration period and the vehicle is not registered in this state at the time of application and the applicant desires to register for the succeeding registration period as well as for the remainder of the current period, the ~~division~~ department upon registering the vehicle shall issue registration plates designed for the succeeding registration period rather than for the current period. Such plates also serve during the remainder of the current registration period as lawful evidence of the registration of the vehicle. This subsection does not affect computation of fee payable by the applicant.

SECTION 1441. 341.30 (1) (intro.) of the statutes is amended to read:

341.30 (1) (intro.) Any of the following vehicles ~~except vehicles registered under s. 341.305~~ may be registered on a quarterly basis in lieu of the annual registration specified in s. 341.29.

SECTION 1442. 341.305 of the statutes is repealed.

SECTION 1443. 341.32 (1) of the statutes is amended to read:

341.32 (1) Whenever the construction or the use of a registered vehicle is changed in a manner making the vehicle subject to a different registration fee than the fee for which the vehicle currently is registered, the owner shall immediately make application for reregistration. The fee payable upon such reregistration shall be computed as for a vehicle not previously registered in this state but a credit shall be allowed for the unused portion of the fee paid for the previous registration if the registration plates issued upon the previous registration are returned to the ~~division~~ department. Such credit shall be computed on the basis of one-twelfth of the annual registration fee prescribed for the vehicle as previously registered multiplied by the number of months of registration which have not fully expired on the date the vehicle became subject to the different fee. The credit may be applied toward the reregistration of the vehicle only up to the date when the previous registration would have expired.

SECTION 1444. 341.33 (2) of the statutes is amended to read:

341.33 (2) The ~~division~~ department shall refund the unused portion of a registration fee paid for the registration of a vehicle owned by a person who is entering active service in the naval or military forces of the United States if ~~such~~ the person makes application for such refund upon a form prescribed by the ~~division~~ department, furnishes such proof as the ~~administrator~~ department may require that the vehicle will not be operated in this or another state during the remainder of the period for which the vehicle is registered, and returns to the ~~division~~ department the certificate of registration and registration plates. The refund shall be computed on the basis of one-twelfth of the annual registration fee paid for the vehicle multiplied by the number of full months remaining in the period for which the vehicle is registered when the vehicle ceases to be operated.

SECTION 1445. 341.34 of the statutes is repealed.

SECTION 1446. 341.35 (3) of the statutes is amended to read:

341.35 (3) (title) PLACE OF PAYMENT. ~~A motor vehicle shall be recorded as customarily kept in the city, village or town which receives the tax distribution attributable to such vehicle under s. 341.34.~~ The municipal vehicle registration fee shall be paid to the treasurer of the municipality. A municipal vehicle registration fee paid to one unit of government on any vehicle shall be valid in all other units of government through the date for which originally paid, if no change of ownership or registration occurs in such period.

SECTION 1447. 341.405 of the statutes is created to read:

**341.405 International registration plan.** (1) The secretary of transportation, with approval of the governor, shall ratify and do all things necessary to effectuate the international registration plan adopted by the American association of motor vehicle administrators, with such exceptions as are deemed advisable and such changes as are necessary.

(2) In addition to apportioned registration fees, a fee of \$3 shall be charged for each base plate and a fee of \$3 shall be charged for each cab card issued under the international registration plan. Registrants for which this state is the base jurisdiction may elect to pay the annual fee apportioned to this state in 4 equal instalments on or before January 1, April 1, July 1 and October 1. Registrants shall pay an additional annual fee of \$10 for each vehicle under the instalment option. The department of

transportation may require the filing of an adequate bond or letter of credit to secure the payment of fees under the instalment plan. Trip permits may be issued for 72-hour periods at a fee of \$10, under terms and conditions not inconsistent with the international registration plan.

SECTION 1448. 341.41 (8) of the statutes is amended to read:

341.41 (8) Residents of the state operating a fleet of 3 or more units consisting of trucks, truck tractors or road tractors with a gross weight of not less than 12,000 pounds shall display Wisconsin license plates for which 100% of the fee has been paid on vehicles not exempt from Wisconsin registration and operated in intrastate commerce. Vehicles engaged in interstate commerce may display Wisconsin prorata license plates for which a proportional registration fee has been paid in addition to a full fee license plate from another jurisdiction. Such proportional registration shall be accomplished either by payment to the ~~division~~ department of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of all such vehicles in this state, or by registration of a portion of such vehicles as determined under this subsection. The ~~administrator~~ department may refuse to permit any or all of such vehicles to be registered under apportionment if ~~he~~ the department is not satisfied that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet.

SECTION 1449. 341.43 of the statutes is created to read:

**341.43 Audits.** The department of transportation may conduct such audits as it deems necessary to determine the adequacy of fees paid under the international registration plan or other proportional registration law or agreement. Audits shall be conducted during normal business hours. Credits shall be given for overpayments and deficiencies shall be assessed, with interest. Actual and necessary expenses incurred by an auditor, plus wages, may be assessed against the person audited.

SECTION 1450. 341.51 (1) and (2) of the statutes are amended to read:

341.51 (1) The ~~division~~ department shall register a person as a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers or as a transporter of vehicles upon receipt of a properly completed application form together with a fee of ~~\$25~~ \$75 and upon being satisfied that the applicant is by law entitled to be registered. The ~~division~~ department shall register a person as a dealer, distributor or manufacturer of mobile homes upon receipt of a properly completed application form together with a fee of ~~\$2~~ \$75 and upon being satisfied that the applicant is by law entitled to be so registered. The ~~division~~ department shall assign to each person registered under this section a distinctive registration number and shall issue a certificate of registration bearing the registration number assigned.

(2) Upon registering a dealer, distributor, manufacturer or transporter the ~~division~~ department also shall issue ~~a 2 registration plate plates.~~ The ~~division~~ department, upon receiving a fee of ~~\$2.50~~ \$5 for each additional plate desired by a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers, ~~\$2.50~~ \$5 for each additional plate desired by a dealer, distributor or manufacturer of mobile homes and ~~\$3~~ \$5 for each additional plate desired by a transporter shall issue to such registered dealer, distributor, manufacturer or transporter such additional plates as ordered.

SECTION 1451. 341.63 (3) of the statutes is amended to read:

341.63 (3) Whenever the registration of a vehicle is suspended under this section, the owner or person in possession of the registration plates shall forthwith return them to the ~~division~~ department. Any person who fails to return the plates as required by this section may be required to forfeit not more than \$200.

SECTION 1452. 342.14 (7) of the statutes is amended to read:

342.14 (7) For processing applications for certificates of title which have a special handling request for fast service, a fee to be established by ~~divisional~~ rule which shall approximate the cost to the ~~division~~ department for providing this special handling service to persons so requesting.

SECTION 1453. 342.15 (4) of the statutes is amended to read:

342.15 (4) If the vehicle being transferred is an automobile registered pursuant to the monthly series system, the owner shall remove the registration plates and retain and preserve them for use on any other automobile which may subsequently be registered in ~~his~~ the owner's name. If the vehicle being transferred is a vehicle registered pursuant to under s. 341.26 at a special fee and the new owner will not be entitled to register the vehicle ~~as at~~ such fee, the transferor shall remove the plates and return them to the ~~division~~ department. In all other cases the transferor shall permit the plates to remain attached to the vehicle being transferred, except that if the vehicle has been junked ~~he~~ the transferor shall return the plates to the ~~division~~ department in accordance with s. 342.34.

SECTION 1454. 342.26 of the statutes is amended to read:

**342.26 Hearings and appeal.** Any person aggrieved by an act or omission of the ~~division~~ department under this chapter is entitled, upon request, to a hearing and judicial review thereof in accordance with ch. 227. Contested cases shall be heard and decided by the transportation commission.

SECTION 1455. 342.34 (1) (c) of the statutes is amended to read:

342.34 (1) (c) If the motor vehicle is an automobile registered pursuant to the monthly series system, remove the registration plates and retain and preserve them for use on any other automobile which may subsequently be registered in his or her name. If the motor vehicle is not an automobile registered pursuant to the monthly series system, ~~he~~ or she shall remove the plates and return them to the ~~division~~ department.

SECTION 1456. 343.16 (1) (am) of the statutes is amended to read:

343.16 (1) (am) The ~~administrator~~ secretary shall develop new and revised standards to govern driver license examinations and reexaminations, taking into consideration any federal standards or requirements which may apply. A public hearing shall be held before a joint session of the ~~assembly committee on highways and the senate committee on highways and assembly committees having jurisdiction over transportation matters, as determined by the speaker of the assembly and the president pro tempore of the senate,~~ to review such proposed standards. Such standards shall enter into effect only upon approval as a joint resolution by a majority of the members of the assembly and of the senate.

SECTION 1459. 343.21 (1) (j) of the statutes is amended to read:

343.21 (1) (j) For the reinstatement of a license previously suspended under this chapter or under ch. 345, §10.

SECTION 1460. 343.33 of the statutes is amended to read:

**343.33 Hearing on revocations.** (1) Whenever the ~~administrator~~ department under authority of s. 343.32 or 343.34 ~~revokes~~ or suspends a person's operating privilege, the ~~division~~ department shall immediately notify such person thereof in writing and upon his or her request shall afford him or her an opportunity for a hearing on the revocation or suspension unless the ~~division~~ department is satisfied from the records and information in its possession that a hearing is not warranted. If the ~~division~~ department is not so satisfied and the person requests a hearing, the ~~division~~ department shall refer the matter to the transportation commission which shall hold a hearing as soon as practicable and in any event within 20 days after receipt of the request therefor. If the person requesting the hearing is a resident of this state, the ~~division~~ transportation commission shall fix the place of the hearing as close as

practicable to the applicant's residence and in no event shall it be set for a place not in the county of the applicant's residence or a county contiguous thereto without the consent of the applicant. If the applicant is a nonresident, the division transportation commission shall determine the place of the hearing. Any person who fails without cause to appear at the time and place specified in the notice served on him or her forfeits ~~his~~ the right to a hearing.

(2) Upon the hearing the ~~administrator or his duly authorized agent~~ transportation commission or its hearing examiner may administer oaths, issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the licensee. No law enforcement officer or other witness produced by the person who has requested a hearing to testify on his or her behalf shall be paid a witness fee by the ~~division department or transportation commission~~ division department nor shall any law enforcement officer called to appear for the ~~division department~~ division department be paid any witness fee ~~by the division~~. All testimony shall be taken and transcribed.

(3) Upon completion of the hearing, the ~~division transportation commission~~ shall make findings of fact and ~~the administrator~~ shall either let the order of revocation stand or, upon good cause appearing therefor, rescind the order of revocation or modify the period of revocation.

SECTION 1461. 343.69 of the statutes is amended to read:

**343.69 Hearings on license denials and revocations.** Before the ~~administrator department~~ denies an application for a driver school license or instructor's license or revokes any such license, the ~~division department~~ shall notify the applicant or licensee of the pending action and that ~~it~~ the transportation commission will hold a hearing on the pending denial or revocation. The ~~division transportation commission~~ shall send notice of the hearing by registered or certified mail to the ~~last known~~ last-known address of the licensee or applicant, at least 10 days prior to the date of the hearing. ~~The division shall conduct the hearing and may subpoena witnesses, administer oaths to witnesses and take testimony of any person or cause his deposition to be taken.~~

SECTION 1462. 344.02 (1) to (3) of the statutes are amended to read:

344.02 (1) Whenever the ~~administrator department~~ under s. 344.13 gives notice of the amount of security required to be deposited and that an order of suspension will be made if such security is not deposited, ~~he~~ it shall afford the person so notified an opportunity for a hearing on the proposed suspension, if written request for such hearing is received by the ~~division department~~ prior to the date specified in such notice, or prior to the postponed effective date of suspension if postponement has been granted under s. 344.14 (1). Upon receipt of timely request for hearing, the ~~administrator department~~ shall refer the matter to the transportation commission which shall fix the time and place of such hearing and give notice thereof to such person by regular mail. The scope of the hearing shall be limited to the matter set forth in s. 344.14 (2) (k). Any person who fails without reasonable cause to appear at the time and place specified in the notice shall forfeit ~~his~~ the right to a hearing.

(2) ~~In connection with such hearings the administrator or his duly authorized representative may administer oaths and issue subpoenas for the attendance of witnesses and the production of documents.~~ No law enforcement officer or other witness called by the person who has requested a hearing to testify on his or her behalf shall be paid a witness fee by the ~~division department or transportation commission~~ division department nor shall any law enforcement officer called as a witness for the ~~division department~~ division department be paid any witness fee ~~by the division~~.

(3) Upon completion of the hearing, the ~~division transportation commission~~ shall make findings of fact, conclusions of law, and a decision, and ~~the administrator~~ shall either proceed to order suspension of the person's operating privilege, or registrations,

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or both in accordance with s. 344.14, or upon good cause appearing therefor, shall terminate suspension proceedings.

SECTION 1463. 344.03 of the statutes is amended to read:

**344.03 (title) Judicial review.** (1) Any person aggrieved by ~~any action of the administrator a decision of the transportation commission~~ pursuant to this chapter may, at any time prior to 30 days after the entry of order of suspension or revocation, file a petition in the circuit court of ~~Dane~~ [Dane] ~~the county of the petitioner's residence~~ for a review thereof as provided in s. 227.16. The court shall summarily hear the petition and may make any appropriate order or decree within the scope of s. 227.20.

Vetoed  
in Part

(2) If any person aggrieved by ~~any action of the administrator a decision of the transportation commission~~ pursuant to this chapter fails to file a petition within the time allowed in sub. (1), the circuit court of ~~Dane~~ [Dane] ~~the county of the petitioner's residence~~ may, upon the person's petition and notice to the ~~administrator department and transportation commission~~, and upon the terms and within a time as the court deems reasonable, but not later than one year after the act complained of, allow a review with the same effect as though done within the time prescribed in sub. (1). This subsection does not authorize the court to stay suspension or revocation of an operator's license.

Vetoed  
in Part

SECTION 1464. 344.19 (2) of the statutes is amended to read:

344.19 (2) If the operating privilege or registration of a nonresident is suspended pursuant to s. 344.14, the ~~administrator secretary~~ shall transmit a certified copy of the record of such action to the administrator of the division of motor vehicles or equivalent official of the state in which that person resides if the law of the state in which that person resides provides for similar action by the administrator or equivalent official of that state in the event that a resident of this state has ~~his~~ a nonresident's operating privilege or registration in that state suspended or revoked for failure to comply with the safety responsibility law of that state.

SECTION 1464m. 344.20 (4) of the statutes is created to read:

344.20 (4) Security deposited under this section shall be paid into the transportation fund and invested in accordance with s. 25.17 (1) (h).

SECTION 1465. 344.45 of the statutes is amended to read:

**344.45 Surrender of license and registration upon suspension.** (1) Whenever a person's operating privilege or registration is revoked or suspended ~~pursuant to~~ under this chapter, the ~~administrator department~~ shall also order such person to surrender to the ~~division department~~ department his or her license and the registration ~~plates and certificates of registration plate or plates~~ of the vehicles for which registration was revoked or suspended. If such person fails forthwith to return such license, registration ~~plates or certificates of registration plate or plates~~ to the ~~division department~~, the ~~administrator department~~ shall direct a traffic officer to take possession thereof and return them to the ~~division department~~.

(2) Any person who intentionally fails or refuses to return a license, and registration plate or ~~certificate of registration plates~~ as required by this section may be required to forfeit not more than \$100.

SECTION 1466. 344.52 (2) of the statutes is amended to read:

344.52 (2) If a motor vehicle rented for compensation outside this state is operated in this state, the lessor of such vehicle is deemed to have irrevocably appointed the ~~administrator secretary~~ as ~~his~~ the agent or attorney upon whom legal process may be served in any action or proceeding against such lessor or ~~his~~ the lessor's executor, administrator, personal representative, successors or assigns, growing out of the operation of such rented motor vehicle in this state. Such appointment is binding upon



the lessor's executor, administrator, personal representative, successors or assigns. The operation of such rented motor vehicle in this state is a signification of the lessor's agreement that such legal process or notice may be served upon ~~him~~ the lessor or ~~his~~ the lessor's executor, administrator, personal representative, successors or assigns and that process or notice so served has the same legal force as if personally served upon ~~him~~ or them in this state. Service of such process or notice shall be made as provided in s. 345.09. This section does not affect the right to serve process or notice on the nonresident operator of the rented motor vehicle as provided in s. 345.09.

SECTION 1467. 345.09 (1) of the statutes is amended to read:

345.09 (1) The use and operation of a motor vehicle over the highways of this state by a nonresident is deemed an irrevocable appointment by such nonresident of the ~~administrator of the division of motor vehicles~~ secretary to be ~~his~~ the true and lawful attorney upon whom may be served all legal processes in any action or proceeding against ~~him~~ the nonresident or ~~his~~ the nonresident's executor, administrator or personal representative, growing out of the use or operation of the motor vehicle in this state and resulting in damage or loss to person or property, whether the damage or loss occurs on a highway or on abutting public or private property. Such appointment is binding upon the nonresident's executor, administrator or personal representative. Such use or operation of a motor vehicle by such nonresident is a signification of ~~his~~ the nonresident's agreement that any such process or notice against ~~him~~ such nonresident or ~~his~~ the nonresident's executor, administrator or personal representative which is so served shall be of the same legal force and validity as if served on ~~him~~ them personally, ~~or on his executor, administrator or personal representative.~~

SECTION 1468. 345.11 (3) (a) and (b) of the statutes are repealed and recreated to read:

345.11 (3) (a) The secretary, or his or her designee, as chairperson.

(b) A member of the department responsible for law enforcement.

SECTION 1469. 345.26 (1) (b) 1 of the statutes is amended to read:

345.26 (1) (b) 1. If ~~he~~ the person fails to appear in court at the time fixed in the citation, ~~he~~ the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, plus costs not to exceed the amount of the deposit which the court may accept as provided in s. 345.37; or

SECTION 1470. 345.26 (1) (b) 2 and (2) (b) of the statutes are amended to read:

345.26 (1) (b) 2. If ~~he~~ the person fails to appear in court at the time fixed in the citation and if the court does not accept the deposit as a forfeiture and a penalty assessment, if required by s. 165.87, for the violation, ~~he~~ the person will be summoned into court to answer the complaint.

(2) (b) In addition to the amount in par. (a), the deposit shall include court costs ~~and~~, suit tax and a penalty assessment if applicable.

SECTION 1471. 345.27 of the statutes is amended to read:

**345.27 Stipulation of no contest.** (1) If a person is issued a citation for a violation of a traffic regulation, ~~he~~ the person may make a stipulation of no contest and deposit in accordance with the schedule established under s. 345.26 (2) (a) at the office of the clerk of court, sheriff, or city, village or town police department or a precinct station, headquarters of the county traffic patrol, district headquarters or station of the state traffic patrol, or the office of the municipal justice in the county in which the citation was issued as designated by the arresting officer or ~~he~~ the person may mail the stipulation and deposit to the place designated by the arresting officer. The deposit shall include the penalty assessment imposed by s. 165.87, court costs and suit tax if

applicable. The stipulation shall be received within 10 days of the date of the alleged violation. The person who has mailed or filed a stipulation under this subsection may, however, appear in court on the court appearance date. If a person appears in court after making a stipulation, s. 345.37 (3) applies. Stipulations are not permitted for violations of ss. 346.62 (1) and 346.63 (1) or a local ordinance which is in conformity therewith.

(2) If a person is cited for a violation for which a stipulation is authorized and makes a timely stipulation and pays the required deposit, the person need not appear in court. Before allowing the arrested person to make a stipulation and deposit, the arresting officer or the person receiving the stipulation and deposit shall comply with s. 343.27 or, if the stipulation and deposit are mailed, the signed statement required under s. 343.27 shall be mailed with it. The official receiving the stipulation and deposit shall promptly transmit the stipulation and deposit to the clerk of court or the municipal justice having jurisdiction in the county. The clerk of the court or the municipal justice having jurisdiction in the county may receive stipulations according to this subsection and shall receive all other stipulations made pursuant to under sub. (1) but the municipal justice shall process a stipulation when a citation is issued within his or her municipality. The clerk or municipal justice shall, for all stipulations, record on the court appearance date, a judgment of conviction and enter deposits as fines or forfeitures and penalty assessments and shall comply with ss. 343.28 and 345.37 (5). The judge or the court may relieve any person from a stipulation or any other order, judgment or conviction entered or made as provided in s. 345.37 (3).

SECTION 1472. 345.37 (2) of the statutes is amended to read:

345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, plus costs and the applicable suit tax, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons under ch. 968. If the defendant fails to appear in response to the summons, the court shall issue a warrant under ch. 968. If the court accepts the plea of no contest, the defendant may move within 6 months after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty upon a showing to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If on reopening, the defendant is found not guilty the court shall immediately notify the division to delete the record of conviction based on the original proceeding and shall order the defendant's deposit returned.

SECTION 1473. 345.37 (3) of the statutes is amended to read:

345.37 (3) If the defendant has stipulated no contest under s. 345.27, the court, judge or justice having trial jurisdiction of ~~such the~~ violation may, on motion with or without notice, for cause shown by affidavit and upon just terms, within 10 days after ~~such the~~ stipulation has been entered into, relieve any party from ~~such the~~ stipulation and the effects thereof. If a party is relieved from the plea of no contest, the court, judge or justice may order the stipulation or a written complaint to be filed and set the matter for trial. After trial the penalty assessment, if required by s. 165.87, costs and fees shall be taxed as provided by law.

SECTION 1474. 345.37 (4) of the statutes is amended to read:

345.37 (4) If a violator's deposit is forfeited for, or if an alleged violator stipulates to entry of, a plea of no contest to any violation for which his or her operator's record will be charged with demerit points as established by rule under s. 343.32 (2), the official accepting the forfeiture and the penalty assessment, if required by s. 165.87, shall comply with s. 343.27 (3).

SECTION 1475. 345.37 (5) of the statutes is amended to read:

345.37 (5) Within 5 working days after forfeiture of deposit or entry of default judgment, the official receiving the forfeiture and the penalty assessment, if required by s. 165.87, shall forward to the division a certification of the entry of default judgment or a judgment of forfeiture.

SECTION 1476. 345.375 (2) of the statutes is amended to read:

345.375 (2) Upon default of the defendant corporation or upon conviction, judgment for the amount of the forfeiture and the penalty assessment, if required under s. 165.87, shall be entered.

SECTION 1477. 345.47 (title) of the statutes is amended to read:

**345.47 (title) Judgment of forfeiture and penalty assessment.**

SECTION 1478. 345.47 (1) (intro.) of the statutes is amended to read:

345.47 (1) (intro.) If the defendant is found guilty, the court may enter judgment against ~~him~~ the defendant for a monetary amount not to exceed the maximum forfeiture and penalty assessment, if required by s. 165.87, provided for the violation and for costs under s. 345.53 and, in addition, may suspend or revoke his or her operating privilege under s. 343.30. If the judgment is not paid, the court shall order:

SECTION 1479. 345.47 (1) (b) of the statutes is amended to read:

345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension or revocation, that the defendant's operating privilege be suspended for a period of time not less than 30 days nor more than 6 months. If the person pays the forfeiture and the penalty assessment, if required by s. 165.87, after suspension under this section, the suspension shall be reduced to the minimum period of 30 days. Suspension under this paragraph shall not affect the power of the court to suspend or revoke under s. 343.30 or the power of the administrator to suspend or revoke such operating privilege.

SECTION 1480. 345.47 (1) (c) of the statutes is amended to read:

345.47 (1) (c) If a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of the suspended license and shall forward it to the department together with the notice of suspension, which shall clearly state that the suspension was for failure to pay a forfeiture and a penalty assessment, if required by s. 165.87, imposed by the court. The notice of suspension and the suspended license, if it is available, shall be forwarded to the department within 48 hours after the order of suspension. If the forfeiture and penalty assessment is paid during a period of suspension the court or judge shall immediately notify the department. Upon receipt of such the notice and payment of the reinstatement fee under s. 343.21 (1) (j), the department shall return the license when the minimum period of suspension has passed.

SECTION 1481. 345.47 (2) of the statutes is amended to read:

345.47 (2) The payment of any judgment may be suspended or deferred for not more than 60 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments and costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 1482. 345.47 (3) of the statutes is amended to read:

345.47 (3) When a defendant is imprisoned for nonpayment of a forfeiture or a penalty assessment for an action brought by a municipality located in more than one county, any commitment to a county institution shall be to the county in which the action was tried.

SECTION 1483. 345.49 of the statutes is amended to read:

**345.49 (title) Procedure on imprisonment; nonpayment of forfeiture or penalty assessment.** (1) Any person imprisoned under s. 345.47 for nonpayment of a forfeiture or a penalty assessment, if required by s. 165.87, may, on ~~his~~ request, be allowed to work under s. 56.08; ~~if he.~~ If the person does work, ~~his~~ earnings shall be applied on the unpaid forfeiture or penalty assessment after payment of ~~his personal~~ board and expenses and support of ~~his personal~~ dependents to the extent directed by the court.

(2) Any person who is subject to imprisonment under s. 345.47 for nonpayment of a forfeiture or penalty assessment may be placed on probation to some person satisfactory to the court for not more than 90 days or until the forfeiture or penalty assessment is paid if that is done before expiration of the 90-day period. The payment of the forfeiture or penalty assessment during such period shall be a condition of such probation. If the forfeiture or penalty assessment is not paid or the court deems that the interests of justice require, probation may be terminated and the defendant imprisoned as provided in sub. (1) or s. 345.47.

SECTION 1483m. 345.61 (2) (c) of the statutes is amended to read:

345.61 (2) (c) ~~The term “guaranteed~~ “Guaranteed arrest bond certificate” as used ~~herein in this section~~ means any printed card or other certificate issued by an automobile club, association or insurance company to any of its members or insureds, which card or certificate is signed by the member or insureds and contains a printed statement that ~~such the~~ automobile club, association or insurance company and a surety company, or an insurance company authorized to transact both automobile liability insurance and surety business, guarantee the appearance of the persons whose signature appears on the card or certificate and that they will in the event of failure of the person to appear in court at the time of trial, pay any fine or forfeiture imposed on the person, including the penalty assessment required by s. 165.87, in an amount not exceeding \$200, or \$1,000 as provided in sub. (1) (b).

SECTION 1484. 346.50 (2) and (2a) of the statutes are amended to read:

346.50 (2) An automobile bearing a special registration plates ~~plate~~ issued under s. 341.14 (1) is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the disabled veteran to whom the special plates were issued and to qualified operators acting under ~~his~~ the disabled veteran's express direction with the disabled veteran present.

(2a) An automobile bearing special registration plates issued under s. 341.14 (1a), (1m) or (1g) is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the ~~person to whom the special plates were issued and to qualified operators acting under his~~ express direction with ~~the disabled person present.~~ following:

SECTION 1485. 346.50 (2a) (a) to (e) of the statutes are created to read:

346.50 (2a) (a) A person to whom plates were issued under s. 341.14 (1a).

(b) A qualified operator acting under the express direction of a person to whom plates were issued under s. 341.14 (1a) when such person is present.

(c) A person to whom plates were issued under s. 341.14 (1m) when the disabled person for whom the plates were issued is present.

(d) A person for whom plates were issued under s. 341.14 (1q).

(e) A qualified operator acting under the express direction of a person for whom plates were issued under s. 341.14 (1q) when such person is present.

SECTION 1486. 346.70 (4) (c) 1 of the statutes is repealed and recreated to read:

346.70 (4) (c) 1. The secretary, or the secretary's designee, as chairman.

SECTION 1487. 347.245 (2) of the statutes is amended to read:

347.245 (2) Standards and specifications for the design and position of mounting of the SMV emblem shall be established by rule ~~of the administrator of the division of motor vehicles~~ by the secretary. The standards and specifications for SMV emblems shall correlate with and, so far as possible, conform with those approved by the American society of agricultural engineers. The ~~administrator~~ secretary shall submit such standards and specifications, and any subsequent changes therein, to the assembly and senate committees ~~on highways~~ having jurisdiction over transportation matters as determined by the speaker of the assembly and the president pro tempore of the senate acting jointly for their approval.

SECTION 1487g. 348.07 (1) of the statutes is amended to read:

348.07 (1) No person, without a permit therefor, ~~shall~~ may operate on a highway any single vehicle with an ~~over-all~~ overall length in excess of 35 feet or any combination of 2 vehicles with an ~~over-all~~ overall length in excess of 55 feet, except as otherwise provided in subs. (2) and (2a).

SECTION 1487h. 348.07 (2) (g) of the statutes is created to read:

348.07 (2) (g) 59 feet for a combination of a truck tractor and a semitrailer providing the cargo or cargo space of the semitrailer is 45 feet or less in length and the truck tractor is within the statutory limit in sub. (1).

SECTION 1487m. 348.07 (3) of the statutes is amended to read:

348.07 (3) The ~~over-all~~ overall length of a semitrailer or mobile home shall be measured from the rear thereof to the rear of the vehicle to which it is attached. ~~For purposes of sub. (2) (g), the cargo or cargo space of the semitrailer shall also be measured.~~

SECTION 1487p. 348.15 (2) (b) to (d) of the statutes are repealed.

SECTION 1487r. 348.15 (3) (b) (intro.) and 2 and (c) (figure) of the statutes are amended to read:

348.15 (3) (b) (intro.) The gross weight imposed on the highway by the wheels of any one axle exceeds ~~19,500~~ 20,000 pounds ~~except that the steering axle of a truck tractor shall not exceed 13,000 pounds except the department may allow a higher limit on the steering axle of a truck tractor if the rated tire capacity of bigger-sized tires or ones with a heavier ply rating are used;~~ or

2. The gross weight imposed on the highway by the wheels of any one axle exceeds 21,500 pounds or, for 2 axles less than ~~seven~~ 7 feet apart, 35,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) ~~or permitted under par. (d)~~ when transporting peeled or unpeeled forest products cut crosswise. This section shall not apply to the national system of interstate and defense highways.

CHAPTER 29

(c) (figure):

	Maximum gross weight in pounds on a group of			
Distances in feet between foremost and rearmost axles of a group	2 consecutive axles of a 2-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	3 consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 4 or more axles	4 consecutive axles of any combination of vehicles having a total of 5 or more axles	
4	<del>32,000</del> 34,000			
5	<del>32,000</del> 35,000			
6	<del>32,000</del> 36,000			
7	<del>33,000</del> 37,000			
8	<del>35,000</del> 38,000			
9	<del>37,000</del> 39,000			
10	<del>38,000</del> 40,000*			
11	<del>39,000</del> *	42,400	44,500	44,300
12	*Maximum at	<del>43,500</del>	45,000	<del>46,000</del>
13	11 10 or	44,500	46,000	47,600
14	more feet	45,500	46,500	49,100
15	between axles	46,500	47,500	50,500
16		47,500	48,000	51,800
17		48,500	49,000	53,000
18		49,500		54,100
19		50,500		55,100
20		51,500		56,000
21		52,200		56,800
22		52,900		57,600
23		53,600		58,400
24		54,300		59,200
25		55,000		60,000
26		55,700		60,800
27		56,400		61,600
28		57,100		62,400
29		57,800	58,000	63,200
30		58,500**		64,000**
31		59,500		64,000
32		60,000**		64,000
33		**Maximum at		64,000
34		30 32 or		64,500
35		more feet		65,500
36		between axles		66,000**
37				66,500
38				67,500
39				68,000
				**Maximum at
				30 39 or
				more feet
				between axles

SECTION 1487s. 348.15 (3) (d) of the statutes is repealed and recreated to read:

348.15 (3) (d) The gross weight imposed on the highway by all axles of a vehicle or combination of vehicles exceeds 73,000 pounds provided that such overall gross weight may exceed 73,000 pounds but not more than 80,000 pounds and between 73,000 and 80,000 pounds, the gross weight shall be determined by application of the following formula:  $W$  equals 500 multiplied by  $(LN/N-1 \text{ plus } 12N \text{ plus } 36)$  where  $W$  equals the overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds,  $L$  equals the distance in feet between the extreme of any group of 2 or more consecutive axles and  $N$  equals the number of axles in group under consideration, except that 2 consecutive sets of tandem axles may carry a gross load of 34,000 pounds each provided the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more.

SECTION 1487t. 348.20 (3) of the statutes is repealed.

SECTION 1488. 348.25 (9) of the statutes is created to read:

348.25 (9) If a permit under s. 348.26 or 348.27 is denied, suspended or revoked, the permit applicant or holder may petition the transportation commission for a hearing on the matter within 30 days after the denial, suspension or revocation.

SECTION 1488m. 348.27 (7m) and (8) of the statutes are amended to read:

348.27 (7m) TRANSPORTATION OF METAL SCRAP. The ~~highway commission~~ department may issue an annual permit for the transportation of a divisible overweight

axle or tandem axle load from the point of origin to the point of unloading when the load consists of metal scrap. However, the overall load weight shall be restricted in accordance with s. 348.15 (3) (d), which limits the overall load to ~~73,000~~ 80,000 pounds.

(8) EMERGENCY ENERGY CONSERVATION PERMITS. During an energy emergency, the ~~highway commission~~ department may waive the divisible load limitation of s. 348.25 (4) and issue permits valid for a period not to exceed 30 days for overweight vehicles carrying energy resources or fuel or milk commodities designated by the governor or his designee, regardless of the highways involved, to conserve energy. Such permits may only allow weights not more than 10% greater than the gross axle and axle combination weight limitations, and not more than 15% greater than the gross vehicle weight limitations under ss. 348.15 and 348.16. No permit issued under this subsection is valid unless the overweight vehicle is registered under ch. 341 for the maximum gross weight allowed by the permit and the department of transportation has been paid a permit fee of \$10 per 1,000 pounds or fraction thereof for the amount by which such maximum gross weight exceeds ~~73,000~~ 80,000 pounds. Nothing in this subsection shall be construed to permit the ~~highway commission~~ department to waive the requirements of s. 348.07.

SECTION 1489. 350.12 (4) (a) 3m of the statutes is amended to read:

350.12 (4) (a) 3m. The cost of state law enforcement efforts as appropriated under s. 20.370 (3) ~~(vq)~~ (vo); and

SECTION 1490. 409.402 (3m) of the statutes is created to read:

409.402 (3m) The secretary of state shall prescribe by rule standard forms for filing a financing statement, continuation statement, termination statement, statement of assignment or statement of release. The office of the secretary of state may refuse to accept statements not on the required form or not containing information required under sub. (1).

SECTION 1491. 409.403 (1) of the statutes is amended to read:

409.403 (1) Presentation for filing of a financing statement and tender of the filing fee or acceptance of the statement by the filing officer constitutes filing under this chapter. ~~In the case of a filing under s. 409.401 (1) (c), duplicate copies of the financing, continuation or termination statement or statement of assignment or release and twice the fee specified in sub. (5), ss. 409.404 (3), 409.405 (1) and (2) and 409.406 for any service rendered with respect to the statement except the issuance of a certificate under s. 409.407 (2), shall be submitted to the secretary of state. Upon receipt, the secretary of state shall return one copy of the statement filed and one half of the fee received to the register of deeds of the county of the debtor's residence.~~

SECTION 1492. 409.403 (5) of the statutes is renumbered 409.403 (5) (a) and amended to read:

409.403 (5) (a) The ~~uniform~~ fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement, an amendment or for a continuation statement ~~shall be~~ is \$2 if the statement is in the standard form prescribed by the secretary of state and otherwise ~~shall be~~ is an additional \$1 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), \$1. The ~~uniform~~ fee for each name more than one required to be indexed ~~shall be~~ is \$1. The secured party may ~~at his option~~ show a trade name for any person and an extra ~~uniform~~ indexing fee of \$1 shall be paid with respect thereto. ~~In the case of a filing under s. 409.401 (1) (c), sub. (1) controls as to fees.~~

SECTION 1493. 409.403 (5) (a) (title) and (b) and (8) of the statutes are created to read:

409.403 (5) (a) (title) *Fees for filing with the office of the register of deeds.*

(b) *Fees for filing with the office of the secretary of state.* 1. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement is \$4 if the statement is in the standard form prescribed by the secretary of state and otherwise is an additional \$2 per page. The fee for each name more than one required to be indexed is \$2. The secured party may show a trade name for any person and an extra indexing fee of \$2 shall be paid with respect thereto. These fees include fees for processing the termination statement.

2. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is \$2 if the statement is in the standard form prescribed by the secretary of state and otherwise is an additional \$1 per page. The fee for each name more than one required to be indexed is \$1. The secured party may show a trade name for any person and an extra uniform indexing fee of \$1 shall be paid with respect thereto.

(8) A separate amendment, continuation statement, termination statement, statement of assignment or statement of release shall be filed for each financing statement to be affected.

SECTION 1494. 409.404 (1) and (3) of the statutes are renumbered 409.404 (1) (a) and (3) (a) and amended to read:

409.404 (1) (a) If a financing statement covering consumer goods is filed on or after July 1, 1974, then within one month or within 10 days following written demand by the debtor after there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, the secured party must file with each filing officer with whom the financing statement was filed, a termination statement to the effect that ~~he~~ the secured party no longer claims a security interest under the financing statement, which shall be identified by file number. In other cases whenever there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, the secured party must on written demand by the debtor send the debtor, for each filing officer with whom the financing statement was filed, a termination statement to the effect that ~~he~~ the secured party no longer claims a security interest under the financing statement, which shall be identified by file number. A termination statement signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record complying with s. 409.405 (2), including payment of the required fee.

(d) If the affected secured party fails to file ~~such~~ a termination statement as required by this subsection, or to send such a termination statement within 10 days after receipt of the debtor's written demand ~~therefor he shall be~~ the secured party is liable to the debtor for \$25, and in addition for any loss caused to the debtor by such failure.

(3) (a) If the termination statement is in the standard form prescribed by the secretary of state, the ~~uniform~~ fee for filing and indexing the termination statement ~~shall be~~ is \$2, and otherwise ~~shall be~~ is \$4, plus in each case an additional fee of \$1 for each name more than one against which the termination statement is required to be indexed. ~~In the case of a filing under s. 409.401 (1) (c), s. 409.403 (1) controls as to fees.~~

SECTION 1495. 409.404 (1) (a) (title), (b), (c) and (d) (title) and (3) (a) (title), (b) and (c) of the statutes are created to read:

409.404 (1) (a) (title) *Requirement for filing termination statement with the office of the register of deeds.*



(b) *Requirement for filing termination statement with the office of secretary of state.* If a financing statement is filed with the office of the secretary of state, then within one month or within 10 days following written demand by the debtor after there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, the secured party must file with the office of the secretary of state a termination statement to the effect that the secured party no longer claims a security interest under the financing statement, which shall be identified by file number. A termination statement signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record complying with s. 409.405 (2), including payment of the required fee.

(c) *Transition provision requiring duplicate termination statements for a financing statement filed prior to the effective date of this act (1977).* If a termination statement relates to an original financing statement which was filed under s. 409.401 (1) (c) prior to the effective date of this act (1977), then the secured party shall file duplicate copies of the termination statement with twice the fee specified under sub. (3) (c) with the office of the secretary of state. Upon receipt, the secretary of state shall return one copy of the termination statement and 50% of the fee received to the register of deeds of the county of the debtor's residence.

(d) (title) *Failure to file a termination statement.*

(3) (a) (title) *Fees for filing a termination statement with the office of the register of deeds.*

(b) *Fees for filing a termination statement with the office of the secretary of state.* There is no fee for a termination statement which is filed with the office of the secretary of state and there is no fee for indexing any name in connection with the termination process if fees are paid under s. 409.403 (5) (b) 1.

(c) *Transition provision requiring fees for filing certain termination statements with the office of the secretary of state.* If fees are not paid under s. 409.403 (5) (b) 1, then the fees are the same as the fees for filing a termination statement with the office of the register of deeds under par. (a). Twice the amount of these fees may be required under sub. (1) (c).

SECTION 1496. 409.404 (2) of the statutes is amended to read:

409.404 (2) On presentation to the filing officer of ~~such~~ a termination statement ~~he~~ the officer must note it in the index. If ~~he~~ the officer has received the termination statement in duplicate or in triplicate in the case of a filing under s. 409.401 (1) (c), ~~he~~ sub. (1) (c), the officer shall return one copy of the termination statement to the secured party stamped to show the time of receipt ~~thereof~~. If the filing officer has a microfilm or other photographic record of the financing statement, and of any related continuation statement, statement of assignment and statement of release, ~~he~~ the officer may remove the originals from the files at any time after receipt of the termination statement, or if ~~he~~ the officer has no such record, ~~he~~ the officer may remove them from the files at any time after one year after receipt of the termination statement.

SECTION 1497. 409.405 (1) and (2) of the statutes are amended to read:

409.405 (1) A financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in s. 409.403 (4). The ~~uniform~~ fee for filing, indexing and furnishing filing data for a financing statement so indicating an assignment is \$2 if the statement is in the standard form prescribed by the secretary of state and otherwise ~~shall be~~ is an

additional \$1 per page, plus in each case an additional fee of \$1 for each name more than one against which the financing statement is required to be indexed. ~~In the case of a filing under s. 409.401 (1) (c), s. 409.403 (1) controls as to fees.~~

(2) A secured party may assign of record all or part of his or her rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. ~~He~~ The officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like (including oil and gas) or accounts subject to s. 409.103 (5), ~~he~~ the officer shall index the assignment under the name of the assignor as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, ~~he~~ the officer shall index the assignment of the financing statement under the name of the assignee. The ~~uniform~~ fee for filing, indexing and furnishing filing data about such a separate statement of assignment is \$2 if the statement is in the standard form prescribed by the secretary of state and otherwise ~~shall be~~ is \$4, plus in each case an additional fee of \$1 for each name more than one against which the statement of assignment is required to be indexed. ~~In the case of a filing under s. 409.401 (1) (c), s. 409.403 (1) controls as to fees.~~ Notwithstanding ~~the provisions of~~ this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing (s. 409.402 (6)) may be made only by an assignment of the mortgage in the manner provided by the law of this state other than this code.

SECTION 1498. 409.406 of the statutes is amended to read:

**409.406 Release of collateral; duties of filing officer; fees.** A secured party of record may by his or her signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with s. 409.405 (2), including payment of the required fee. Upon presentation of such a statement of release to the filing officer ~~he,~~ the officer shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. The ~~uniform~~ fee for filing and noting such a statement of release is \$2 if the statement is in the standard form prescribed by the secretary of state and otherwise ~~shall be~~ is \$4, plus in each case an additional fee of \$1 for each name more than one against which the statement of release is required to be indexed. ~~In the case of a filing under s. 409.401 (1) (c), s. 409.403 (1) controls as to fees.~~

SECTION 1499. 440.05 to 440.09 of the statutes are created to read:

**440.05 Standard fees.** The following standard fee schedule applies to all licenses, permits and certificates issued under chs. 156, 158, 159 and 440 to 459, except s. 440.41 or unless otherwise specifically provided by statute:

(1) Examination: \$50. The initial license, permit, certificate or registration shall be granted to applicants upon successful completion of the examination if an examination

is required. If an examination is not required, the license shall be granted upon payment of the fee if the applicant is otherwise qualified.

(2) Reciprocal license, permit, certificate or registration: \$50.

(3) Renewals: \$30.

(4) Penalty for late renewal, less than 30 days beyond the expiration date: \$5.

(5) Penalty for late renewal, 30 days or more beyond the expiration date: \$25.

(6) Apprentice, journeyman, student and temporary license, permit or certificate, and renewal thereof: \$10.

(7) Replacement of lost certificate, name or address change on certificate, issuance of duplicates and transfer fee: \$5.

(8) Initial or renewal license, permit, certificate or registration for funeral establishments, schools, barber shops, beauty salons, drug stores, corporations, partnerships, business firms and branch offices: \$50.

(9) Endorsement of licensees to other states: \$10.

**440.07 Scholarship fund.** The board of nursing or any examining board within the department may add an additional amount not to exceed \$5 to the fees collected under s. 440.05 (1) to (3) to fund educational programs including a scholarship program for students in the respective professions.

**440.09 License period.** All licenses, permits and certificates issued or renewed under chs. 156, 158, 159 and 440 to 459, except s. 440.41 and except apprentice, student and temporary licenses, permits and certificates, shall be issued or renewed for a 2-year period.

SECTION 1500. 440.26 (3) of the statutes is amended to read:

440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an application executed under sub. (2), and after any investigation deemed necessary, the department shall if it deems the applicant qualified, grant the proper license upon payment of ~~a the fee of \$200 specified in s. 440.05 (8)~~ if the applicant is an agency or upon payment of ~~a the fee of \$10 specified in s. 440.05 (1)~~ if the applicant is a private detective. No license shall be issued for a longer period than ~~one year~~ 2 years, and the license of a private detective shall expire on the expiration date of the agency's license even though ~~his the private detective's~~ license may not have been in effect for a full ~~year~~ 2 years. Renewals of the original licenses issued under this section shall be issued in accordance with renewal forms prescribed by the department, accompanied by the fees specified in s. 440.05 (3) to (5) and (8) and bonds or liability policies ~~herein~~ specified in this section.

SECTION 1502. Subchapters IV and V of chapter 440, except 440.94 and 440.95, are repealed.

SECTION 1503. 440.94 and 440.95 of the statutes are renumbered 134.69 and 134.71, respectively, and 134.69, as renumbered, is amended to read:

**134.69 Peddling finger alphabet cards prohibited.** No person shall in this state may engage in the business of peddling finger alphabet cards or printed matter stating that the person is deaf, or use finger alphabet cards or such printed matter or masquerade as a deaf person in any way as a means of inducement in the sale of merchandise; ~~and no.~~ No state or local license ~~as provided in this subchapter shall~~ may be issued to any person for the purpose of peddling finger alphabet cards or printed matter stating that the person is deaf or masquerading as a deaf person. Any person who peddles or uses finger alphabet cards or such printed matter ~~or uses the same~~, or masquerades as a deaf person in any way as a means of inducement in the sale of merchandise in this state and any person who issues any state or local license ~~as provided in this~~

~~subchapter~~ for that purpose may be imprisoned not more than 90 days or fined not less than \$25 nor more than \$100 or both.

SECTION 1504. 441.01 (5) of the statutes is amended to read:

441.01 (5) The board in its discretion may promote the professional education of graduate nurses registered in Wisconsin, through creation of scholarships available to such graduate nurses, by foundation of professorships in nursing courses in Wisconsin colleges and universities, by conducting educational meetings, seminars, lectures, demonstrations and the like open to registered nurses, by publication and dissemination of technical information or by other similar activities designed to improve the standards of the nursing profession in this state. The board in its discretion may promote the training of trained practical nurses through support of workshops and institutes and by conducting meetings, lectures, demonstrations and the like open to licensed practical nurses. ~~For the execution of its functions under this subsection the board may recommend the use of such portion of the fund created by s. 20.165 (2) (iv) as it deems necessary.~~

SECTION 1505. 441.04 and 441.05 of the statutes are amended to read:

**441.04 Requisites for examination as a registered nurse.** Any person who is a citizen or who has legally declared an intention to become a citizen and of good moral character, who has graduated from a high school or its equivalent as determined by the board and who holds a diploma of graduation from an accredited school of nursing may apply to the department for registration by the board as a registered nurse, and upon payment of a the fee specified by the board, but not to exceed \$75, under s. 440.05 (1) shall be entitled to examination. ~~Ten dollars of such fee shall be refunded to an applicant who gives at least 10 days' advance written notice that the applicant will be unable to be present for the examination.~~

**441.05 Examination for nurses.** The examining council on registered nurses shall prepare or select written questions in areas it determines and prescribe rules, subject to the approval of the board, for conducting examinations and the preservation of the examination papers for one year. Examinations shall be held at least twice a year at times and places designated by the examining council, and at least 30 days' public notice shall be given. Examinations may also be held at other times and places with or without public notice as directed by the examining council. The examining council may also proctor an examination of another state for the convenience of a candidate and charge such fee therefor as the ~~examining council~~ department fixes to cover the actual cost of the service rendered.

SECTION 1506. 441.06 (1) and (3) of the statutes are amended to read:

441.06 (1) An applicant for registration as a nurse who complies with the requirements of this chapter and satisfactorily passes an examination shall receive a certificate of registration. The holder of such a certificate of registration of another state or territory or province of Canada may be granted a certificate without examination if ~~her~~ the holder's credentials of general and professional educational qualifications and other qualifications are comparable to those required in this state during the same period and if the board is satisfied from ~~her~~ the holder's employment and professional record that ~~she~~ the holder is currently competent to practice ~~her~~ the profession. The board shall evaluate the credentials and determine the equivalency and competency in each ~~such~~ case. The application for registering without examination shall be accompanied by a the fee of \$40 to cover the cost of such evaluation prescribed in s. 440.05 (2).

(3) A registered nurse practicing for compensation shall ~~annually~~, during January of the even-numbered years submit to the division on furnished blanks a statement

giving name, residence and ~~such~~ other facts as the board requires, with a ~~re-registration~~ the renewal fee specified by the board, but not exceeding \$15 in s. 440.05 (3).

SECTION 1507. 441.08 and 441.09 of the statutes are amended to read:

**441.08 Temporary permit.** A nurse who has graduated from an accredited school but is not registered in this state may be granted a temporary permit upon payment of the fee specified in s. 440.05 (6) by the board to practice for compensation until ~~she~~ the nurse can qualify for registration. The temporary permit may be granted for a period of 3 months and may be renewed once. Further renewals may be granted in hardship cases. ~~A fee of \$3 shall be charged for each permit or renewal.~~

**441.09 Temporary trainee permits; foreign nurses.** The board may grant upon payment of the fee specified in s. 440.05 (6) temporary trainee permits for the purpose of supplementing the education of nurses trained outside the United States. The board may establish requirements for such permits, which may include but need not be limited to the following: legal authorization to practice professional nursing in the applicant's own country, approval by the international exchange of the U.S. department of state, proficiency in the English language, financial independence and other qualifications it deems necessary. The board may establish rules limiting the use and duration of such permits and providing for their revocation ~~and may establish a permit fee not to exceed \$50 per year.~~ No institution or agency may offer or undertake a program of supplemental education for holders of temporary trainee permits without prior authorization by the board and without the approval of such program by the board. Such authorization or approval may be withdrawn for cause at any time. ~~The board department~~ may charge fees and expenses for consultations in the establishment of supplemental programs and for appraisals thereof. ~~Such fees shall be based upon cost.~~

SECTION 1508. 441.10 (1), (2) and (3) (b), (d) and (e) of the statutes are amended to read:

**441.10 (1) PREREQUISITES FOR EXAMINATION AS TRAINED PRACTICAL NURSES.** A citizen or an alien who has legally declared an intention to become a citizen, who is at least 18 years of age and of good moral character, who has completed 2 years of high school or its equivalent as determined by the board and who has completed the work prescribed by an accredited school for trained practical nurses approved by that board, which school shall be connected with an institution providing hospital facilities for the care of medical, surgical and obstetrical cases, may apply to the board for licensing as a trained practical nurse, and upon the payment of a the examination fee specified ~~by the board, but not to exceed \$60 in s. 440.05 (1),~~ shall be entitled to take an examination. ~~Ten dollars of such fee shall be refunded to an applicant who gives at least 10 days' advance written notice that the applicant will be unable to be present for the examination.~~ Any school for trained practical nurses, in order to be accredited, must offer a course of not less than 9 months. The size or average daily census of an institution shall not be a determinative factor in qualifying a school for trained practical nurses. The board may waive the requirement of attendance at ~~such~~ a school when it deems the applicant to have had comparable training.

**(2) EXAMINATION.** The examining council on licensed practical nurses shall prepare or select written questions in areas it determines and prescribe rules, subject to the approval of the board, for the examination of those desirous of becoming trained practical nurses, and the examination papers of all ~~such~~ applicants shall be preserved for one year. Examinations shall be held at least twice annually at times and places designated by the board, and at least 30 days' public notice shall be given of each ~~such~~ examination. Examinations may also be held at other times and places with or without public notice as directed by the examining council. The examining council may also proctor an examination of another state for the convenience of a candidate and shall

charge such fee therefor as the ~~examining council~~ department fixes to cover the actual cost of the services rendered.

(3) (b) A licensed trained practical nurse practicing for compensation shall submit ~~each in July of odd-numbered years~~ to the division, on blanks furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a trained practical nurse during the prior year and prior unreported years and ~~such~~ other facts bearing upon current competency as the board requires, accompanied by a the license renewal fee specified by the board, but not to exceed \$15 in s. 440.05 (3).

(d) The board may license without examination any person who has been licensed as a licensed attendant or trained practical nurse in another state or territory or province of Canada if ~~his~~ the person's general education, training, prior practice and other qualifications, in the opinion of the board, are at least comparable to those of this state for trained practical nurses and current licensing or renewal. The fee for licensing without examination is ~~\$25 to cover the cost of such evaluation~~ specified in s. 440.05 (2).

(e) A temporary license may be granted to an applicant who is qualified for examination, to practice as a licensed trained practical nurse and who pays the fee specified in s. 440.05 (6) until his a regular license may be had, for a period of 3 months and may be renewed for a like period. Further renewals may be granted in hardship cases. ~~A fee of \$3 shall be charged for each temporary license or renewal.~~

SECTION 1509. 442.03 of the statutes is amended to read:

**442.03 Licenses.** (1) No person may lawfully practice in this state as a certified public accountant either in ~~his~~ the person's own name, or as an employe, or under an assumed name, or as an officer, member or employe of a firm, or as an officer or employe of a corporation, unless ~~such~~ the person has been granted by the examining board a certificate as a certified public accountant, and unless ~~such~~ the person, firm or corporation, jointly and severally, has complied with all of the provisions of this chapter, including ~~annual registration as herein provided in each odd-numbered year.~~

(2) ~~From and after December 1, 1935, no~~ No person may lawfully practice in this state as a public accountant either in ~~his~~ the person's own name, or as an employe or under an assumed name, or as an officer, employe or member of a firm, or as an officer or employe of a corporation, unless ~~such~~ the person has been granted by the examining board a certificate of authority as a public accountant and unless ~~such~~ the person, firm or corporation, jointly and severally, has complied with all of the provisions of this chapter, including ~~annual registration as herein provided in each odd-numbered year.~~

(3) ~~From and after December 1, 1935, no~~ No corporation and no officer or employe thereof may lawfully practice in this state as a public accountant either in ~~his~~ the corporation's or person's name, or as an employe or under an assumed name, unless ~~such~~ the person and corporation has been granted by this examining board a certificate of authority as a public accountant and unless ~~such~~ the person or corporation, jointly and severally, has complied with all the provisions of this chapter, including ~~annual registration as herein provided in each odd-numbered year.~~

SECTION 1510. 442.07 (2) of the statutes is amended to read:

442.07 (2) No person ~~shall~~ may practice in this state as a certified public accountant or a public accountant, either in ~~his~~ the person's name, under an assumed name, or as a member of a partnership, except as provided in s. 442.02 (10), unless ~~he~~ the person has been granted a certificate by the examining board and secured a registration card for the current ~~year~~ certification period. No person ~~shall~~ may practice in this state as a public accountant, as an officer or director of a corporation engaged in the practice of public accounting, unless the corporation has been granted a

certificate by the examining board and secured a registration card for the current ~~year~~ certification period.

SECTION 1511. 442.08 of the statutes is amended to read:

**442.08 (title) Registration card.** The department shall, in December of each odd-numbered year, upon application made by any holder of an unrevoked Wisconsin certificate as a certified public accountant or an unrevoked Wisconsin certificate of authority as provided for in this chapter, issue a registration card, which card shall be good until December 31 of the ~~next succeeding~~ odd-numbered year following issuance, unless the certificate is revoked. A registration card shall also be issued to any partnership or corporation, upon application, which has complied with this chapter. Interim registrations shall be issued to individuals, partnerships and corporations who have complied with this chapter within the ~~year~~ certification period.

SECTION 1512. 442.09 of the statutes is repealed and recreated to read:

**442.09 Fees.** The fees for examination and licenses granted or renewed under this chapter are specified in s. 440.05.

SECTION 1513. 442.11 (8) of the statutes is amended to read:

442.11 (8) Who shall as an individual, or, as a member of a partnership or as an officer or director of a corporation, practice or permit the partnership or corporation to practice as a certified public accountant or as a public accountant unless a registration card has been secured for the current ~~year~~ certification period; or

SECTION 1516. 443.01 (7) (c) 1 and 2 of the statutes are amended to read:

443.01 (7) (c) 1. A corporation desiring a certificate of authorization shall submit an application with the examining board on forms prescribed by the examining board and provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment registered to practice architecture or professional engineering in this state who will be in responsible charge of architecture or professional engineering being practiced in this state through ~~said~~ the corporation and other relevant information required by the examining board. A similar type of form shall also accompany the biennial renewal fee. If there is a change in any of these persons during the biennium, the change shall be reported on the same type of form, and filed with the examining board within 30 days after the effective date of the change. The examining board shall grant a certificate of authorization to a corporation complying with this paragraph upon payment of a the certification fee specified ~~by the examining board, but not exceeding \$50 in s. 440.05 (8)~~. This paragraph does not apply to corporations exempt under sub. (9) (c) and (e).

2. All certificates of authorization shall expire on January 31 of the ~~2nd~~ even-numbered year following their issuance or renewal and shall be invalid ~~on~~ after such ~~dates~~ date unless renewed. The department shall notify every corporation certified under this section of the date of the expiration of its certificate and the fee required ~~for its renewal, such in s. 440.05 (8)~~. The notice shall be mailed at least one month in advance of such expiration. ~~Such certificate may be renewed for a period of 2 years during the month of January in which it expires by the payment of a renewal fee specified by the examining board, but not exceeding \$50.~~

SECTION 1517. 443.01 (7) (c) 3 of the statutes is repealed.

SECTION 1518. 443.01 (12) (b) of the statutes is repealed and recreated to read:

443.01 (12) (b) The fees for examinations and licenses granted or renewed under this chapter are specified in s. 440.05.

SECTION 1518e. 443.01 (12) (c) to (g) of the statutes are repealed.

SECTION 1518m. 443.01 (12) (h) and (i) of the statutes are renumbered 443.01 (12) (c) and (d).

SECTION 1518s. 443.01 (12) (j) of the statutes is renumbered 443.01 (12) (e) and amended to read:

443.01 (12) (e) Certificates of registration shall expire on the ~~last day of the month of July 31~~ of the 2nd even-numbered year following their issuance or renewal and shall become invalid ~~on~~ after that date unless renewed. The department shall notify every person registered under this section of the date of the expiration of ~~his~~ their certificate and the amount of the fee required for its renewal for 2 years; ~~such notice shall be mailed at least one month in advance of the date of expiration of said certificate. Renewal may be effected at any time during the month of July by the payment of a fee specified by the examining board, but not exceeding \$50. The failure on the part of any registrant to renew his certificate every 2nd year in the month of July as required above, shall not deprive such person of the right of renewal, but the penalty fee to be paid for the renewal of a certificate after the month of July shall be 10% of the renewal fee for each month or fraction of a month that payment of renewal is delayed, but the maximum penalty fee, in addition to the renewal fee, for delayed renewal shall not exceed 50% of the renewal fee in s. 440.05 (3).~~

SECTION 1519. 443.01 (12) (k) to (m) of the statutes are renumbered 443.01 (12) (f) to (h).

SECTION 1519m. 443.01 (12) (n) of the statutes is repealed.

SECTION 1520. 443.01 (16) (e) of the statutes is amended to read:

443.01 (16) (e) ~~The permit fee shall be specified by the examining board, but not to exceed \$50, one-half of which shall be a nonrefundable application fee and the other half of which shall be paid upon granting of the permit. Permits shall expire on January 31 of the 2nd even-numbered year following their issuance or renewal and shall become invalid on after that date unless renewed. Renewal may be effected during the month of January by payment of a the fee specified by the examining board, but not exceeding \$50, but the penalty fee for renewal after the month of January shall be, in addition to the renewal fee, 10% of the renewal fee for each month, or fraction of a month that renewal is delayed to a maximum penalty fee of 50% of the renewal fee. The fee for reexamination of an applicant for a permit shall be specified by the examining board but shall not exceed \$50 in s. 440.05 (3).~~

SECTION 1521. 443.02 (6) (a), (c) and (e) to (g) of the statutes are repealed.

SECTION 1522. 443.02 (6) (b) and (11) of the statutes are amended to read:

443.02 (6) (b) The section shall grant a certificate of registration as a land surveyor to any applicant who has met the requirements of this section. ~~Such~~ The certificate shall expire on the ~~2nd~~ January 31 of the even-numbered year after the date of its issuance unless renewed. ~~Such~~ A certificate may be renewed for a period of 2 years during the month of January in which it expires by the payment of a the fee specified by the examining board, but not exceeding \$50 in s. 440.05 (3).

(11) INTENT. It is the intent of this section that registration of land surveyors shall be a duty of the section and its secretary to the same extent as their duties under s. 443.01; ~~and that the moneys derived from fees collected under this section shall be merged with those collected under s. 443.01.~~

SECTION 1524. 444.04 (1) and (2) (b) of the statutes are amended to read:

444.04 (1) Every club which exercises any of the privileges conferred by this chapter shall, within 24 hours after the determination of every exhibition, furnish to the examining board a written report, verified by one of its officers, showing the number of tickets sold for ~~such~~ the exhibition and the amount of gross proceeds ~~thereof~~, and such other matters as the examining board prescribes; and shall within



said time 24 hours pay to the ~~examining board department~~ a tax of ~~5%~~ 10% of its total gross receipts from the sale of tickets of admission to the exhibition and from any television broadcasting rights sold for ~~such~~ the exhibition.

(2) (b) Every person holding or showing any boxing match on a closed circuit telecast or subscription television viewed in this state, whether originating within this state or another state, shall furnish the examining board a written report, under oath, stating the number of tickets sold for ~~such~~ the showing and the amount of gross proceeds ~~thereof~~, and such other matters as the examining board prescribes, and shall within 24 hours after the showing of the contest pay to the ~~examining board department~~ a license fee of ~~5%~~ 10% of its total gross receipts from the sale of tickets for the showing of ~~such~~ the match.

SECTION 1525. 444.06 of the statutes is amended to read:

**444.06 Inspectors.** The department shall appoint official "inspectors", each of whom shall receive a card authorizing the inspector to act wherever the examining board designates. The examining board may be, and at least one inspector shall be present at all exhibitions and see that the rules are strictly observed. An inspector shall also be present at the counting up of the gross receipts and shall immediately mail to the department the official box-office statement received from the club. Inspectors shall be paid a per diem to be set by the board, not to exceed ~~\$40~~ \$25 for each day on which they are actually and necessarily engaged in the performance of their duties, and shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

SECTION 1526. 446.02 (2) and (4) of the statutes are amended to read:

446.02 (2) Application for a license to practice chiropractic shall be made to the examining board, accompanied by sufficient and satisfactory evidence of good moral character, preliminary education consisting of the first 2 years of study in a regularly prescribed course for a bachelor of arts or science degree in a college accredited by the north central association of colleges and secondary schools or in an institution whose credits are accepted by the university of Wisconsin, graduation from a reputable school of chiropractic, approved and recognized by the examining board, having a residence course of not less than 36 months, consisting of not less than 3,600 60-minute class periods, and a the license fee of \$25 specified in s. 440.05 (1).

(4) All licenses granted by the examining board shall expire on December 31 of even-numbered years following the issue thereof, ~~except that any holder of a license may have the same renewed from year to year by the payment of an annual fee determined by the board, not to exceed \$30. The board may permit persons to renew licenses later than December 31 but before the following March 1 upon payment of an additional fee of \$10 and may be renewed upon payment of the fee specified in s. 440.05 (3).~~

SECTION 1527. 446.03 (8) of the statutes is amended to read:

446.03 (8) The examining board may without further process revoke the license of one who fails to ~~annually~~ register and pay the fee within 60 days after written notice, mailed to ~~his last known~~ the licensee's last-known address by registered mail. ~~His~~ A license may be reinstated, in the discretion of the examining board, by the payment of \$25 the renewal fee and penalty under s. 440.05 (3) and (5) within one year from revocation. If application for reinstatement is not made within a period of one year from revocation ~~he~~ the person may be required to ~~demonstrate that he is still qualified to practice by taking~~ take an examination in such chiropractic subjects as are required by the examining board and pay the fee specified in s. 440.05 (1). ~~The fee for such examination and reinstatement of license is \$50.~~

SECTION 1527m. 447.02 (1) (intro.) of the statutes is amended to read:

447.02 (1) (intro.) Any person who was lawfully engaged in the practice of dentistry in this state on January 1, 1939, may so continue if ~~he has~~ registered ~~annually~~ as required by s. 447.05 (4). No other person ~~shall~~ may practice dentistry in this state, unless ~~he is~~ licensed by the examining board and ~~annually~~ registered in this state. Without limitation by reason of specific enumeration, any person is deemed to be "practicing dentistry" within the meaning of this chapter who:

SECTION 1528. 447.03 (2) (b) of the statutes is repealed.

SECTION 1529. 447.04 (2) of the statutes is amended to read:

447.04 (2) The examining board may permit a dental student who has successfully completed at least 2 years in a dental school or college approved by the examining board, who files proof satisfactory to the examining board that he or she has met the preprofessional educational requirements of s. 447.03 (1), to take written examinations, and credit satisfactory grades toward his the student's final examination. ~~The examining board may require a fee of \$10 for such examination.~~

SECTION 1530. 447.05 (2), (4) and (7) of the statutes are amended to read:

447.05 (2) The examining board may license without written examination a person holding a license to practice dentistry in another state who presents to the examining board satisfactory proof ~~that he has~~ of having reputably engaged in practice ~~therein in that state~~ for at least 5 years next preceding his the application, if in such state the requirements imposed are equivalent to those of this state, upon presentation of the license and a diploma from a dental school or college approved and recognized by the examining board; ~~provided that such~~ but only if the other state extends a similar privilege to dentists licensed to practice in this state. The applicant shall pass such practical demonstrations in operative and restorative dentistry as may be prescribed by the examining board. The fee for such license shall be ~~fixed by the examining board at not less than the reciprocity fee of the state whose license the applicant presents, but in no event less than \$50 that specified in s. 440.05 (2).~~

(4) ~~Dentists shall annually register with and pay a fee to be fixed each year by the examining board, which fee shall not exceed \$15. This A renewal fee is due and payable on or before September 30 of each odd-numbered year. Late registrants shall pay an additional fee of \$3 following issuance of the license.~~ The examining board shall publish and the department shall mail an annual report and list of the names and places of practice of all licensed and registered dentists and registered dental hygienists to each licensee at his ~~last known or her last-known~~ address. The department shall also mail a copy of ~~such the~~ published list to the secretary of state, the district attorney of each county, each local board of health, and to any other public official who may request or have need thereof. Any registrant who, subsequent to registering, changes the address or place of his residence or professional office, or who opens an additional office, shall, within 30 days thereafter, notify the examining board in writing of ~~such the~~ change and furnish his the new residence or professional address.

(7) No person ~~shall~~ may practice dentistry in this state under any other Christian or given name, or any other surname than that under which ~~he was~~ originally licensed or registered to practice dentistry in this or any other state, in any instance in which the examining board, after a hearing, finds that practicing under ~~such a~~ changed name ~~operates to enable him~~ enables the person to compete unfairly with another practitioner, or to mislead the public as to his the person's identity, or otherwise to result in a detriment to the public or the profession. This subsection does not apply to a change of name resulting from marriage or divorce. Upon furnishing proof of such change of name and the payment of ~~\$10 the fee under s. 440.05 (7)~~ a new license shall be issued to such person.

SECTION 1531. 447.05 (5) and (6) of the statutes are repealed.

SECTION 1532. 447.06 (7) of the statutes is amended to read:

447.06 (7) All full-time instructors in dental science, who are employed by a dental school or college approved by the examining board; a dental fellow who is engaged in teaching, research or both, in some area of dental science, by appointment and under the supervision of the faculty of a dental school or college approved by the examining board; a dental intern who has been appointed by a hospital located within this state; ~~provided such if the~~ hospital has been approved for dental internship training by the council on dental education of the American dental association; and ~~that such the~~ internship ~~shall does~~ not exceed one year; a dental resident who has been appointed by a hospital located in this state for a ~~second~~ 2nd or subsequent year of advanced study of dental science within ~~such the~~ institution; ~~provided such if the~~ hospital has been approved for dental residency training by the council on dental education of the American dental association, and ~~that such the~~ residency ~~shall does~~ not exceed an aggregate of 3 years in the case of any individual. None of those claiming exemption under one of the foregoing classifications ~~shall be permitted to~~ may engage in private practice, ~~to~~ have an office outside the institution to which ~~he is~~ appointed, or ~~to~~ hold himself ~~or herself~~ out to the general public, unless ~~he the person~~ has first been licensed by the examining board, and registers ~~annually~~ biennially.

SECTION 1533. 447.07 (1) of the statutes is amended to read:

447.07 (1) The examining board may without further notice or process suspend or revoke the license of a dentist who fails within 60 days after the mailing of notice in writing, sent by registered mail to ~~his last known~~ the dentist's last-known address, to register and pay the fee due for that year. ~~His~~ The license may be reinstated, in the discretion of the examining board, by the payment of ~~\$25 the fees specified in s. 440.05 (3) and (5)~~ within one year from ~~such~~ revocation. If application for reinstatement is not made within one year from the date of ~~such~~ revocation ~~he the~~ dentist may be required to demonstrate ~~that he is still qualified~~ current qualification to practice by taking an examination in such dental subjects as may be required by the examining board ~~and paying the fee specified in s. 440.05 (1). The fee for such examination and reinstatement of license shall be \$25.~~

SECTION 1534. 447.08 (2) (a), (3) and (5) to (7) of the statutes are amended to read:

447.08 (2) (a) An applicant shall file proof satisfactory to the examining board that ~~he or she~~ is a citizen of the United States; that ~~he or she~~ has a general education equivalent to graduation from a high school or academy in this state offering a 4-year curriculum beyond the ~~eighth~~ 8th grade; and that ~~he or she~~ is a graduate of a training school for dental hygienists, approved by the examining board, which has a course of not less than 2 years of 8 months each. ~~A remittance of \$25 shall accompany the application, returnable to the applicant only if from sickness or other good cause he is unable to complete the examination. The fee specified in s. 440.05 (1) shall accompany the application.~~ Applicants who have graduated prior to July 1, 1941, shall file proof satisfactory to the examining board that their educational requirements at the time of their graduation equaled those then required by the examining board.

(3) ~~One to whom a certificate is issued shall register with the department and pay a fee to be fixed each year by the examining board, which fee shall not exceed \$10. This~~ The fee specified in s. 440.05 (3) shall be due and payable on or before September 1 of each odd-numbered year following issuance of the certificate. Late registrants shall pay an additional fee of \$3. Any registrant who, subsequent to registering, changes the place of ~~his~~ residence or employment shall, within 30 days thereafter, notify the examining board in writing of ~~such the~~ change and furnish the address of ~~his the~~ new residence or employment and, where applicable, the name of ~~his the~~ new employer.

(5) The examining board may certify without written examination one certified to practice dental hygiene in another state who presents satisfactory proof ~~that he has of having~~ reputably engaged in practice therein in that state for 5 years next preceding ~~his the~~ application, if in ~~such that~~ state the requirements imposed are equivalent to those of this state, upon presentation of a certificate from ~~such the~~ other state, and evidence of completion of a course in a reputable training school for dental hygienists approved by the examining board in this state; ~~provided, such but only if the~~ other state extends similar treatment to dental hygienists certified to practice in this state. ~~The fee for such certificate shall be fixed by the examining board at not less than the reciprocity fee in the state whose certificate the applicant presents, but in no event less than \$25.~~ The applicant shall pass a practical demonstration in dental hygiene to the satisfaction of the examining board and pay the fee specified in s. 440.05 (2).

(6) The examining board may without further notice or process revoke the certificate of a dental hygienist who fails within 60 days after the mailing of notice in writing, sent by registered mail to ~~his last known~~ the person's last-known address, to register and pay the fee due for that year. ~~His 2-year period.~~ A certificate may be reinstated, in the discretion of the examining board, by the payment of ~~\$25 the fees specified in s. 440.05 (3) and (5)~~ within one year after revocation. If application for reinstatement is not made, within one year from the date of ~~such~~ revocation, ~~he the person~~ may be required to demonstrate ~~that he is still qualified~~ current qualification by taking an examination in ~~such~~ subjects relating to dental hygiene ~~as is required by the examining board and pay the fee specified in s. 440.05 (1).~~ The fee for such examination and reinstatement of certificate is \$25.

(7) No person ~~shall may~~ practice as a dental hygienist under any other Christian or given name, or any other surname than that under which ~~he was~~ originally registered to practice dental hygiene in this or any other state. This subsection does not apply to a change of name resulting from marriage or divorce. Upon furnishing proof of such change of name and the payment of ~~\$10 the fee under s. 440.05 (7)~~ a new certificate of registration shall be issued to such person.

SECTION 1536. 448.07 (title) and (1) (title), (a) and (c) of the statutes are amended to read:

**448.07 (title) Registration.** (1) (title) REGISTRATION. (a) Every person licensed or certified under this chapter shall register ~~each year~~ biennially with the board in such manner and at such time as the board shall designate and upon such forms as the board shall provide. The secretary of the board, on or before December 1 of each ~~odd-numbered~~ year, shall mail or cause to be mailed to every person required to register ~~at that time~~ a registration form. The board shall furnish to each person registered under this section a certificate of ~~annual~~ registration, and each such person shall display the registration certificate conspicuously in the office at all times. No person may exercise the rights or privileges conferred by any license or certificate granted by the board unless currently registered as required under this subsection.

(c) Every registration made as provided in this section shall be presumptive evidence in all courts and other places that the person named therein is legally registered for the ~~year~~ period covered by such registration, and shall be deemed to fulfill any statutory requirement for renewal of license or certificate.

SECTION 1537. 448.07 (2) of the statutes is repealed and recreated to read:

448.07 (2) FEES. The fees for examination and licenses granted or renewed under this chapter are specified in s. 440.05.

SECTION 1537e. 448.08 (3) to (5) of the statutes are renumbered 448.08 (4) to (6).

SECTION 1537m. 448.08 (3) of the statutes is created to read:

448.08 (3) BILLING FOR TESTS PERFORMED BY THE STATE LABORATORY OF HYGIENE. A person other than a state or local government agency who charges a patient, other person or 3rd party payer for services performed by the state laboratory of hygiene shall identify the actual amount charged by the state laboratory of hygiene and shall restrict charges for those services to that amount.

SECTION 1537s. 448.09 (title) and (1) of the statutes are amended to read:

**448.09 (title) Penalties; appeal.** (1) (title) PENALTIES. Anyone violating s. 448.08 (3) may be fined not more than \$250. Anyone violating any other provision of this chapter may be fined not more than \$10,000 or imprisoned not more than 9 months or both.

SECTION 1538. 449.04 of the statutes is amended to read:

**449.04 Examination.** Licenses to engage in the practice of optometry shall be issued only to persons who successfully pass an examination conducted under the direction of the examining board at a time and place fixed by the examining board. ~~Such~~ The examination shall relate to ~~such matters as are~~ essential to the practice of optometry, and shall include anatomy, physiology, pathology of the eyes and its appendages, normal and abnormal refractive, accommodative and muscular conditions and coordination of the eyes, and subjective and objective optometry, the principles of lens construction and adjustment and such other subjects as the examining board deems necessary. In lieu of its own examination the examining board may accept, in whole or in part, the certificate of the national board of examiners in optometry. ~~In case of failure at any examination the~~ The applicant shall have the privilege of taking ~~subsequent examinations~~ may take the examination upon the payment of a the fee of \$25 ~~for each examination, at any meeting of the examining board specified in s. 440.05 (1).~~

SECTION 1539. 449.05 (1) (a) of the statutes is repealed.

SECTION 1540. 449.05 (2) of the statutes is amended to read:

449.05 (2) Any person who has been admitted to practice optometry in another state, having substantially similar requirements and granting equal privileges to residents of Wisconsin, may be issued a certificate in the discretion of the examining board upon passing an examination in pathology and practical optometry, payment of \$100 the fee specified in s. 440.05 (1) and production of a certificate showing that ~~he~~ the person has passed an examination in such other state and satisfactory evidence that ~~he~~ the person has actually practiced there for 5 years.

SECTION 1541. 449.06 (1) of the statutes is amended to read:

449.06 (1) Persons practicing optometry shall ~~annually~~ biennially, before January 1, of even-numbered years following licensure register with the department and pay a the fee of not to exceed \$50 as fixed by the examining board. ~~The examining board shall grant certificates of registration expiring the following December 31. The examining board may permit persons to register later than January 1 but before the following December 31 upon payment of not to exceed \$75 as fixed by the examining board specified in s. 440.05 (3).~~

SECTION 1542. 449.07 (2) of the statutes is amended to read:

449.07 (2) The examining board may, without further notice or process, suspend or revoke the license or certificate of registration of an optometrist who fails within 60 days after the mailing of notice in writing, sent by registered mail to the optometrist's last-known address, to register and pay the fee due for that ~~year~~ license period. A license or certificate of registration may be reinstated, in the discretion of the examining board, by the payment of \$75 the fees under s. 440.05 (3) and (5) within one year from ~~such~~ suspension or revocation. If application for reinstatement is not made within one year from the date of suspension or revocation, the optometrist shall

be required to demonstrate that the optometrist is still qualified to practice by taking an examination in such optometric subjects as may be required by the examining board and by paying the fee specified in s. 440.05 (1). ~~The fee for such examination and reinstatement of license or certificate of registration shall be \$100.~~

SECTION 1543. 450.01 (5) of the statutes is repealed.

SECTION 1544. 450.02 (1), (2) (a), (3) to (6) and (9) (a) and (b) of the statutes are amended to read:

450.02 (1) All candidates for entrance to examination for registration as pharmacists must submit an application to the examining board and pay ~~an~~ the amount specified by ~~the examining board but not to exceed \$60, s. 440.05 (1)~~ at least 15 days before the date of examination. ~~The fee for all subsequent examinations shall be an amount specified by the examining board but not to exceed \$50.~~ All candidates must be at least 18 years of age; must be of good moral character and temperate in habits; and if not citizens of the United States must have filed and proven their intentions of becoming citizens; and must be graduates of a standard, recognized high school, or must have acquired the equivalent of a high school education in some other institution of equal rank or standing, or must have passed an examination for the equivalent of high school given by a state university or by a state department or bureau of education, issuing a qualifying certificate for the necessary high school units recognized by the university of Wisconsin system, or any other equivalent of a high school education recognized by the university of Wisconsin system.

(2) (a) Graduation from a school or college of pharmacy or a department of pharmacy of a university, which is recognized by the examining board and which requires for graduation at least a 4-year course. Credit for actual time of attendance at the school, college or department of pharmacy of a university shall be given on the required 48 months of pharmaceutical training; ~~the~~ The remainder of the 48 months must be practice and experience in a retail pharmacy or drugstore under the direction and supervision of a registered pharmacist, which practice and experience shall be predominantly work directly related to the selling of drugs, preparing and compounding of pharmaceutical preparations and physicians' prescriptions, and keeping of records and making of reports required under state and federal statutes. The practice and experience shall include an aggregate of 12 calendar months commencing not earlier than the close of the sophomore college year. Credit for ~~such~~ periods of practice and experience shall be allowed in the discretion of the pharmacy internship board in accordance with ~~such~~ regulations as it adopts. The fee for registration of interns under this subsection shall be an amount specified by ~~the pharmacy internship board but not to exceed \$10. The fee shall be set aside for use by the pharmacy internship board, shall be used exclusively for purposes of the internship program and shall be disbursed for the purposes of the internship program upon certification of the director of internship or the pharmacy internship board in s. 440.05 (6).~~ The examining board may upon satisfactory proof recognize and accept evidence of practice and experience performed in whole or in part in any other state provided the same is approved and verified by the pharmacy examining board or equivalent agency of such other state.

(3) Applicants filing proofs, satisfactory to the examining board, of qualifications and training as outlined in sub. (2) shall, after having passed the examination by the examining board and upon payment of a ~~\$5 certificate~~ the fee, be granted certificates as registered pharmacists. Proof satisfactory to the examining board covering experience, preliminary education, college of pharmacy graduation and character ~~herein required~~ shall be submitted to the examining board. Every registered pharmacist may continue to be ~~such~~ registered by ~~annually~~ biennially, at such time as the ~~examining board~~ department determines, renewing ~~his~~ the certificate upon paying ~~an amount specified by the examining board but not to exceed \$35. Of this fee, an~~

~~amount specified by the internship board but not to exceed \$12.50 shall be set aside for use by the pharmacy internship board, shall be used exclusively for purposes of the internship program and shall be disbursed for the purposes of the internship program upon certification of the director of internship or the pharmacy internship board. The portion of each renewal fee required by the pharmacy internship board shall be specified annually by the internship board prior to the setting of the renewal fee by the examining board. Applications for renewal of registration as a pharmacist and payment of the required fee submitted after May 31 shall be accompanied by a penalty fee of \$10 the fee specified in s. 440.05 (3). Failure to obtain such renewal for 60 days after the department has given a 2nd notice of the expiration of his registration shall terminate the right of any person to be a registered pharmacist within the meaning of this section, and such right can only be acquired by compliance with the provisions concerning the original registration, again applying for and passing an examination satisfactory to the examining board.~~

(5) Every registered assistant pharmacist may continue to be ~~such registered by annually biennially~~, at such time as the ~~examining board department~~ determines, ~~making application thereto applying~~ for the renewal of his certificate and paying the ~~prescribed fee of \$4 specified in s. 440.05 (3)~~. Failure to obtain such renewal for 60 days after the department has given a 2nd notice of the expiration of his registration, shall terminate the right of any person to be a registered assistant pharmacist within the meaning of this section, and such right can only be acquired by compliance with the provisions concerning original registration, again applying for and passing an examination satisfactory to the examining board. The issuance of either of the certificates provided for in this section shall entitle the person to whom it is issued to be registered in the proper class.

(6) The examining board may register as a pharmacist, without examination, any person who is duly registered in some other state, if the person produces satisfactory evidence of having had the required secondary and professional education and training and is possessed of good character and habits demanded of applicants for registration as pharmacists under the laws of this state, and upon payment of \$100 ~~the fee specified in s. 440.05 (2)~~, but persons of good character and habits, who became registered pharmacists in some other state prior to July 31, 1927, shall be required to meet only the requirements which existed in this state at the time they became registered in such other state, and if the state from which the applicant applies, under like conditions, grants reciprocal registration as a pharmacist without examination to pharmacists duly registered in this state. ~~Applicants denied reciprocal licensure shall be entitled to a \$50 refund of the \$100 fee. The fee for all subsequent reciprocal examinations shall be \$50 and is not subject to refund.~~

(9) (a) Every pharmacy and store conducted under the supervision of a registered pharmacist shall be ~~annually~~ registered on June 1 ~~of odd-numbered years~~ with the examining board on application forms prescribed by the examining board and provided for that purpose by the department, on request, and the department shall thereupon issue a suitable certificate of registration to such persons which permit shall be conspicuously displayed in a front window or door of ~~such the~~ place of business. Applications for registration as a pharmacy or drugstore shall include information regarding the names of all pharmacists, assistant pharmacists and registered apprentices who are employed therein. Only places in charge of a registered pharmacist and holding a permit as a pharmacy may use the title "pharmacy", "pharmacists", "apothecary" or "drugstore", or use customary titles, symbols or insignia and each shall be under the separate management of a registered pharmacist who shall not engage to manage or supervise more than one such place, except that a registered pharmacist may be in charge of not more than 2 hospital pharmacies which provide only pharmaceutical services to patients registered by a hospital having 100 beds or less. This section does not prevent a person from owning and conducting more

than one pharmacy if each is under the separate supervision of a registered pharmacist.

(b) For the registration of every new drugstore or any drugstore upon a change of ownership ~~herein~~ required to be registered, there shall be paid ~~an inspection fee of \$15 together with a~~ the registration fee of ~~\$85~~ under s. 440.05 (8) and ~~an inspection shall be performed.~~ For the reinspection of premises considered to be unsatisfactory at the time of the original inspection for the registration of a new drugstore or any drugstore upon a change of ownership ~~herein~~ required to be registered, there shall be paid a reinspection fee of \$15. Upon annual renewal of registration all places shall pay an amount specified by the examining board but not to exceed \$75. Premises considered to be unsatisfactory at the time of the original inspection may be reinspected. Renewal fees are payable on June 1 of each year ~~odd-numbered years~~ after registration. Duplicate permits for the operation of a drugstore, pharmacy or any similar place of business shall be granted by the examining board and issued by the department on receipt of a ~~the~~ fee of \$5 under s. 440.05 (7).

SECTION 1545. 450.03 of the statutes is amended to read:

**450.03 Permit.** In rural districts with no registered pharmacist or assistant pharmacist within 3 miles, the examining board may grant a permit to sell on certain premises for ~~one year~~ 2 years, drugs and medicines specified therein, upon payment of the fee ~~fixed by the examining board, not exceeding \$15~~ under s. 440.05 (8). The premises for which the permit is issued must be an establishment where merchandise is sold and shall be specified in the permit. ~~An applicant for a permit for a new rural store or for a permit upon change of ownership of an existing rural store shall pay an inspection fee of \$15 in addition to the annual permit fee.~~

SECTION 1546. 450.04 (4) (a) and (5) of the statutes are amended to read:

450.04 (4) (a) For the issuance of such permit there shall be paid ~~an inspection fee of \$15 together with a~~ the registration fee in an amount specified by the examining board but not to exceed \$50 in s. 440.05 (8). Upon annual ~~biennial~~ renewal of registration all permit holders shall pay ~~an~~ the amount specified by the examining board but not to exceed \$50 in s. 440.05 (8), payable on May 31 of ~~each~~ the ~~odd-numbered year~~ following issuance of the permit.

(5) No person shall ~~may~~ engage in the sale or distribution at wholesale of a prescription drug, as defined in s. 450.07 (1) (a) 1, to any of the classes of persons enumerated in s. 450.07 (8) without first obtaining a license for such purpose from the examining board. ~~The annual fee shall be an amount specified by the examining board but not to exceed \$50.~~ Licenses expire on May 31 of the ~~odd-numbered years~~ after issuance. Such license or renewals thereof shall be issued in the discretion of the examining board to responsible applicants of good reputation.

SECTION 1547. 452.02 (1) and (3) of the statutes are amended to read:

452.02 (1) Any cemetery association or corporation which pays any commission or other compensation to any person, including its officers, members or stockholders, for soliciting the sale of its lots or grave spaces on a commercially operated basis shall register under this chapter. ~~Such~~ The cemetery association or corporation shall register ~~annually~~ biennially and pay an ~~annual~~ the fee of \$25. ~~Such~~ specified in s. 440.05 (8). The registration shall be in writing and shall include the names of the officers of the cemetery association or corporation. Any cemetery association or corporation required to register ~~hereunder~~ under this subsection which knowingly fails to register ~~within 30 days after November 1, 1961 or by February 1 of any subsequent year~~ shall be fined not more than \$100.

(3) Every person engaging in or following the business or occupation of a cemetery salesman shall be registered ~~annually~~ upon the written request of any broker designated under sub. (2) and the payment of ~~an annual~~ the fee of \$10 specified in s.



440.05 (1). The broker shall in writing certify to the examining board that such salesman is trustworthy and competent to act as a cemetery salesman. Such person shall be registered by the examining board as a salesman and agent of the broker requesting same and of the cemetery association or corporation designating ~~such~~ the broker.

SECTION 1548. 452.05 (3) of the statutes is amended to read:

452.05 (3) APPRENTICESHIPS. Any person who is a resident of this state and a citizen of the United States, 18 years of age or over, may upon application filed in accordance with sub. (1) be indentured to a licensed resident broker in accordance with rules promulgated by the examining board. These rules shall be drawn so as to protect the public and may limit the real estate sales and brokerage activity of the apprentice. The examining board further may require a preliminary examination covering general knowledge and prescribe the character and extent of his or her work during ~~his~~ apprenticeship. The examining board may issue a temporary salesman's permit to ~~said~~ the individual for a period ~~of~~ not to exceed one year upon payment of a ~~\$15~~ the fee under s. 440.05 (6). This temporary permit shall not be renewable.

SECTION 1548m. 452.06 (2) (a) of the statutes is amended to read:

452.06 (2) (a) Each new application for a real estate broker's license or for a real estate salesman's license or cemetery registration shall be for the remainder of the ~~calendar year~~ biennial license period. Each new applicant shall receive a free copy of the current study manual.

SECTION 1550. 452.06 (2) (b) of the statutes is repealed.

SECTION 1550m. 452.06 (3) of the statutes is repealed and recreated to read:

452.06 (3) The fees for examinations and licenses granted or renewed under this chapter are specified in s. 440.05.

SECTION 1550r. 452.06 (4) (a) of the statutes is amended to read:

452.06 (4) (a) Any licensed real estate salesman may at any time ~~during the calendar year for which he is licensed make application~~ apply upon forms prescribed by the examining board and provided by the department for transfer to the employment of another licensed broker. The fee for transfer by a real estate salesman is ~~\$5~~ specified in s. 440.05 (7), payable at the time the application is filed.

SECTION 1551. 452.08 (1) (a), (2), (3) (b) and (5) of the statutes are amended to read:

452.08 (1) (a) To act as a real estate broker or salesman, as the case may be, up to and including December 31 of even-numbered years following issuance of the license.

(2) CORPORATIONS; PARTNERSHIPS. If the licensee is a corporation, the license issued to it entitles the president thereof or such other officer as is designated by ~~such~~ the corporation to act as a broker. For each other officer who desires to act as a broker in behalf of ~~such~~ the corporation, an additional license shall be obtained, ~~the annual fee for which is \$30 for a new real estate broker's license or \$25 for a renewal real estate broker's license or for the issuance of a license where the individual is already licensed as an individual real estate broker. The fee for the corporate or partnership license shall be that specified in s. 440.05 (8)~~. No license as a real estate salesman shall be issued to any officer of a corporation or member of a partnership to which a license was issued as a broker. If the licensee is a partnership, the license issued to it entitles one member to act as a broker, and for each other member who desires to act as a broker an additional license shall be obtained, ~~the annual fee for which is \$30 for a new real estate broker's license or \$25 for a renewal real estate broker's license or for the issuance of a license to an individual who is already licensed as an individual broker.~~

(3) (b) If a real estate broker maintains any branch offices within this state, each branch office must be under the direct full-time supervision of a licensed real estate broker who is also a licensed salesman of employer licensee and who resides in the county in which ~~said the~~ branch office is located. The employer-broker shall be responsible for the acts and conduct of all licensed employees of the branch office, including the broker who is supervisor of the branch office. The ~~annual biennial~~ fee for a branch office ~~shall be \$10 is specified in s. 440.05 (8).~~

(5) (a) ~~Renewal applications for all licenses for the ensuing year shall be submitted with the required fee on or before August 31 of the current year. If a renewal application is filed with the department after August 31 it shall be accompanied by a late filing fee of \$10 in addition to the required renewal fee even-numbered years following licensure.~~

(b) ~~If an application for renewal is not filed with the department on or before December 31 of the current license year even-numbered years following licensure, the applicant shall be prohibited from engaging in any of the activities covered by such the license until his the license is renewed or a new license issued. The examining board shall accept renewal applications at any time during the year after the license expired upon payment of the renewal fee and penalty. The examining board shall not thereafter grant a license until the applicant passes the required written examination and pays the fee specified in s. 440.05 (1).~~

SECTION 1552. 453.06 (1), (2), (3) (b) and (4) of the statutes are amended to read:

453.06 (1) Veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pays the fee specified in s. 440.05 (1). At least one examination shall be held annually. ~~Examination fees as fixed by the examining board shall not exceed \$50, payable in advance and not returnable.~~ An applicant for a new license shall be at least 18 years of age and a graduate of a veterinary college which has been approved by the examining board. Persons who qualify for examination may be granted temporary permits to engage in the practice of veterinary medicine until the next examination conducted by the examining board. Veterinarians holding an existing license are not required to take any examination for renewal of their license. The examining board may grant a license, without any examination, to any person who holds a veterinarian's license issued by another state or country, if the license requirements in such state or country are substantially equivalent to those in this state and if such state or country recognizes licenses issued under this chapter. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

(2) Veterinary licenses shall expire on December 31 of each odd-numbered year ~~but may be renewed annually. The examining board shall charge a fee, not to exceed \$25, for each license or renewal thereof following issuance. The license renewal fee shall be that specified in s. 440.05 (3) to (5).~~

(3) (b) At least one examination shall be held annually. ~~Examination fees as fixed by the examining board may not exceed \$25, payable in advance and not returnable.~~

(4) Animal technician certifications shall expire on December 31 of each odd-numbered year ~~and shall be renewed annually. The examining board shall charge a fee, not to exceed \$15, for each certification or renewal thereof following issuance.~~

SECTION 1553. 454.04 and 454.05 of the statutes are amended to read:

**454.04 Application.** Applicants for certificates shall be examined at a time and place fixed by the examining board. Applications for examinations shall be submitted to the examining board at least 10 days before the date set for the examination and shall be accompanied by an examination fee ~~to be specified by the examining board~~

~~but not to exceed \$50 in s. 440.05 (1).~~ The applicant shall be of good moral character, at least 20 years of age and possess such training and experience as the examining board by rule determines.

**454.05 Examination.** An applicant, to be entitled to a certificate, shall pass an examination before the examining board, which examination shall be confined to such knowledge, practical ability and skill as is essential in the proper repairing of watches, and shall include an examination of theoretical knowledge of watch construction and repair, and also a practical demonstration of the applicant's skill in the manipulation of watchmaker's tools. In case of failure at any examination, the applicant may take another examination at any other examination period upon the payment of a the fee of \$10 specified in s. 440.05 (1).

SECTION 1554. 454.06 (2) and (4) of the statutes are amended to read:

454.06 (2) A watchmaker in good standing, registered and licensed in another state and having engaged in watchmaking therein for 2 years immediately preceding his application for a certificate, upon filing with the examining board satisfactory proof thereof, may, in the discretion of the examining board, be issued a certificate without examination upon the payment of ~~a fee of \$25~~ the fee specified in s. 440.05 (2), provided the standards in such other state are at least as high as those defined and established by the examining board.

(4) Certificates of registration shall expire on December 31 of each even-numbered year and may be renewed for one year upon the payment of ~~a fee to be specified by the examining board, but not to exceed \$30~~ the fee specified in s. 440.05 (3). Applications may be made for renewal after December 15 of each even-numbered year.

SECTION 1555. 454.07 of the statutes is amended to read:

**454.07 Apprentice watchmakers.** The examining board may grant a certificate of registration as an apprentice watchmaker to any person 16 years of age or over, of good moral character, indentured to a registered watchmaker in accordance with s. 106.01. A certified apprentice watchmaker may engage in watchmaking subject to this chapter and shall conspicuously display ~~his~~ the certificate at all times at the place of employment of such apprentice. Apprentice watchmakers shall pay ~~a fee of \$1 for the certificate and a renewal fee of \$1 annually~~ the fee specified in s. 440.05 (6).

~~SECTION 1556. 455.04 (1) (c) and (3) of the statutes are amended to read:  
455.04 (1) (c) Have passed an examination prepared by the board on ethical issues in the professional practice of psychology written and oral examinations on basic and applied psychological science and ethics as determined by the board.~~

~~(3) The examining board may waive the requirements of sub. (1) (c) and (d) and (e) if a candidate holds a diploma of the American board of examiners in professional psychology, or holds a certificate or license of an examining board of some other state or territory or foreign country or province, if the standards of such other examining board are deemed by the members of this board to be equivalent to the standards of this state and like reciprocity is extended to holders of licenses issued by this state.~~

SECTION 1557. 455.06 (1) of the statutes is amended to read:

455.06 (1) Licenses issued under this section expire on September 30 of the odd-numbered year ~~of following~~ their issuance. A licensee shall, on or before its expiration date, apply for renewal of ~~his license~~ to the department, accompanied by the fee specified in s. ~~455.07 (2).~~ ~~If he applies for renewal of the license after its expiration date, his application shall be accompanied by the fee specified in s. 455.07~~

Vetoed  
in Part

~~(2) and, prior to renewal of his license, he shall pay the fee determined under s. 455.07 (3) 440.05 (3).~~

SECTION 1558. 455.07 of the statutes is amended to read:

**455.07 Fees.** (1) The application fee for a license under this chapter shall be ~~fixed by the examining board in an amount not less than \$30 nor more than \$40 that specified in s. 440.05 (1) or (2).~~

(2) The fee for renewal of a license under this chapter shall be ~~fixed by the examining board in an amount not less than \$20 nor more than \$30 that specified in s. 440.05 (3).~~

(3) The delinquency fee ~~shall be \$5~~ fees shall be those specified in s. 440.05 (4) and (5).

SECTION 1560. 456.04 (1) of the statutes is amended to read:

456.04 (1) Pays a ~~the fee in an amount determined by the examining board but not exceeding \$50 under s. 440.05 (1); and~~

SECTION 1561. 456.07 (1) to (3) and (5) of the statutes are amended to read:

456.07 (1) Every individual who holds a license ~~or a provisional license~~ as a nursing home administrator issued by the department shall ~~annually~~ biennially apply to the examining board for a new certificate of registration and report any facts requested by the examining board on forms provided for such purpose.

(2) The application for a new certificate of registration shall include ~~an annual the biennial~~ registration fee ~~in an amount not less than \$10 nor more than \$50 as prescribed by the examining board specified in s. 440.05 (3) and evidence satisfactory to the examining board that during the annual biennial period immediately preceding such application for registration he the applicant has attended a continuation education program or course of study. All annual registration fees are payable on July 1 of every year except that any person who has paid a fee under s. 456.03 or 456.04 need not pay another fee until the next annual registration date even-numbered years following licensure.~~

(3) Upon approval of ~~such an~~ application for registration the examining board shall issue a certificate of registration to ~~such the~~ nursing home administrator. ~~All fees paid after the due date shall be accompanied by a \$5 late filing fee.~~

(5) Only an individual who has qualified as a licensed and registered nursing home administrator under this chapter and who holds a valid current registration certificate under this section for the current ~~annual~~ registration period may use the title "Nursing Home Administrator", and the abbreviation "N.H.A." after ~~his~~ the person's name. No other person ~~shall may~~ use or ~~shall~~ be designated by such title or such abbreviation or any other words, letters, sign, card or device tending to or intended to indicate that ~~such the~~ person is a licensed and registered nursing home administrator.

SECTION 1562. 456.08 of the statutes is amended to read:

**456.08 Reciprocity.** The examining board, in its discretion, and subject to this chapter and the rules of the examining board may indorse a nursing home administrator license issued by the proper authorities of any other state, upon payment of a ~~the fee prescribed by the examining board under s. 440.05 (2) and upon submission of satisfactory evidence of his the person's qualifications.~~

SECTION 1563. 459.05 (1) of the statutes is amended to read:

459.05 (1) Whenever the examining board determines that another state or jurisdiction has requirements equivalent to or higher than those in effect in the state for the practice of fitting and selling hearing aids, and that such state or jurisdiction has a program equivalent to or stricter than the program for determining whether applicants in this state are qualified to fit and sell hearing aids, the department may

issue a license by reciprocity to applicants who hold valid certificates or licenses to deal in or fit hearing aids in such other state or jurisdiction and is otherwise qualified for licensure. No such applicant for a license by reciprocity pursuant to this subsection shall be required to submit to or undergo a qualifying examination, other than the payment of the ~~\$75 fee~~ under s. 440.05 (2) provided such applicant personally appears at the next meeting of the examining board after filing the application to answer any questions the examining board has. The holder of a license by reciprocity shall be registered in the same manner as other holders of a license. ~~The fee for an initial license by reciprocity shall be the same as the fee for an initial license. Fees, grounds, Grounds~~ for renewal and procedures for the suspension and revocation of a license by reciprocity shall be the same as for renewal, suspension and revocation of a license.

SECTION 1564. 459.06 (4) of the statutes is amended to read:

459.06 (4) Applications for examinations shall be submitted to the examining board at least 10 days before the date set for the examination and shall be accompanied by ~~an~~ the examination fee specified ~~by the examining board, not to exceed \$100~~ under s. 440.05 (1).

SECTION 1565. 459.07 (2) of the statutes is amended to read:

459.07 (2) Upon receiving an application under this section, accompanied by ~~a~~ the fee of ~~\$35~~ under s. 440.05 (6), the examining board may grant a trainee permit which may entitle the applicant to practice fitting of hearing aids for a period of one year. A person holding a valid hearing aid dealers or fitters license shall be responsible for the direct supervision and training of ~~such~~ the applicant and shall be liable for all negligent acts and omissions of the trainee in the fitting of hearing aids.

SECTION 1566. 459.09 of the statutes is amended to read:

**459.09 (title) Renewal of license; fees; effect of failure to renew.** Each person who practices dealing in or fitting hearing aids shall ~~annually~~, on or before January ~~30th~~ 30 of even-numbered years following licensure, pay to the department ~~a~~ the renewal fee of ~~\$50 for a renewal of his license specified in s. 440.05 (3)~~ and shall keep ~~such~~ the certificate conspicuously posted in ~~his~~ the person's office or place of business at all times. Where more than one office is operated by the licensee, duplicate certificates shall be issued by the department for posting in each location.

SECTION 1568. 552.23 (1) of the statutes is amended to read:

552.23 (1) If the target company is an insurance company subject to regulation by the commissioner of insurance, a banking corporation subject to regulation by the commissioner of banking, a savings and loan association subject to regulation by the commissioner of savings and loan, or a public service corporation subject to regulation by the public service commission, the department of transportation or the transportation commission, the commissioner shall promptly furnish a copy of the registration statement filed under this chapter to the regulatory agency having supervision of the target company. Any hearing under this chapter involving any such target company shall be held jointly with the regulatory agency having supervision, and any determination following the hearing shall be made jointly with that regulatory agency.

SECTION 1569. 560.01 (3) of the statutes is created to read:

560.01 (3) **FOREIGN OFFICE AGREEMENTS.** The department may enter into agreements regarding compensation, space and other administrative matters as are necessary to operate a departmental office in Europe. Such agreements shall be subject to the approval of the secretary of administration.

SECTION 1570. 560.02 of the statutes is amended to read:

**560.02 Secretary.** The secretary of business development shall direct the execution of the statutory duties and powers assigned to the department and shall advise the

governor and legislature on matters regarding economic growth and development in the state. The secretary shall appoint, ~~from the classified service,~~ the administrators for the various divisions of the department. Administrators so appointed shall serve at the pleasure of the secretary, ~~but each shall be entitled to return to his former position or to one with equivalent responsibility and pay in the classified service in accordance with s. 16.27.~~ The secretary may delegate any of his or her powers and duties to such officers and employes of the department as he or she designates, and may authorize successive redelegations of such powers and duties.

SECTION 1571. 601.45 (1) of the statutes is amended to read:

601.45 (1) (title) COSTS TO BE PAID BY EXAMINEES. The reasonable costs of ~~an examination~~ examinations under ss. 601.43 and 601.44 shall be paid by ~~the examinee~~ examinees except as provided in sub. (4). ~~The costs shall include the salary and expenses of each examiner and any other expenses which may be directly apportioned to the examination, either on the basis of a system of billing for actual salaries and expenses of examiners and other apportionable expenses, including office overhead, or by a system of regular annual billings to cover the costs relating to a group of companies, or a combination of such systems, as the commissioner may by rule prescribe. Additional funding, if any, shall be governed by s. 601.32. The commissioner shall schedule annual hearings under s. 601.41 (5) to review current problems in the area of examinations.~~

SECTION 1572. 601.93 (1) of the statutes is repealed and recreated to read:

601.93 (1) Any company effecting fire insurance in this state shall pay fire department dues equal to 2% of the amount of all premiums which, during the preceding calendar year, have been received by, or have been agreed to be paid to, the company for insurance against loss by fire, including insurance on property exempt from taxation.

SECTION 1573. 601.93 (2) to (4) of the statutes are amended to read:

601.93 (2) Every company effecting fire insurance in ~~any city, village or town entitled to any fire department dues~~ this state shall, before the first day of March 1 in each year, file with the commissioner a statement, showing the amount of premiums upon ~~said fire~~ fire insurance, and pay to the commissioner the total amount of ~~such~~ fire department dues required. Return premiums, as defined in s. 76.30, may be deducted in determining the premium on which the fire department dues are computed.

(3) The commissioner shall, before ~~the first day of~~ May 1 in each year, compile the fire department dues paid by all companies, and certify the proper amount for each city, village or town entitled to fire department dues to the department of administration; ~~and such.~~ That amount shall, upon being audited by the department of administration, be paid by the state treasurer to the respective cities, villages and towns ~~entitled to the same.~~

(4) The commissioner shall include in such compilation and certification of fire department dues ~~the amount of two per centum on 2% of~~ the premiums paid the state fire fund for the insurance of any public property, other than state, ~~located within any city, village or town entitled to fire department dues~~ property, and the amount of such dues shall be included in the apportionment to ~~such~~ such cities, villages and towns; ~~the entitled to fire department dues.~~ The commissioner shall notify the state treasurer of the amount so certified and the state treasurer shall charge the amount to the state fire fund.

SECTION 1574. 601.95 (1) and (5) of the statutes are amended to read:

601.95 (1) (a) Every city, village or town maintaining a fire department, as ~~herein~~ provided in this section, shall be entitled, for the support thereof, to ~~two per centum upon the amount of all premiums which, during the preceding calendar year, shall~~

~~have been received by, or shall have been agreed to be paid to any company, for insurance, including property exempt from taxation, against loss by fire in such city, village or town a proportionate share of all fire department dues collected under s. 601.93, based on the equalized valuation of real property improvements upon land within the city, village or town.~~

(b) Every ~~such~~ city, village or town which ~~furnishes fire protection under contract to has contracted with~~ another city, village or town or any part thereof ~~for fire protection~~ shall be entitled to the dues specified in ~~paragraph par. (a) from the premiums for fire insurance on property in such other city, village or town or part thereof, provided, that if~~ a certified copy of the contract, ordinances or resolutions constituting the agreement ~~shall be is~~ filed with the commissioner, together with a certificate of the department of industry, labor and human relations that the fire department furnishing the protection has sufficient equipment to and can afford the agreed protection without endangering property within its own limits. All such contracts, ordinances or resolutions shall describe the territory protected by township or section lines.

(d) Any city, village or town, not maintaining a fire department, which purchases not less than the minimum fire fighting equipment required for eligibility under ~~subsection sub. (3), and which for the purpose of obtaining fire protection for itself enters into an agreement with another city, village or town for the fire department of such other municipality to house and operate such equipment, shall be entitled to the dues specified in paragraph par. (a) from the premiums for fire insurance on property in the territory obtaining fire protection, if such municipality by agreement shall assume responsibility for the repair, maintenance and replacement of such fire fighting equipment. A if~~ a certified copy of the contract constituting the agreement, containing a complete description of the fire fighting equipment purchased by the municipality receiving protection, and a description of the territory protected by township or section lines, ~~shall be is~~ filed with the commissioner, together with a certificate of the department of industry, labor and human relations that ~~such~~ the equipment meets the requirements of ~~subsection sub. (3). Two or more municipalities which together have purchased not less than the minimum fire fighting equipment as provided in this paragraph may enter and have entered into a fire protection agreement in the herein prescribed manner and prescribed in this paragraph shall under such conditions each be jointly entitled to the dues as required by this subsection, provided such municipalities obtaining protection under the contract shall jointly and severally assume the responsibility for the repair, maintenance and replacement of the fire fighting equipment required. Such 2 per cent as required by this subsection shall be used for the operation, maintenance, repair or replacement of such equipment as described in subsection (3).~~

(5) No city, village or town ~~shall may~~ be paid any fire department dues for any year unless the department of industry, labor and human relations ~~shall have has~~ certified to the commissioner ~~of insurance~~ that the requirements of s. 101.14 (2) (a) to (g) have been complied with as to such city, village or town. ~~Any fire department dues paid into the state treasury for any city, village or town not entitled to receive the same may be expended by the department of industry, labor and human relations for making the necessary inspections within such city, village or town. In case such. If~~ dues ~~shall be are~~ withheld, ~~where the same shall be payable which would have been paid into any firemen's fire fighter's pension fund or other special funds for the benefit of disabled or superannuated firemen fire fighters,~~ an amount equal to the fire department dues so withheld shall be paid into ~~such the~~ pension fund from any ~~available~~ fund of ~~such the~~ city, village or town ~~available therefor, and if no such fund be so is~~ available, the same shall be included in and paid out of the next taxes levied and collected for ~~such the~~ city, village or town.

SECTION 1575. 601.95 (6) of the statutes is created to read:

601.95 (6) No city, village or town which has contracted with another city, village or town or any part thereof for fire protection may be paid any fire department dues unless the contract or contracts are sufficient to provide fire protection to the entire city, village or town for which the fire protection service is being provided.

~~SECTION 1577. 632.71 of the statutes is amended to read:~~

Vetoed  
in Part

~~632.71 Estoppel from medical examination, assignability and change of beneficiary. Sections Except as provided in s. 632.72, ss. 632.47 to 632.50 apply to health and disability insurance policies.~~

SECTION 1578. 632.72 of the statutes is created to read:

**632.72 Medical assistance; assignment.** The providing of medical benefits under s. 49.02, 49.03 or 49.046 or of medical assistance under s. 49.45, 49.46 or 49.47 constitutes an assignment to the department of health and social services or the county or municipality providing the medical benefits or assistance. The assignment shall be, to the extent of the medical benefits or assistance provided, for benefits to which the recipient would be entitled under any policy of health and disability insurance.

SECTION 1579. 655.015 of the statutes is amended to read:

**655.015 (title) Future medical expenses fund.** If a settlement, arbitration award or judgment under this chapter provides for future medical expense payments in excess of \$25,000, that portion of future medical expense payments in excess of \$25,000 shall be paid to the commissioner into the future medical expenses fund. The commissioner shall develop by rule a system for managing and disbursing such funds moneys through periodic payments for these expenses. Such periodic payments shall be made under the system until either the amount is exhausted or the patient dies. Such rules shall not be effective until approved by the senate and assembly committees to which health care and insurance legislation is usually referred.

SECTION 1580. 655.017 of the statutes is amended to read:

**655.017 (title) Biennial training requirement.** No medical or osteopathic physician may be afforded the protection provided under this chapter unless, in each 3rd 2nd year at the time of renewing a certificate of registration under s. 448.07, such, the physician presents to the medical examining board evidence of having completed at least 45 30 hours of continuing education in programs or courses of study approved by the medical examining board within the 3 2 calendar years immediately preceding such application. The medical examining board shall notify the commissioner and the department of all physicians who have met the requirements of this section. The examining board may waive these requirements if it finds that exceptional circumstances such as prolonged illness, disability or other similar circumstances have prevented a physician from meeting the requirements.

SECTION 1581. 655.27 (1) of the statutes is amended to read:

655.27 (1) FUND. There is created a patients compensation fund for the purpose of paying that portion of a medical malpractice claim which is in excess of the limit expressed in s. 655.23 (5). The fund shall be liable only for payment of claims against health care providers permanently practicing or operating in this state who have complied with the provisions of this chapter and reasonable and necessary expenses incurred in payment of claims and fund administrative expenses incurred under this chapter. The coverage provided by the fund shall begin July 1, 1975, and run thereafter on a fiscal year basis.

SECTION 1583. 812.18 (2) (a) 3 of the statutes is amended to read:

812.18 (2) (a) 3. In the case of earnings for a period other than a week, the defendant shall receive a subsistence allowance computed so that it is equivalent to



that in subd. 2 using a multiple of the federal minimum hourly wage prescribed by rule of the department of industry, labor and human relations commission.

SECTION 1584m. 880.33 (2) (a) of the statutes is amended to read:

880.33 (2) (a) The proposed ward has the right to counsel whether or not present at the hearing on determination of competency. The court shall in all cases require the appointment of a guardian ad litem and may in addition require representation by full legal counsel if the guardian ad litem or the proposed incompetent requests or if the interests of justice so require. If the person requests but is unable to obtain counsel, the court shall ~~appoint counsel~~ refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 997. If the person is indigent, the county of legal settlement shall be liable for guardian ad litem fees ~~and attorneys fees, if any.~~ ~~If an attorney is appointed, the attorney shall be allowed reasonable compensation as is customarily charged by attorneys in this state for comparable services.~~ The proposed ward shall have the right to a trial by a jury of 6 persons, if demanded by ~~such~~ the person, attorney or guardian ad litem. The proposed ward, attorney or guardian ad litem shall have the right to present and cross-examine witnesses, including the physician or psychologist reporting to the court under sub. (1). The attorney or guardian ad litem for the proposed ward shall be provided with a copy of the report of the physician or psychologist at least 96 hours in advance of the hearing. Any final decision of the court is subject to the right of appeal to the supreme court on proper application.

SECTION 1585. 895.45 (1) of the statutes is amended to read:

895.45 (1) No civil action or civil proceeding may be brought against any state officer ~~or~~, employe ~~or agent~~ for or on account of any act growing out of or committed in the course of the discharge of such officer's ~~or~~, employe's ~~or agent's~~ duties, unless within 90 days of the event causing the injury, damage or death giving rise to ~~such~~ the civil action or civil proceeding, the claimant in ~~such~~ the action or proceeding serves upon the attorney general written notice of a claim stating the time, date, location and the circumstances of the event giving rise to the claim for ~~such~~ the injury, damage or death and the names of persons involved, including the name of the state officer ~~or~~, employe ~~or agent~~ involved.

SECTION 1586. 895.45 (4) of the statutes is amended to read:

895.45 (4) The amount recoverable by any person or entity for any damages, injuries or death in any civil action or civil proceeding against a state officer ~~or~~, employe ~~under this section~~ ~~or agent~~ shall not exceed \$100,000. No punitive damages ~~shall~~ may be allowed or recoverable in any such action.

SECTION 1587. 895.46 (3) of the statutes is created to read:

895.46 (3) The protection afforded by this section shall apply to any state officer, employe or agent while operating a state-owned vehicle for personal use in accordance with s. 20.916 (7).

SECTION 1590. 949.12 of the statutes is repealed.

SECTION 1591. 949.13 of the statutes is repealed and recreated to read:

**949.13 Appeal and judicial review.** Any party in interest who disputes the findings or order of an examiner may appeal such findings or order. In case of such dispute the procedure for hearing, award and appeal shall be as set forth in ss. 102.16 to 102.26.

SECTION 1592. 949.16 of the statutes is amended to read:

**949.16 Confidentiality of records.** The record of a proceeding before an examiner or the department or the labor and industry review commission under this chapter shall be a public record. Any record or report obtained by an examiner or the department

or the labor and industry review commission, the confidentiality of which is protected by any other law or rule, shall remain confidential.

SECTION 1593. 967.06 of the statutes is repealed and recreated to read:

**967.06 Determination of indigency; appointment of counsel.** As soon as practicable after a person has been detained or arrested in connection with any offense which is punishable by incarceration, or in connection with any civil commitment proceeding, or in any other situation in which a person is entitled to counsel regardless of ability to pay under the constitution or laws of the United States or this state, the person shall be informed of his or her right to counsel. Persons who indicate at any time that they wish to be represented by a lawyer, and who claim that they are not able to pay in full for a lawyer's services, shall immediately be permitted to contact the nearest representative of the state public defender. After presenting information as to their indigency, and after being found indigent in full or in part, such persons shall have counsel appointed for them by the representative of the state public defender as provided in ch. 977.

SECTION 1594. 970.02 (6) of the statutes is repealed and recreated to read:

970.02 (6) In all cases in which the defendant is entitled to legal representation under the constitution or laws of the United States or this state, the judge or magistrate shall inform the defendant of his or her right to counsel and, if the defendant claims or appears to be indigent, shall refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 977.

SECTION 1597. 973.05 of the statutes is amended to read:

**973.05 (title) Fines and penalty assessments.** (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine and of the penalty assessment imposed by s. 165.87 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine and the penalty assessment shall be payable ~~forthwith~~ immediately.

(2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine and the penalty assessment a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full and shall then be applied to payment of the fine.

SECTION 1598. 973.07 of the statutes is amended to read:

**973.07 (title) Failure to pay fine or costs.** ~~When a~~ If the fine or the costs or penalty assessment are not paid as required by the sentence, the defendant may be committed to the county jail until the fine and, costs or penalty assessment are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 1599. 974.06 (3) (b) of the statutes is repealed and recreated to read:

974.06 (3) (b) If it appears that counsel is necessary and if the defendant claims or appears to be indigent, refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 977.

SECTION 1600. Chapter 977 of the statutes is created to read:

#### CHAPTER 977

#### STATE PUBLIC DEFENDER

**977.01 Definitions.** In this chapter, unless the context requires otherwise, "board" means the public defender board.

**977.02 Board; duties.** The board shall:

(1) Appoint the state public defender and establish the state public defender's salary under s. 20.923 (4) (d) 10m.

(2) Submit the budget of the state public defender to the governor after such budget is submitted to the board by the state public defender and approved by the board.

(4) Promulgate rules regarding the determination of indigency of persons entitled to be represented by counsel.

(5) For each county, fix the hourly rate to be paid to local counsel appointed from the assigned counsel lists.

(6) For each county, establish the percentage of cases, for each category of cases as specified in s. 977.08 (2) (a) to (f), to be handled by local counsel, after considering the interest of local counsel in representing indigents and the amount of available resources.

(7) Review decisions of the state public defender regarding bill payments, as provided under s. 977.08 (4). The board may affirm, modify or reject the decision of the state public defender.

(8) Perform all other duties necessary and incidental to the performance of any duty enumerated in this chapter.

**977.03 Board; powers.** The board may remove the state public defender pursuant to the procedure under s. 977.05 (2). The board may enter into contracts with federal governmental agencies and local public defender organizations for the provision of legal services under this chapter.

**977.04 Board; restrictions.** The board shall not make any decision regarding the handling of any case nor interfere with the state public defender or any member of his or her staff in carrying out professional duties.

**977.05 State public defender.** (1) **APPOINTMENT AND TERM.** The board shall appoint a state public defender, who shall be a member of the state bar of Wisconsin. The state public defender shall serve for a period of 5 years and shall continue until a successor is appointed. He or she shall devote full time to the performance of duties as state public defender.

(2) **REMOVAL.** During the 5-year term, the state public defender may be discharged only for cause by the board after a public hearing.

(3) **SALARY.** The salary of the state public defender shall not be decreased during his or her term.

(4) **DUTIES.** The state public defender shall:

(a) Supervise the operation, activities, policies and procedures of the office of the state public defender.

(b) Be the chief legal officer of the office of the state public defender and make all final decisions regarding the disposition of any case handled by the office.

(c) Prepare and submit to the board for its approval the annual and biennial budget of the office of the state public defender.

(d) Prepare and submit to the board for its approval such personnel and employment policies as the board shall require.

(e) Prepare and submit to the board and such other persons as may be appropriate an annual report of the activities of the office in such form as the board shall direct.

(f) Determine when and where it is necessary to establish offices for the state public defender and arrange for the rental of such space consistent with the policy and procedure of the department of administration.

(g) Accept referrals from judges, courts or appropriate state agencies for the determination of indigency, make appointments for the provision of any appropriate legal services in accordance with contracts and policies of the board, and inform the referring judge, court or agency of the name and address of the specific attorney who has been assigned to each case.

(h) Accept requests for legal services from indigent persons entitled to counsel under s. 967.06 or otherwise so entitled under the constitution or laws of the United States or this state and provide such persons with legal services when, in the discretion of the state public defender, such provision of legal services is appropriate.

(i) Provide legal services in:

1. Cases involving persons charged with a crime against life under ss. 940.01 to 940.12.
2. Cases involving persons charged with a felony not specified under subd. 1.
3. Cases involving persons charged with a misdemeanor not specified under subd. 1.
4. Cases involving persons subject to emergency detention or involuntary civil commitment under ch.51.
5. Cases involving children subject to adjudication as a delinquent.
6. Cases involving persons attacking the conditions of their confinement.

(j) At the request of any person determined by the state public defender to be indigent or upon referral of any court to prosecute a writ of error, appeal, writ of habeas corpus or other post-conviction or post-commitment remedy on behalf of such person before any court, if the state public defender is first satisfied there is arguable merit to such proceedings.

(k) Represent members of the staff of the office of the state public defender who are named as defendants in lawsuits arising from their duties within the office. The attorney general may also, if appropriate, represent such staff members in such litigation. In cases where a member could be represented by either the public defender or the attorney general, the public defender shall determine who shall represent the member.

(L) Commence actions in the name of the state public defender or any client or group of clients to seek declaratory judgment on any matter of concern to persons being represented by the office.

(m) Perform all other duties necessary or incidental to the performance of any duty enumerated in this chapter.

(5) **POWERS.** The state public defender may:

(a) Delegate the legal representation of any person to any member of the state bar of Wisconsin certified under s. 977.08.

(b) Designate persons as representatives of the state public defender for the purpose of making indigency determinations and appointing counsel.

(c) Negotiate contracts with the United States or any executive, legislative or judicial branch thereof to provide legal services to persons appearing before the federal district courts located in this state or who are incarcerated in federal custody in this state and to take whatever legal action such representation requires, including appeal or the commencement of any appropriate original actions.

(d) Negotiate contracts with local public defender organizations as directed by the board.

**977.06 Personnel.** (1) **APPOINTMENT.** The state public defender shall appoint all staff necessary for the carrying out of the duties of the department, all of whom shall

be under the classified service except 2 deputy state public defenders. Each such deputy state public defender shall be appointed by the state public defender.

**977.07 Determination of indigency.** (1) Determination of indigency for persons referred to or contacting the state public defender shall be made as soon as possible and shall be in accordance with the rules promulgated by the board under s. 977.02 (4). During the time period of July 1, 1978, to June 30, 1979, the state public defender shall permit judicial determination of indigency and judicial assignment of counsel as provided in chapter ... (this act), laws of 1977, section 1655 (34m) (b). During the time period of July 1, 1978, to June 30, 1979, counties shall pay the legal fees for indigent representation where it has been determined that there will be judicial determination of indigency and judicial assignment of counsel as provided in chapter ... (this act), laws of 1977, section 1655 (34m) (b).

(2) The representative of the state public defender making a determination shall ascertain the assets of the person which exceed the amount needed for the payment of reasonable and necessary expenses incurred, or which must be incurred to support the person and the person's immediate family. Such assets shall include disposable income, cash in hand, stocks and bonds, bank accounts and other property which can be converted to cash within a reasonable period of time and is not needed to hold a job, or shelter, clothe and care for the person and the person's immediate family. Assets which cannot be converted to cash within a reasonable period of time, such as a person's home, car, household furnishings, clothing and other property which has been declared exempt from attachment or execution by law, shall be calculated to be assets equivalent in dollars to the amount of the loan which could be, in fact, raised by using these assets as collateral. If the person's assets, less reasonable and necessary living expenses, are not sufficient to cover the anticipated cost of effective representation when the length and complexity of the anticipated proceedings are taken fully into account, the person shall be determined to be indigent in full or in part. The determination of the ability of the person to contribute to the cost of legal services shall be based upon specific written standards relating to income, assets and the anticipated cost of representation. If found to be indigent in full or in part, the person shall be promptly informed of the state's right to recoupment under s. 256.66, and the possibility that such payment of attorney's fees may be made a condition of probation, should the person be placed on probation. Furthermore, if found to be indigent in part, the person shall be promptly informed of the extent to which he or she will be expected to pay for counsel, and whether such payment shall be in the form of a lump sum payment or periodic payments. The payment and payment schedule shall be set forth in writing. Payments for services of the state public defender or other counsel provided under this chapter shall be paid to the state public defender for deposit in the state treasury.

**977.08 Appointment of counsel.** (1) If the representative of the state public defender determines that a person is indigent in full or in part under s. 977.07, the representative shall assign counsel according to the lists prepared under sub. (3) and according to the percentage established by the board under s. 977.02 (6) for that type of case in that county.

(2) All attorneys in a county shall be notified in writing by the state public defender that a set of lists is being prepared of attorneys willing to represent indigent clients in the following:

(a) Cases involving persons charged with a crime against life under ss. 940.01 to 940.12.

(b) Cases involving persons charged with a felony not specified under par. (a).

(c) Cases involving persons charged with a misdemeanor not specified under par. (a).

(d) Cases involving persons subject to emergency detention or involuntary civil commitment under ch. 51.

(e) Cases involving children subject to adjudication as a delinquent.

(f) Cases involving persons attacking the conditions of their confinement.

(3) (a) Attorneys notified under sub. (2) shall have a reasonable time to submit their names for inclusion on any or all of the lists. Attorneys shall, in submitting their names, set forth their legal education and experience which qualifies them to provide representation in the types of cases they have expressed an interest in handling. The state public defender shall compile the names and qualifications submitted, and submit such names and qualifications to the district attorney of that county, all judges presiding regularly in that county and the president of the county bar association. Such persons may submit written comments on the attorneys named on such lists.

(b) A final set of lists for each county shall be prepared, certified and annually updated by the state public defender. Persons may not be excluded from any list unless the state public defender states in writing the reasons for such action in the context of existing rules adopted by the state public defender board. Any attorney thus excluded shall then have the opportunity to appeal the state public defender's decision to the board, which shall issue a final decision in writing.

(c) A person appointed from the set of lists prepared under par. (b) shall be appointed in order from the top of each list; if any attorney thus appointed states in writing that he or she cannot accept the appointment, he or she shall be placed on the bottom of the list, and the attorney thus elevated to the top of the list shall be appointed.

(d) Whenever the director of a local public defender organization is appointed as counsel, he or she may assign the case to any qualified attorney or attorneys employed by the local public defender organization.

(4) At the conclusion of each case, any private local attorney who has been appointed shall submit his or her bill to the state public defender who shall review the bill and reject it or approve it in whole or in part. The state public defender shall then pay the bill according to the payment schedule established by the board. Any attorney dissatisfied with the decision of the state public defender regarding the bill may have the decision reviewed by the board.

**977.09 Confidentiality of files.** The files maintained by the office of the state public defender which relate to the handling of any case shall be considered confidential and shall not be open to inspection by any person unless authorized by law, court order, the board or the state public defender.

SECTION 1601. 985.04 (2) of the statutes is amended to read:

985.04 (2) Every law shall be published once in the official state paper ~~immediately~~ within 10 working days after its approval, ~~from camera-ready copy prepared under s. 35.35 (1) (a) and~~ in type not smaller than ~~5-1/2~~ 5.5 point, and the costs charged to the legislature.

SECTION 1603m. Chapter 39, laws of 1975, section 718 (14) is amended to read:

(Chapter 39, laws of 1975) Section 718 (14) ~~BLACK RIVER CORRECTIONAL CAMP.~~ The Black River correctional camp shall be designated a youthful offender facility for fiscal year ~~1976-77~~ 1977-78.

SECTION 1603s. Chapter 39, laws of 1975, section 728 (2) is repealed.

SECTION 1604m. Chapter 224, laws of 1975, section 144 is amended to read:

(Chapter 224, laws of 1975) Section 144. **Youthful offender disposition: conditions.** Disposition of youthful offenders shall be in accord with this SECTION effective July 1, 1976. Prior to July 1, 1976, disposition of youthful offenders shall be in accord with

law existing prior to July 1, 1976. During a transition period from July 1, 1976 1977, to June 30, 1977 1978, the department may temporarily comingle male youthful offenders and criminal offenders during the process of transfer of criminal offenders from the designated male youthful offender institution to correctional institutions for criminal offenders and the phase-in of male youthful offenders at the male youthful offender institution. On or before July 1, 1977 1978, all criminal offenders shall be removed from the designated male youthful offender institution and entirely separated from male youthful offenders.

SECTION 1605. Chapter 224, laws of 1975, section 145h (2) is repealed.

SECTION 1606. Chapter 224, laws of 1975, section 145h (10) is repealed.

SECTION 1606a. Chapter 224, laws of 1975, section 145j is repealed.

SECTION 1606b. Chapter 413, laws of 1975, sections 19m and 20 are repealed.

SECTION 1606c. **Authorized state building program.** (1) For the 1977-79 fiscal biennium, the authorized state building program shall be as follows:

(a) University of Wisconsin system.			
Projects financed by building trust funds:			
System minor projects		\$6,676,900	
Waukesha center expansion equipment		293,000	
School of veterinary medicine and satellite food animal clinic facilities - advance planning		200,000	Vetoed in Part
Total building trust funds		\$7,209,900	
Projects to be financed by general fund supported borrowing:			
Madison - nutritional sciences conversion		\$1,286,000	
- hospital complex remodeling (total project all funding sources \$22,100,000 including \$3,500,000 enumerated in 1975-77 biennium)		17,500,000	
- biochemistry remodeling		750,000	
- hydraulics building remodeling		780,000	
- physical plant garage		540,000	
- Charmany farms dairy barn and biohazard lab remodeling		298,000	
- lakewater system conversion		414,000	
- east campus electrical substation		467,000	
- bacteriology electrical substation		858,000	
- safety and improved access project		1,627,000	
- Camp Randall sports center roof repair (total project all funding sources \$360,000)		180,000	
School of veterinary medicine		2,000,000	Vetoed in Part
Milwaukee - Downer building complex remodeling- phase I (total project \$4,305,600 including \$600,000 enumerated in 1971-73 biennium)		3,705,600	
River Falls - agricultural engineering building		833,100	
Stout - remodeling vocational rehabilitation		1,400,000	
- library learning center		6,287,000	
- handicapped accessibility/photo lab improvements		275,500	
Whitewater - Williams center addition		1,451,200	
System - mechanical/electrical monitoring systems		3,150,000	
- minor projects		726,200	
Total general fund supported borrowing authority		\$45,428,600	
Projects to be financed by self-amortizing supported borrowing:			
Madison - lower campus parking ramp		\$2,940,000	
- Camp Randall sports center roof repair (total project all funding sources \$360,000)		180,000	
Total self-amortizing borrowing authority		\$3,120,000	
Projects to be financed by gifts, grants or other agency receipts:			
Madison - hospital complex remodeling (total project all funding sources \$18,600,000)		\$1,100,000	
Lakeshore Improvements		250,000	Vetoed in Part
- accelerator addition at Stoughton physical sciences lab (total project \$5,290,000 including \$1,900,000 enumerated in 1973-75		3,390,000	

	biennium)		
	Stevens Point - university center kitchen/ dining room renovation	519,400	
	System - minor projects	<u>518,400</u>	
	<del>Total gifts, grants and agency receipts</del>	<del>518,400</del>	
	(b) Department of health and social services		
	Projects to be financed by building trust funds:		
	Correctional system - advance planning	1,500,000	
	- purchase/remodel, lease or construction of additional adult facilities	2,000,000	
Vetoed in Part	Minor projects	<u>\$1,300,000</u>	
	Total building trust funds	\$4,800,000	
	Projects to be financed by general fund supported borrowing:		
	Waupun state prison - cannery building demolition and education building construction and remodeling	\$1,830,000	
	Green Bay reformatory - food service building and remodeling of vocational facility	1,050,000	
	Kettle Moraine correctional institution - additional cottages, commissary and supporting facilities	4,100,000	
	Taycheedah correctional institution - housing and supporting facilities	9,600,000	
	Oak Hill camp - general remodeling and security	1,810,000	
	Central state hospital - conversion to correctional institution	2,470,000	
	Winnebago and Mendota mental health institutes - remodeling to accommodate central state hospital patients	2,545,000	
	Correctional system - residential centers	3,610,000	
	- purchase/remodel or construction of additional adult facilities	3,000,000	
Vetoed in Part	- purchase/remodel or construction of additional adult facilities	<u>5,000,000</u>	
Vetoed in Part	Total general fund supported borrowing	\$35,015,000	
	(c) Department of administration-state office facilities		
	Projects to be financed by building trust funds:		
	Minor projects	<u>\$451,500</u>	
	Total building trust funds	\$451,500	
	Projects to be financed by general fund supported borrowing:		
	Capitol ventilation and energy conservation measures	\$240,000	
	Madison office space construction and purchase	20,958,000	
	Hill Farms building E remodeling	627,000	
	Alternate energy demonstration projects	<u>900,000</u>	
	Total general fund supported borrowing authority	\$22,725,000	
	Projects to be financed by gifts, grants or other agency receipts:		
	Minor projects	<u>\$226,000</u>	
	Total gifts, grants and agency receipts	\$226,000	
(d)	Educational communications board		
	Projects to be financed by building trust funds:		
	Minor projects	<u>\$100,000</u>	
	Total building trust funds	\$100,000	
(e)	Historical society		
	Projects to be financed by building trust funds:		
	Minor projects	<u>\$191,300</u>	
	Total building trust funds	\$191,300	
	Projects to be financed by general fund supported borrowing:		
	Old World Wisconsin facilities (total project all funding sources \$960,000)	\$480,000	
	Total general fund supported borrowing authority	\$480,000	
	Projects to be financed by gifts, grants or other agency receipts:		
	Old World Wisconsin facilities (total project	\$480,000	



	all funding sources \$960,000)	
(f)	Total gifts, grants and agency receipts	\$480,000
	Department of military affairs	
	Projects to be financed by building trust funds:	
	Minor projects	\$41,000
	Total building trust funds	\$41,000
	Projects to be financed by general fund supported borrowing:	
	Madison army aviation facilities (total project all funding sources \$1,720,900)	\$148,200
	Rhineland armory (total project all funding sources \$654,000)	213,500
	Milwaukee armory renovation (total project all funding sources \$703,700)	250,000
	Total general fund supported borrowing authority	\$611,700
	Projects to be financed by gifts, grants or other agency receipts:	
	Madison army aviation facilities (total project all funding sources \$1,720,900)	\$1,572,700
	Rhineland armory (total project all funding sources \$654,000)	440,500
	Milwaukee armory renovation (total project all funding sources \$703,700)	453,700
	Minor projects	73,200
(g)	Total gifts, grants and agency receipts	\$2,540,100
	Department of natural resources	
	Projects to be financed by building trust funds:	
	Minor projects	\$87,600
	Total building trust funds	\$87,600
	Projects to be financed by outdoor recreation program (ORAP) supported borrowing:	
	Hartman's creek state park office complex (total project all funding sources \$328,400)	\$137,500
	Minor projects	555,100
	Total ORAP supported borrowing authority	\$692,600
	Projects to be financed by segregated fund supported borrowing:	
	Southern district headquarters	\$1,200,000
	Total segregated fund borrowing authority	\$1,200,000
	Projects to be financed by gifts, grants or other agency receipts:	
	Kettle Moraine northern unit ice age interpretive center	\$530,000
	Hartman's Creek state park office complex (total project all funding sources \$328,400)	190,900
	Minor projects	\$1,603,100
(h)	Total gifts, grants and agency receipts	\$2,324,000
	Department of public instruction	
	Projects to be financed by building trust funds:	
	Minor projects	\$80,600
	Total building trust funds	\$80,600
(i)	State fair park	
	Projects to be financed by gifts, grants or other agency receipts:	
	State fair park improvements	\$515,000
(j)	Total gifts, grants and agency receipts	\$515,000
	Department of veterans affairs	
	Projects to be financed by building trust funds:	
	Minor projects	\$83,000
	Total building trust funds	\$83,000
(k)	Department of transportation	
	Projects to be financed by gifts, grants or other agency receipts:	
	Minor projects	\$18,000
	Total gifts, grants and agency receipts	\$18,000
(L)	Statewide projects	
	Projects to be financed by building trust funds:	
	Energy conservation projects	\$7,500,000
	Advance planning	2,000,000
	Total building trust funds	\$9,500,000
(m)	Summary	
	Total building trust funds	\$22,984,000
	Total general fund supported borrowing	104,250,300
	Total self-amortizing supported borrowing (including ORAP and segregated fund)	5,812,600
	Total gifts, grants and agency receipts	11,800,000

(2) In addition to the projects and financing authority enumerated under sub. (1), the building and financing authority enumerated in the authorized building programs for previous biennia are continued in the 1977-79 biennium.

CHAPTER 29

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(3) The building commission may establish and modify project priorities for the minor project allocations under sub. (1) and may revise the amount of building trust funds allocated among agencies within the total funding provided for minor projects.

(4) The building trust funds enumerated under sub. (1) (L) for energy conservation projects may be allocated by the building commission to any state agency for energy conservation needs as determined by the commission.

(5) In addition to the Madison hospital complex remodeling authority enumerated under sub. (1) (a), an additional \$1,250,000 of general fund supported bonding authority may be added to the project by the building commission if the university receives a \$1,250,000 federal cancer grant.

(7) In addition to the funding provided under sub. (1) (b), the general fund supported borrowing authorization in the 1975-77 state building program for the life safety code remodeling project at Mendota Institute is increased by \$1,388,500 and at Winnebago Institute is increased by \$1,849,300.

(8) The \$20,958,000 bonding authority for Madison office space under sub. (1) (c) is authorized contingent upon final joint committee on finance approval of the total program recommended by the building commission for the replacement of the 470,000 square feet of assignable general office space. Of this bonding authority, \$372,000 is provided and the building commission is directed to provide approximately 46 parking spaces within general executive facilities 2 and the department of administration is directed to establish a parking fee for the spaces sufficient to recover the principal and operating costs for the parking facility.

Vetoed  
in Part

(9) (a) Release of the ~~\$5,000,000~~ authorized under sub. (1) (b) for the purchase, lease or construction of additional adult correctional facilities or remodeling of existing state buildings shall be subject to prior approval by the building commission and the joint committee on finance. The department of health and social services and the department of administration shall report to the joint committee on finance by September 1, 1977, a specific plan for such funds.

Vetoed  
in Part

~~(b) Release of the \$5,000,000 authorized under sub. (1) (b) for the purchase, lease or construction of additional juvenile correctional facilities or remodeling of existing state buildings shall be subject to prior approval by the building commission and the joint committee on finance. The department of health and social services and the department of administration shall report to the joint committee on finance, the assembly committee on criminal justice and public safety and the senate committee on human services by September 1, 1977, a specific plan for such funds including the feasibility of establishing forestry conservation camps for juveniles committed to the department of health and social services under section 48.34 of the statutes (1975).~~

(10) The \$3,610,000 of bonding authority for the purchase, lease or construction of eight residential correctional centers is subject to the requirement that the department of health and social services report to the joint committee on finance, by September 1, 1977, a specific plan as to how it intends to spend such funds.

(11) (a) The \$1,000,000 of building trust funds authorized for advanced planning under sub. (1) (b) shall be used to complete the design of a 300 to 400 bed minimum/medium security institution.

(b) The \$500,000 of building trust funds authorized for advanced planning under sub. (1) (b) shall be used to prepare preliminary plans for a 450-bed maximum security institution.

(c) The department shall report to the joint committee on finance, by January 1, 1978, the plans for the construction for such facilities available at that time.

(12) The building commission shall release advance planning funds for the establishment of a school of veterinary medicine and satellite food animal clinic facility.

~~SECTION 1606d. University of Wisconsin-Madison bulkhead. All rights, title and interest of the state of Wisconsin in and to the lands submerged beneath the waters of Lake Mendota, adjacent to the shore of Lake Mendota and lying between the Limnology building on the west and the Memorial Union on the east on the university of Wisconsin-Madison campus and extending into Lake Mendota for a distance of 250 feet are hereby granted to the board of regents of the university of Wisconsin system for the purpose of erecting thereon a permanent bulkhead and pier or piers for navigation purposes. The bulkhead and pier or piers may be erected at any desirable point within the area granted to the board of regents. The bulkhead shall not exceed 750 feet in length nor 45 feet in width on the top but in addition thereto piers for the accommodation of boats may be constructed contiguous to and projecting from the bulkhead. Plans for the structure shall be approved by the department of natural resources, prior to commencement of construction.~~

Vetoed  
in Part

SECTION 1606m. **Legislative auditor positions.** Of the 12 additional auditor positions authorized under this act from the moneys appropriated to the legislative audit bureau in section 20.765 (3) (c) of the statutes during the 1977-79 biennium, all persons employed shall be utilized by the bureau for the purpose of carrying out performance audits.

SECTION 1607. **County retirement reimbursement.** Notwithstanding the repeal of sections 20.855 (2) (a) and 41.05 (9) (b) of the statutes by this act, costs for calendar year 1977 allowed under section 41.05 (9) (b) of the statutes shall be calculated and submitted for reimbursement under section 20.855 (2) (a) of the statutes prior to June 30, 1978.

SECTION 1607m. **Long-term care for mentally ill persons.** Of the amount appropriated in chapter 224, laws of 1975, SECTION 150 (14) (du), unspent funds may be carried over for use in the period July 1 to December 31, 1977. Funds not expended during that time shall lapse to the general fund.

SECTION 1608. **Elections board annual report.** Notwithstanding section 5.05 (5) of the statutes, as affected by this act, the elections board shall file an annual report for the period July 1, 1976, to December 31, 1976, no later than October 31, 1977.

SECTION 1608m. **Consumer protection.** The departments of agriculture and justice shall submit a report, as directed by the joint committee on finance, on the implementation and coordination of the consumer protection activities of the departments, to the joint committee on finance and joint legislative audit committee by September 1, 1978.

SECTION 1609. **Natural resources rules.** Until rules implementing section 144.54 (3) of the statutes, as affected by this act, take effect, all rules promulgated prior to the effective date of this act pursuant to section 144.54, 1975 stats., shall remain in force.

SECTION 1609m. **Natural resources; county conservation aids study.** The department of natural resources shall submit to the joint committee on finance by December 1, 1977, a report and recommendations regarding the means by which the state can achieve maximum benefit from expenditure of county conservation aid payments under section 23.09 (12) of the statutes.

SECTION 1609n. **Natural resources; state wastewater grants.** Of the \$13,085,000 available for state grants to municipalities and school districts for assistance in the construction of water pollution abatement and sewage collection facilities under sections 20.370 (2) (f) and 20.866 (2) (tm) of the statutes, \$4,135,000 shall be allocated for 25% state grants and \$8,950,000 shall be allocated for 5% to 15% state

Partial  
Veto  
Overruled

Partial  
Veto  
Overruled

supplemental grants. This funding is provided for the projects for which applications were filed with the department of natural resources by May 18, 1977, and which were placed on the department's project list. Those projects which had a completed application on file, were placed under construction, were certified by the department to the environmental protection agency or had received a federal grant shall be given first priority for these funds with the balance available for the remaining projects on the list.

**SECTION 1610. Natural resources; motorcycle recreation program study.** The department of natural resources shall submit a report and recommendations regarding the implementation of the off-the-road motorcycle and motor driven cycle recreational aid program under section 23.09 (25) of the statutes, as affected by this act, to the joint committee on finance by January 10, 1979.

~~**SECTION 1610h. Natural resources; pollution discharge permits.** (1) The legislature:~~

~~(a) Recognizes that the Fox and Wisconsin rivers have exceptional concentrations of pulp and papermill discharges which exacerbate the problems of ensuring better water quality.~~

~~(b) Recognizes that water quality studies are being conducted by the department of natural resources in the Fox and Wisconsin rivers.~~

~~(c) Recognizes that the permitted levels of pollutant discharge set by existing pollutant discharge permits issued under sections 147.02 and 147.03 (3) of the statutes which are required to be met by July 1, 1977, have had a beneficial effect on the water quality of the Fox and Wisconsin rivers.~~

Vetoed  
in Part

~~(d) Wants to ensure that the department of natural resources carefully considers the additional beneficial effects on the water quality of the Fox and Wisconsin rivers due to the permitted levels of pollutant discharge set by existing pollutant discharge permits.~~

~~(2) Therefore, the legislature:~~

~~(a) Directs and authorizes the department of natural resources to reissue, under sections 147.02 and 147.03 (3) of the statutes, existing pollutant discharge permits to all direct point source discharge permittees on the Fox and Wisconsin rivers. The reissued permits shall expire on December 31, 1980.~~

~~(b) Directs the department of natural resources to maintain the existing water quality standards presently established for the Fox and Wisconsin rivers during the period that reissued permits are valid. No public hearings conducted by the department of natural resources aimed at eventual promulgation of new water quality standards and new effluent limitations for permittees on the Fox and Wisconsin rivers may be held prior to January 1, 1979. No permit may be issued to replace a reissued permit until after the environmental protection agency has established final best available technology economically achievable standards.~~

~~(c) Directs the department of natural resources to continue its river modeling and water quality assessment work on the Fox and Wisconsin rivers and lower Green Bay, with special care to ensure that the beneficial effects of the permitted pollutant discharge levels presently in effect are demonstrated.~~

**SECTION 1610m. Homestead tax credit program study.** The department of revenue shall conduct a comprehensive administrative analysis of the feasibility and cost-effectiveness of interagency data sharing in order to improve verification of information supplied by claimants under the homestead tax credit program. The department shall submit a report of the analysis, an evaluation of alternatives to the

program and a plan for administrative improvement of the program to the joint committee on finance by January 1, 1978.

**SECTION 1611. Public liability insurance study.** The commissioner of insurance shall, during the 1977-79 biennium, study the availability and cost of liability insurance for counties, towns, villages, cities and school districts in this state and risk management techniques employed by these governmental units. Such study shall be compiled and presented to the governor and the appropriate standing committees of each house of the legislature, as determined by the presiding officer thereof, no later than July 2, 1979.

**SECTION 1612m. Implementation of reading program.** (1) Prior to the commencement of the 1978-79 school term, the school board of each school district shall establish reading goals and shall complete its assessment of the reading needs of the district as provided in section 118.015 (4) (a) and (b) of the statutes, as created by this act.

(2) Prior to the commencement of the 1979-80 school term, each school district shall employ or cooperatively employ a certified reading specialist as provided in section 118.015 (2) of the statutes, as created by this act.

**SECTION 1614. Public instruction reporting rules.** The department of public instruction shall by July 1, 1978, develop administrative rules, under authority existing on the effective date of this act, to ensure uniformity in the administration of contracts, as set forth in section 66.30 of the statutes, and proper reporting to the department in order to improve accountability under the general school aid formula.

**SECTION 1615. Library study.** The legislative council shall study and submit to the legislature by November 15, 1978, any recommendations concerning:

(1) The current statutory variables under section 43.24 of the statutes used to distribute state aid to public library systems to determine their present adequacy in addressing systems' needs and abilities to pay;

(2) The future role and function of the division for library services of the department of public instruction; and

(3) The relationship of the state reference and loan library to other library services in the state.

**SECTION 1615m. Study on work relief.** The department of industry, labor and human relations, the department of health and social services and the state manpower council shall conduct a study of work relief as employment of last resort and alternatives for coordinating or combining employment service efforts. The agencies shall submit a report of their findings and recommendations to the legislature by February 1, 1979.

**SECTION 1616. Time accounting for therapy aides.** By December 1, 1977, the department of public instruction shall report to the governor and the joint committee on finance the procedure it shall use to account for time spent by therapy aides which can be used in matching federal funds received under Title V of the federal social security act.

**SECTION 1617. Uniform definitions for disabilities.** The department of public instruction shall report to the joint committee on finance by July 31, 1978, a listing of all statutory changes necessary to ensure that definitions of disability areas under chapter 115 of the statutes are consistent with definitions established in, or in response to, P.L. 94-142. The department shall also indicate which definitions it proposes be amended to improve the program of services provided under chapter 115 of the statutes.

**SECTION 1617m. Report of service to handicapped children.** The state superintendent of public instruction shall report to the governor, the joint committee

on finance, the senate committee on education and revenue and the assembly committee on education the state's progress toward achieving full service to handicapped children under the education for all handicapped children act of 1975 (P.L. 94-142). The state superintendent shall submit the reports within 45 days of the collection of data for the submission of the report of handicapped children receiving special education and related services, or its successor forms, as required under P.L. 94-142.

**SECTION 1617p. 1977-78 cost control adjustment.** For the 1977-78 school year, any school district which reports resident pupils enrolled under section 121.004 (5) (e) of the statutes, as created by this act, may count each such pupil as one pupil rather than one-half pupil in determining its membership for the current school year for the computation of budgeted controllable cost as set forth in subchapter VII of chapter 121 of the statutes.

**SECTION 1617s. General aid transition.** (1) For any school district which reports resident pupils enrolled under section 121.004 (5) (e) of the statutes, as created by this act, the state superintendent in 1977-78 shall determine the amount of aid that such school districts would have received had those pupils been counted as one member rather than one-half member in the computation of aid under section 121.08 of the statutes.

(2) For 1977-78, in addition to the amounts computed under section 121.08 of the statutes, such school districts shall receive one-half of the difference of the amount computed under sub. (1) and the amount computed under section 121.08 of the statutes.

(3) Payments under this section shall be made from the appropriation under section 20.255 (1) (f) of the statutes.

**SECTION 1617x. Special books and equipment.** Notwithstanding section 115.88 (1) of the statutes, as affected by this act, the state superintendent of public instruction shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining approved special education programs under subchapter IV of chapter 115 of the statutes a sum equal to 70% of up to \$300 expended by the county, agency and school district for special books and equipment purchased in 1977-78 for each new program unit for children with exceptional educational needs. State aid reimbursement for this section shall be paid from the appropriation under section 20.255 (1) (d) of the statutes for fiscal year 1978-79.

**SECTION 1617y. 1977-78 Cost control appeal.** In determining its 1977-78 budgeted controllable cost under subchapter VII of chapter 121 of the statutes, as affected by this act, any school district which experienced an employe work stoppage during the 1976-77 school year may appeal to the state superintendent of public instruction to have its 1976-77 per pupil controllable cost adjusted to include salary amounts budgeted but not paid because of the work stoppage. Any decision by the state superintendent shall be based upon clear, convincing and substantial evidence.

**SECTION 1617z. Excess cost formula.** The department of public instruction, the department of administration and the legislative fiscal bureau, in consultation with representatives of local school boards, handicapped children's education boards, cooperative educational service agencies and educational groups formed or making agreements under section 66.30 of the statutes, shall develop an excess cost funding formula for the distribution of state aids for programs for children with exceptional educational needs under subchapter IV of chapter 115 of the statutes. The formula shall recognize those costs which are incurred for educating handicapped children which are in excess of those incurred for educating nonhandicapped children. The

study shall establish a funding mechanism to be implemented for state aid payments to be made in 1979-80 for costs incurred in 1978-79.

**SECTION 1618m. Health and social services; prospective reimbursement.** (1) The department of health and social services shall develop a prospective reimbursement system under title XIX of the social security act for the prospective hospital reimbursement system contained in section 146.60 of the statutes, by negotiating with the social security administration to incorporate federal title XVIII rates into this system.

(2) The department of health and social services shall develop, in consultation with the providers of nursing home services, a prospective reimbursement system under title XIX of the social security act for nursing home services under section 49.45 (6m) of the statutes. This section does not modify the procedures under section 49.45 (6m) (a) 9 of the statutes for changing the methods of implementing the nursing home reimbursement formula.

(3) The department of health and social services shall, in cooperation with the hospital rate review program established under section 146.60 of the statutes, study the feasibility of establishing hospital reimbursement rates which include daily rates for each type of service provided in a hospital and daily rates which vary according to the level of service required during the patient's stay in the hospital. The department shall report the findings of the study to the assembly committee on health and social services and the senate committee on human services by July 1, 1978.

**SECTION 1618t. Nursing home appeal board.** The department of health and social services shall develop specific criteria and standards to assist the nursing home appeal board in granting rate modifications for calendar year 1977.

**SECTION 1619. Implementation of the direct services phase-down.** Until June 30, 1978, the department of health and social services may transfer funds between appropriations under section 20.435 (4) (b) of the statutes to section 20.435 (4) (df) of the statutes in order to effectively implement the phase-down of direct services provided by the division of family services.

**SECTION 1619m. Purchased vocational rehabilitation services.** By February 1, 1978, the department of health and social services shall submit to the governor and the joint committee on finance general criteria concerning the types of vocational rehabilitation services that should be purchased by the department and an estimate regarding the amounts of each service that should be purchased. Not less than \$10,000,000 in fiscal year 1977-78 and \$10,000,000 in fiscal year 1978-79 shall be spent for purchased vocational rehabilitation services from the appropriations under section 20.435 (5) (a), (e) and (n) of the statutes.

**SECTION 1620. Voucher card study.** The department of health and social services may establish a social service voucher card program during the 1977-79 biennium to test whether payment for services by recipients with voucher cards increases competition among service providers and lowers service costs. The program shall be carried out in not more than 5 counties. The program shall include social and rehabilitative services provided by the department, county social service departments, boards established under section 51.42 or 51.437 of the statutes or both or private agencies providing the services under purchase of services contracts.

**SECTION 1620m. Plan for studying the costs and effectiveness of social and mental hygiene local aid programs.** By February 1, 1978, the department of health and social services shall submit to the governor and the joint committee on finance a plan for determining the administrative costs of each board and social service department, the unit costs of all social and mental hygiene services, criteria for choosing whether a service should be purchased or provided, and a measurement of service effectiveness. The plan shall be developed in cooperation with representatives of county social service

departments, representatives of boards under sections 51.42 and 51.437 of the statutes and private providers.

**SECTION 1621. Income maintenance administration workload standard and contract limitation.** By October 1, 1977, the department of health and social services shall submit to the governor and the joint committee on finance a workload standard to be used as a basis for allocating aids to counties under section 20.435 (4) (de) of the statutes. The standard shall include, but not be limited to, the following criteria: a reasonable length of time necessary to determine initial eligibility and recertify eligibility; and a reasonable time required to complete home visits, make collateral contacts and perform other necessary functions required by state and federal law. The workload standard submitted shall include more than one option. At least one option shall be based on total annual funding for income maintenance administration not exceeding \$20,000,000. The standard shall apply to eligibility determinations for aid to families with dependent children, relief to needy Indian persons, food stamps and medical assistance. The standard shall be applied to contracts with counties for calendar year 1978 and thereafter. The contracts with counties shall not provide for allocation of more than \$20,000,000 in calendar year 1978 and \$20,000,000 in calendar year 1979.

**SECTION 1622m. Transition: Certificate of need.** (1) **HOSPITAL SERVICE CERTIFICATION.** All specialized services as defined in section 150.41 (1) of the statutes, as created by this act, which are in operation on the effective date of this act and which substantially meet the requirements of sections 50.32 to 50.39 of the statutes shall be deemed certified for the purposes of subchapter III of chapter 150 of the statutes, as created by this act.

(2) **PROMULGATION OF RULES.** The department shall promulgate rules as required under subchapter III of chapter 150 of the statutes, as created by this act, no later than 24 months after the effective date of this act.

(3) **CERTIFICATE OF NEED.** No application for a certificate of need may be submitted for 30 days after the effective date of this act. The department shall adopt the rules and procedures applicable to the capital expenditure review program authorized by section 221 of P.L. 92-603 for use in conducting reviews of applications for certificates of need for a period not to exceed 11 months. Within one year after the effective date of this act, the department shall promulgate rules to conduct such reviews under chapter 227 of the statutes.

Partial  
Veto  
Overruled

(4) **CONTRACTS WITH DEPARTMENT OF HEALTH, EDUCATION AND WELFARE.** *The department of health and social services shall terminate, not later than one year after the effective date of this act, contracts with the U.S. department of health, education and welfare under P.L. 92-603, section 221.*

(5) **APPLICATION.** Nothing in this act may be construed to prohibit a project described in section 150.02 of the statutes, if a person has entered into an obligation, as described in section 150.01 (4) of the statutes prior to the effective date of this act.

**SECTION 1624. Purpose, certificate of need.** It is the purpose of this act to conserve the limited health care resources of personnel and facilities in order to provide quality health care to all citizens, to minimize duplication of facilities and services, to encourage development of alternative methods of delivering health care and to maximize the effectiveness of expenditures made for health care.

**SECTION 1624e. Sunset provisions, certificate of need.** The provisions of subchapter II of chapter 150 of the statutes, as created by this act, shall terminate on June 30, 1982, unless extended by legislation enacted prior to the termination date.

**SECTION 1624k. Capital cost recovery for decertified services.** The department of health and social services shall negotiate with the Wisconsin hospital association and associated hospital services, the modification of the contract under section 146.60 of



the statutes to include as reimbursable operational costs, unamortized costs, outstanding debts, phase-out costs and equity associated with services which are decertified under subchapter III of chapter 150 of the statutes.

**SECTION 1624m. Report on clinical equipment costs.** The department of health and social services shall negotiate with the state medical society of Wisconsin any increase in the expenditure amounts contained in section 150.02 (2) of the statutes for clinical equipment. The department and the state medical society shall jointly report to the joint committee on finance by January 1, 1979, and every 2 years thereafter on cost increases in clinical equipment and recommend appropriate increases, if such increases are agreed upon, for expenditure amounts for clinical equipment covered by section 150.02 of the statutes.

**SECTION 1624r. Report on hospital expenditures.** The department of health and social services shall negotiate with the Wisconsin hospital association any increase in the expenditure amounts contained in section 150.01 (1) (a) of the statutes for capital expenditures and in section 150.02 of the statutes for clinical equipment. The department and the Wisconsin hospital association shall jointly report to the joint committee on finance by January 1, 1979, and every 2 years thereafter on cost increases in capital expenditures and clinical equipment and recommend appropriate increases, if such increases are agreed upon, for such expenditures.

**SECTION 1625. Welfare reform study.** (1) The secretary of health and social services, with the advice of a 5-member welfare reform committee appointed by the governor, shall study the implementation of a stepparent liability requirement and the implementation of a cost sharing program for categorically needy medical assistance recipients with earned income, shall make a thorough analysis of existing income supplementation and maintenance, work support and tax programs; and shall make comprehensive recommendations which include cost implications to the governor and legislature regarding improvements, legislative changes and program alterations that the secretary determines are necessary.

(2) Staff for the study hired by the secretary may be in either the classified or unclassified civil service. Cost of the study shall be paid from the appropriations under section 20.435 (8) (c) and (pb) of the statutes.

(3) The departments of revenue and industry, labor and human relations and other affected state agencies shall participate in the study as requested by the secretary of health and social services.

(4) The secretary shall report the findings and recommendations of the study to the governor and the legislature prior to October 1, 1978.

**SECTION 1625a. Service bureau for the deaf.** In fiscal year 1978-79, the appropriation under section 20.435 (5) (c) of the statutes shall not fund in excess of 75% of the costs of the service bureau for the deaf.

**SECTION 1625b. Health and social services, departmental reorganization.** The department of health and social services may, for purposes of implementing its approved reorganization plan, transfer positions and funds from state operating appropriations during the 1977-79 biennium without approval under section 13.101 of the statutes. The department shall report to the joint committee on finance and the governor regarding such transfers, the staffing levels and the staff composition established for each bureau and division prior to December 1, 1977. Position reclassifications approved as part of reorganization shall not result in an increased salary requirement for the 1979-81 biennial budget.

**SECTION 1625c. Uniform foster care rates.** The supplemental rate portion of the uniform foster care rates shall include a special parenting component for multiple-child homes and for older children as opposed to infants. ~~Of the amounts appropriated under section 20.435 (4) (d) of the statutes, \$166,700 in 1977-78 and \$333,400 in 1978-79~~

Vetoed  
in Part

~~and of the amounts appropriated in section 20.435 (2) (p) of the statutes, \$71,400 in 1977-78 and \$142,900 in 1978-79 shall be utilized for development of the special parenting components.~~

**SECTION 1625d. Women's community center.** The women's community center in Milwaukee shall be designated a female youthful offender facility for fiscal year 1977-78. Female youthful offenders and criminal offenders may comeingle within the institution.

**SECTION 1625e. Day treatment program funding study.** The governor shall appoint a committee to study the funding of educational and social services components of day treatment programs. The committee shall submit a report and recommendations to the governor and the legislature by January 1, 1978. Members of the committee shall include representatives from the department of health and social services, department of public instruction, private child care providers and legislators.

**SECTION 1625g. Exceptional educational needs activities.** Of the amounts appropriated under section 20.435 (2) (a) of the statutes \$16,800 in 1977-78 and \$20,100 in 1978-79, and of the amounts appropriated under section 20.435 (3) (a) of the statutes \$211,600 in 1977-78 and \$231,300 in 1978-79 shall be utilized for exceptional educational needs activities, including providing multidisciplinary screening and special educational programs. If federal public service employment or public works funds become available, positions for exceptional educational needs shall be funded with federal rather than state funds and the amounts identified shall lapse. Release of funds under this section shall be subject to approval of the joint committee on finance. Prior to January 1978, the department of health and social services shall report on forms prepared by the department of public instruction, to the joint committee on finance, assembly education and senate education and revenue committees and the departments of administration and public instruction on the staffing requirements necessary to provide special education in juvenile correction facilities.

**SECTION 1625h. Fair hearings administration study.** The department of health and social services shall study alternatives for a more efficient administration of the fair hearings process for recipients of aid to families with dependent children, food stamps, medical assistance and social services. The study shall include, but not be limited to, a review of the possibility of stationing hearing examiners in the division of family services regional offices and proposals for modifications in existing policies regarding the continuation of assistance payments during the course of an appeal and the number of times an individual may reschedule a hearing. A report and recommendations shall be submitted to the senate human services committee and the assembly health and social services committee by September 15, 1977.

**SECTION 1625m. Medical assistance management improvement.** (1) Appropriations for medical assistance management improvement under sections 20.435 (8) (d) and (pm) of the statutes, as created by this act, shall be used by the department of health and social services to determine the feasibility of, and if warranted, to plan, develop and initially implement, cost containment-oriented concepts and programs, including, but not limited to the following:

(a) A provider certification and decertification policy including administrative and fiscal sanctions for noncompliance. Such a policy would relate conditions of participation, provider handbooks, and provider agreements to certification.

(b) A primary care preselection policy applicable to physician and pharmacist designations.

(c) A voluntary second opinion program for elective surgery not involving emergencies.

- (d) A drug utilization review program for Title XIX recipients.
- (e) A preadmission testing and admission certification program.
- (f) A program for recipients to review and verify claims for reimbursement under the medical assistance program submitted by their health care providers.

(2) The department of health and social services, prior to implementing any cost containment-oriented program, shall provide a description of the program to the joint committee on finance, the assembly committee on health and social services and the senate committee on human services and shall also report to the committees annually on the progress of cost containment-oriented programs.

(3) All medical assistance management functions undertaken by the department under this section and funded under sections 20.435 (8) (d) and (pm) of the statutes shall be completed on or before June 30, 1979.

**SECTION 1625n. Rate determination for licensed child caring institutions.** The department of health and social services shall include the following provisions in the rules of allowable costs established under section 46.037 of the statutes:

(1) Allowable costs for salaries shall be established by determining the number of allowable positions for each institution and the salaries for comparable state positions and shall equal the sum of the salaries of the comparable positions.

(2) Allowable administrative costs may not be determined on an individual basis but shall equal a uniform fixed percentage of total allowable costs up to a maximum per capita amount as determined by the department.

(3) Profit shall be calculated according to the method specified in section 49.45 (6m) of the statutes.

**SECTION 1625p. ~~Experimental educational programs for corrections group homes.~~** Of the amounts appropriated under section 20.435 (4) (b) of the statutes, \$50,000 in 1977-78 and \$50,000 in 1978-79 shall be utilized for a pilot project for education and vocational training of juvenile correctional clients in group foster homes. The funds shall be released at the discretion of the department.

Vetoed  
in Part

**SECTION 1625q. Status of existing regulation and licensure rules.** (1) Rules promulgated by the department of health and social services prior to the effective date of this act under section 146.30 of the statutes, to govern licensing and regulation of nursing homes, and under section 146.32 of the statutes, to govern licensing and regulation of residential care institutions and halfway houses, shall continue in effect notwithstanding the repeal of those sections by chapter 413, laws of 1975, and shall have the same force and effect as if adopted under sections 50.01 and 50.02 of the statutes as created by chapter 413, laws of 1975.

(2) The department of health and social services shall develop rules to implement section 50.01 of the statutes, as created by chapter 413, laws of 1975, and shall submit a final draft of these rules, after conducting a hearing under section 227.03 of the statutes, for review by the assembly committee on health and social services and the senate committee on human services under section 227.018 of the statutes, on or before January 6, 1978.

**SECTION 1625r. Title VII distribution formula.** The department of health and social services shall submit a proposed distribution formula for nutrition aids under title VII of the older Americans act to the joint committee on finance. The joint committee on finance must approve such a formula before any implementation of an expanded nutrition program for the elderly in fiscal year 1977-78.

**SECTION 1625t. Medicaid management information system.** ~~Of the~~ amounts appropriated under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, ~~\$316,900 in 1977-78 and \$270,000 in 1978-79, and of the amounts appropriated~~

Vetoed  
in Part

Vetoed in Part under section 20.435 (8) (m) of the statutes, as affected by the laws of 1977, \$116,900 in 1977-78 and \$270,000 in 1978-79 is provided for development of a medicaid management information system. Funds for this purpose shall require the approval of the joint committee on finance prior to release.

Vetoed in Part ~~SECTION 1625x. Adult correctional staffing. Of the amounts appropriated under section 20.435 (3) (a) of the statutes, \$3,557,800 in 1977-78 and \$8,842,800 in 1978-79 shall be utilized for additional correctional positions and related expenses associated with increased adult correctional populations. Funds for this purpose shall require the approval of the joint committee on finance prior to release.~~

Vetoed in Part ~~SECTION 1625y. Juvenile correctional staffing. Of the amounts appropriated under section 20.435 (3) (a) of the statutes, \$101,500 in 1977-78 and \$1,012,900 in 1978-79 shall be utilized for additional correctional positions and related expenses associated with additional juvenile correctional facilities. Funds for this purpose shall require the approval of the joint committee on finance prior to release.~~

Vetoed in Part ~~SECTION 1625z. Children's monitoring unit. Of the amounts appropriated under section 20.435 (8) (a) of the statutes, \$54,200 in 1977-78 and \$15,900 in 1978-79 shall be utilized for a children's monitoring unit to review the appropriateness of initial placements in juvenile correctional institutions or alternate care, and the appropriateness of placements from juvenile correctional institutions. Funds for this purpose shall require the approval of the joint committee on finance prior to release. The department of health and social services shall, prior to the release of these funds, report to the joint committee on finance, the senate committee on human services, and the assembly committee on criminal justice and public safety regarding the department's plan to systematically gather information regarding offenses committed by juveniles prior to commitment to the department's custody and for reporting that information and data summarizing juvenile placement patterns (in state institutions or alternate care facilities), length of stay, and subsequent placements.~~

SECTION 1626. **Community action agency funding.** The joint committee on finance may release moneys from the appropriation under section 20.545 (1) (d) of the statutes upon submission by the department of local affairs and development of the following information:

- (1) A formal decision by a county or counties to request designation either as part of an existing agency or by creation of a new agency;
- (2) The identification and certification of other funds amounting to at least 75% of the initial agency program costs for the county or counties;
- (3) The compliance to regulations of the community services administration pertaining to the designation of the county or counties for agency coverage;
- (4) The agreement of the agency involved if expansion of an existing agency is proposed; and
- (5) A letter of intent indicating the degree of commitment and local support beyond the one-year state start-up grant period.

SECTION 1626m. **Additional training funds.** Of the amounts appropriated under section 20.545 (1) (a) of the statutes, any amount in excess of \$26,000 in 1977-78 and \$26,000 in 1978-79 for training projects, sessions or conferences shall not be released until approved by the joint committee on finance. Any such approval shall be contingent upon the development by the department of local affairs and development, in concert with other state agencies including the university of Wisconsin extension, of an integrated plan for the training of local government officials and employes which shall include consideration of the application of fee charges to support such training programs.

**SECTION 1627. Highway law review; state-local relations.** The department of transportation shall review the existing law relating to highways for the purpose of updating and rationalizing the same, and in particular with a view toward lessening state control over local highway matters. Proposed revisions shall be submitted in bill form to the 1979 session of the legislature.

**SECTION 1628a. Medical college of Wisconsin, inc.; family practice funds.** Of the funds appropriated for the family practice program under section 20.250 (1) (b) of the statutes during the 1977-79 biennium, \$125,000 annually may be released by the joint committee on finance upon the receipt and review of:

- (1) An actual program budget from the prior year.
- (2) A projected program budget for the current year reflecting both program expenditures and revenue sources.
- (3) An annual report on the number, location and status of all hospital affiliations and the number of residency positions filled by site.
- (4) An updated plan outlining program development in the subsequent 2-year period.

**SECTION 1628t. Student loan revenue bonding.** It is the intent of the legislature that revenue obligation bonds be issued to refund all outstanding student loans funded in accordance with section 25.17 (3) (bf) of the statutes and guaranteed under P.L. 89-287 and P.L. 89-329 as amended, but not including loans assigned, sold or conveyed under section 39.28 (4) of the statutes. These bonds shall be issued before July 1, 1979, provided that the building commission determines that revenue obligations can be favorably marketed in accordance with the provisions of subchapter II of chapter 18 of the statutes. Revenue obligation bond proceeds applied to refunding shall be returned to the general fund through the investment board as provided under section 25.17 (3) (bf) 3 of the statutes.

**SECTION 1628u. Student loan study.** The higher educational aids board shall report to the governor and the legislature by January 1, 1978 regarding steps taken to ensure:

- (a) That schools follow a standardized methodology to determine loan amounts under section 39.32 of the statutes;
- (b) That there is greater consistency in the student budgets used by schools in the state and especially in the same city or region to determine loan amounts under section 39.32 of the statutes; and
- (c) That the higher educational aids board and other lenders under section 39.33 of the statutes receive timely notification when loan recipients graduate or withdraw from school.

**SECTION 1629. Centralized student loan collections.** The department of administration shall report to the joint committee on finance by February 1, 1978, regarding the status of the centralization of student loan collections from the university of Wisconsin system to the higher education aids board. The report shall describe the progress to date and a timetable for completing all tasks.

~~**SECTION 1629g. Out-of-state travel.** As part of its responsibilities under section 16.53 of the statutes, the department of administration shall, upon the effective date of this act, ensure that for the 1977-78 and 1978-79 fiscal years individual agency total general purpose revenue funded expenditures for out-of-state travel do not exceed in either year an amount equal to 75% of that agency's actual general purpose revenue expenditures for out-of-state travel for business, conference and training purposes in either fiscal year 1973-74 or 1974-75, whichever was greater, as determined by the department of administration. Notwithstanding any other law, no claim for payment of travel expenses shall be processed by the department of administration which would~~

Vetoed  
in Part

~~result in an agency exceeding the maximum expenditure amount allowed under this section. Notwithstanding any other law, the department of administration shall require all departments and agencies during the 1977-79 biennium to submit to the department the amounts budgeted and the amounts expended for out-of-state travel and for instate travel separately identified from each other and from other types of expenditures. Notwithstanding any other law, the department of administration shall require all departments and agencies to submit budget requests for the 1979-81 biennial budget with out-of-state travel and instate travel separately identified from each other and from other types of expenditures. In this section, "agency" does not include the legislature, courts or offices of the governor, lieutenant governor, state treasurer, attorney general or secretary of state.~~

**SECTION 1629m. Executive budget documents.** The department of administration and the legislative fiscal bureau shall report to the joint committee on finance by December 31, 1977, regarding a plan for the distribution of executive budget documents, including the charging of a fee for such documents when appropriate.

Vetoed  
in Part

**SECTION 1630. State laboratory of hygiene.** The board of regents of the university of Wisconsin system and the secretaries of health and social services and natural resources or their designees shall submit to the governor and the legislature ~~by November 1, 1977,~~ a report on the state laboratory of hygiene. The objective of the report shall be to clearly identify the mission of the laboratory as it relates to public health. The report shall propose an appropriate fee structure to make the laboratory self-supporting and may propose other alternatives. The report shall identify the actual costs of all the services and resources provided by the laboratory to other state agencies. The report shall also aggregate the laboratory's activities as instruction, research, public service and other; and delineate the workload and budget associated with each category. Potential sources of federal reimbursement for activities of the laboratory and an estimate of the annual dollar amounts which the state should receive shall be identified.

**SECTION 1630e. Tuition and fee study.** The board of regents of the university of Wisconsin system shall study and report to the joint committee on finance by December 1, 1978, on the extent to which the present university of Wisconsin system tuition and fee structure has a differential impact upon part-time students, nontraditional students, minority students and women. The study shall give particular attention to the cost variances between full-time and part-time students in obtaining a degree, examine the impact of tuition and fee differences at both the undergraduate and graduate level, and for residents and nonresidents, and examine possible alternatives to the present methodology to determine if a more equitable system can be devised, both in terms of cost to the student and access to the university of Wisconsin system. The report shall include an estimate of administrative and other costs which could accrue as a result of any recommendation made by the study.

**SECTION 1630g. Degree opportunities.** The board of regents of the university of Wisconsin system shall report to the joint committee on finance by December 1, 1978, the extent to which it is possible for students to obtain an undergraduate degree or graduate degree by attending courses offered during evening hours or weekends and make recommendations directed at extending such opportunities. The report shall indicate the number and types of degree programs which a student may presently complete by attending courses which are offered during evening hours or on weekends within the system.

**SECTION 1630s. University of Wisconsin appropriation structure revision.** The board of regents of the university of Wisconsin system, in conjunction with the department of administration, the legislative audit bureau and the legislative fiscal bureau, shall develop a revised appropriation structure for the system for implementation in the 1979-81 biennium. A joint report indicating a structure to be

implemented shall be submitted to the governor and the legislature no later than December 1, 1977.

**SECTION 1631. Veterans affairs.** (1) **SELF-AMORTIZING MORTGAGE LOANS.** The department of veterans affairs may commit to making mortgage loans and disburse such loans under section 45.79 of the statutes in an amount not to exceed \$570,000,000 through December 31, 1977, nor \$755,000,000 through December 31, 1978. Thereafter, loan commitments and disbursements under section 45.79 of the statutes may not exceed the amount authorized in section 20.866 (2) (zn) of the statutes.

**SECTION 1632. Health screening.** The departments of health and social services and public instruction shall jointly develop a plan to consolidate school health screening and the Title XIX of the federal social security act early, periodic, screening, diagnosis and treatment program. Such plan shall be implemented on July 1, 1978. Such departments shall request appropriations and other adjustments, if necessary, pursuant to section 13.101 of the statutes as part of the annual budget review process.

**SECTION 1633m. VTAE budget limitation appeal process report.** The state board of vocational, technical and adult education shall report to the joint committee on finance by January 1, 1978, concerning the rules that it will adopt to administer the appeals process for budget limitations for the 1978-79 fiscal year and thereafter under section 39.29 of the statutes, as created by this act. The report shall include the date upon which local districts will be required to submit actual data from the prior year and current year certified full-time equivalent student projections and budget figures, in order that the allowable budget may be determined prior to the certification of the district property tax levy.

**SECTION 1634. Nicolet vocational-technical program development plan.** The state board of vocational, technical and adult education, in conjunction with the Nicolet vocational, technical and adult education district, shall prepare a 5-year vocational-technical program development plan which shall stipulate the new vocational-technical training programs and courses to be initiated at the Nicolet district during 1978-1983. This plan shall provide a guide for the approval of all new programs and courses at the Nicolet district by the state board of vocational, technical and adult education. The development plan shall be submitted to the governor and the legislature no later than January 30, 1978.

**SECTION 1634p. University of Wisconsin faculty development program.** (1) The board of regents of the university of Wisconsin system shall develop goals, objectives and performance criteria for the faculty development program funded by this act. In addition, the board shall develop an implementation plan for the program which shall specify: 1) the criteria to be used in allocating funding; 2) the nature of the projects to be funded; 3) program evaluation procedure; and 4) eligibility requirements for participation by individual faculty members in the program. The board of regents shall submit a report on the above items to the joint committee on finance prior to May 1, 1978.

(2) Release of \$256,700 provided in fiscal year 1978-79 under section 20.285 (1) (a) of the statutes for a program of faculty development is contingent upon approval by the joint committee on finance following review of the report under subsection (1).

**SECTION 1636. Initial terms, citizens environmental council.** The initial appointments to the citizens environmental council under section 15.107 (5) of the statutes, as created by this act, shall be staggered so that 2 members are appointed to serve terms of one year, 2 members are appointed to serve terms of 2 years, and 3 members are appointed to serve terms of 3 years, plus a period ending on the July 1 after those terms.

**SECTION 1636m. Initial terms, motorcycle recreation council.** The initial appointments to the motorcycle recreation council under section 15.347 (11) of the statutes, as created by this act, shall be staggered so that 2 members are appointed to serve terms of one year, 2 members are appointed to serve terms of 2 years and 3 members are appointed to serve terms of 3 years, plus a period ending on the July 1 after those terms.

**SECTION 1637. Transition; occupation tax statements.** Any person required to file a list or statement under section 70.40 (2), 70.41 (2), 70.415 (2), 70.42 (2) or 70.421 (2) of the statutes, as affected by this act, on February 1, 1979, shall report the requested data only for the period since April 30, 1978.

**SECTION 1639. Municipal fire department dues.** Notwithstanding section 601.95 of the statutes, as affected by this act, no city, village or town which remains eligible for fire department dues under section 601.95 of the statutes, as affected by this act, may receive a smaller fire department dues payment for calendar year 1977 than they generated in calendar year 1976.

**SECTION 1640. Appointments to tax appeals commission.** Of the 2 additional members of the tax appeals commission provided by the amendment of section 15.01 (4) of the statutes by this act, one shall be appointed for a term to expire on March 1, 1981, and one for a term to expire on March 1, 1983. ~~In accordance with section 73.01 (4) (b) of the statutes, as affected by this act, the 2 additional members shall be assigned primarily to manufacturing property assessment appeals.~~

Vetoed  
in Part

**SECTION 1641. Manufacturing property assessments; reviews pending.** If this act takes effect subsequent to the issuance of 1977 manufacturing property assessments, all appeals of 1977 assessments filed with the manufacturing district boards of review shall be transferred to the tax appeals commission for determination under section 70.995 (8) of the statutes, as affected by this act. Review of prior years' assessments which have not been completed prior to the effective date of this act shall proceed under chapter 70, 1975 stats. Each manufacturing district board of review shall remain in existence, with all authority granted under the 1975 statutes, until all pending reviews before the board are completed, but only for such purpose.

**SECTION 1641e. State open space land report.** The department of agriculture, trade and consumer protection shall prepare a report and make recommendations to the legislature not later than January 30, 1981, on the effect of section 71.09 (11) and chapter 91 of the statutes, as created by this act, in preserving agricultural lands.

**SECTION 1641m. Federal funding for state public defender.** Of the amounts appropriated under section 20.530 (2) (o) to (pa) of the statutes in 1977-78, \$283,000 is provided for implementation costs of the public defender trial representation unit. If a reduction in federal funding for other purposes is necessitated, the governor, after considering the recommendation of the council on criminal justice, shall determine the extent to which reductions will be made in programs relating to state operations or local assistance.

**SECTION 1643. Program responsibilities.** (1) ADMINISTRATION. (b) *Shared revenue account.* In the list of program responsibilities specified for the department of administration in section 15.101 (intro.) of the statutes, reference to section "79.02 (2) (am)" is inserted.

(c) *Tax appeals.* In the list of program responsibilities specified for the tax appeals commission in section 15.101 (1) of the statutes, reference to section "70.995 (8)" is inserted.

Partial  
Veto  
Overruled

(d) *Improvements tax relief.* In the list of program responsibilities specified for the department of administration in section 15.101 (intro.) of the statutes, reference to section "79.25" is inserted.



(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION. (a) *Farmland preservation*. In the list of program responsibilities specified for the department of agriculture, trade and consumer protection in section 15.131 (intro.) of the statutes, reference to "ch. 91" is inserted.

(6) BUILDING COMMISSION. (a) *Debt management*. 1. In the list of program responsibilities specified for the office of the state treasurer in section 14.561 of the statutes, reference to section "18.57 (1)" is inserted.

2. In the list of program responsibilities specified for the department of administration in section 15.101 (intro.) of the statutes, references to section "18.58" is inserted.

(15) EXECUTIVE ADMINISTRATION. (a) *Transit right-of-way*. In the list of program responsibilities specified for the office of the governor under section 14.011 (intro.) of the statutes, delete reference to "66.941".

(b) *Departmental requests*. In the list of program responsibilities specified for the office of the governor under section 14.011 of the statutes, reference to section "16.42 (1) (f)" is inserted and reference to section "16.42 (1) (e)" is inserted.

(18) HEALTH AND SOCIAL SERVICES. (b) *Certificate of need*. In the list of program responsibilities for the department of health and social services under section 15.191 (intro.) of the statutes, reference to "ch. 150" is inserted.

(20) HIGHER EDUCATIONAL AIDS BOARD. (a) *Tuition grants*. In the list of program responsibilities specified for the higher educational aids board under section 15.671 of the statutes, reference to section "21.49 (2) (b) 2" is inserted.

(22) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) *Nondiscriminatory state contracts*. In the list of program responsibilities specified for the division of equal rights in the department of industry, labor and human relations under section 15.221 (1) of the statutes, reference to section "16.765" is deleted.

(27) JUSTICE. (a) *Itinerant merchant truckers*. In the list of program responsibilities specified for the department of justice in section 15.251 (intro.) of the statutes, delete reference to section "440.61 (14)".

(b) *Law enforcement standards board*. In the list of program responsibilities specified for the law enforcement standards board under section 15.251 (3) of the statutes, reference to section "20.455 (2) (i)" is inserted.

(c) *Justice duties, public utilities*. At the appropriate place in the list of program responsibilities specified for the department of justice in section 15.251 (intro.) of the statutes insert reference to section "196.44 (2)".

(d) *Certificate of need*. In the list of program responsibilities specified for the department of justice under section 15.251 (intro.) of the statutes, insert references to section "150.004".

(e) *Farmland preservation*. In the list of program responsibilities specified for the department of justice in section 15.251 (intro.) of the statutes, reference to section "91.21" is inserted.

(29) LOCAL AFFAIRS AND DEVELOPMENT. (a) *Transit right-of-way*. In the list of program responsibilities specified for the department of local affairs and development in section 15.281 of the statutes, delete reference to section "66.941 (6)".

(b) *Farmland preservation*. In the list of program responsibilities specified for the department of local affairs and development in section 15.281 of the statutes, reference to "91.65" is inserted.

(38) REVENUE. (a) *Local law enforcement costs aids*. In the list of program responsibilities specified for the department of revenue under section 15.431 of the statutes, reference to sections "79.20, 79.21, 79.22 and 79.23" are deleted.

Vetoed  
in Part ~~(b) *Amusement device license*. In the list of program responsibilities specified for the department of revenue in section 15.431 of the statutes, reference to section "79.22" is inserted.~~

Partial  
Veto  
Overruled (c) *Improvements tax relief*. In the list of program responsibilities specified for the department of revenue in section 15.431 of the statutes, reference to section "79.25" is inserted.

(40) SECRETARY OF STATE. (a) *Mandatory termination*. In the list of program responsibilities specified for the office of the secretary of state under section 14.361 of the statutes, reference to section "74.76" is inserted.

(b) *Involuntary dissolution*. In the list of program responsibilities specified for the office of the secretary of state under section 14.361 of the statutes, reference to sections "180.769 (3)" and "185.72 (3)" are inserted.

(44) TREASURER. (a) *Payment of assessment personnel*. In the list of program responsibilities specified for the office of the state treasurer under section 14.561 of the statutes, reference to section "72.34 (1) (b)" is inserted.

(47) VETERAN'S AFFAIRS. (a) *Tuition grants*. In the list of program responsibilities specified for the department of veterans affairs under section 15.491 of the statutes, reference to section "21.49" is inserted.

**SECTION 1644. Appropriation changes.**

(3) AGRICULTURE. (a) *State fair park board*. The unencumbered balances in section 20.115 (4) (h), (i) and (j), 1975 stats., immediately prior to the effective date of this act, are transferred to the appropriation under section 20.115 (5) (h), (i) and (j) of the statutes, respectively.

(18) HEALTH AND SOCIAL SERVICES. (a) *Health facility review fees*. The unencumbered balance under section 20.435 (8) (h) of the statutes as created by this act, in an amount up to \$104,000 shall be paid to the general fund on June 30, 1979, for the purpose of repaying the general fund the cost of the certificate of need program in 1977-78.

(21) HISTORICAL SOCIETY. (a) *Distribution of history of Wisconsin*. Of the unencumbered balances remaining in the appropriation under section 20.245 (1) (bm), 1975 stats., immediately prior to the effective date of this act, \$23,000 shall be lapsed to the state general fund to reflect deletion of funding added by a technical error in chapter 39, laws of 1975.

(34) NATURAL RESOURCES. (a) *Wisconsin natural resources*. The unencumbered balance in section 20.370 (1) (u) of the statutes attributable to subscriptions for publishing Wisconsin natural resources under section 29.21 of the statutes shall be transferred to the appropriation under section 20.370 (5) (x) of the statutes, as created by this act.

(37) REGULATION AND LICENSING. (a) *Examining boards*. The unencumbered balance of the appropriations under section 20.165 (2) (g) to (kw) of the statutes as of the effective date of this act is transferred to the appropriation under section 20.165 (2) (g) of the statutes, as affected by this act.

(43) TRANSPORTATION. (a) *Railroads*. The unencumbered balances of appropriations made to the public service commission for the regulation of railroad and motor transportation under section 20.155 of the statutes, on January 1, 1978, as determined by the department of administration, are transferred to the appropriate

appropriation as determined by that department under section 20.395 of the statutes, as affected by this act.

(am) *Mass transit aid program.* Notwithstanding the treatment of section 85.05 of the statutes by this act, until December 31, 1978, the distribution of mass transit aids to urban mass transit systems involved shall be in accordance with section 85.05 (3) (b), 1975 stats. Beginning on January 1, 1979, the distribution of such aids shall be made in accordance with section 85.05 (4) of the statutes, as created by this act.

(b) *Balances.* The encumbered balances of all appropriations under section 20.395 of the statutes on June 30, 1977, shall be transferred to the appropriate appropriation under section 20.395 of the statutes, as affected by this act, as determined by the secretaries of administration and transportation, or their designees, and shall be carried over as encumbered moneys of the appropriation to which transferred.

(c) *Aeronautics funds.* All moneys under section 20.395 (6) (g) and (h) of the statutes on June 30, 1977, are transferred to the appropriation under section 20.395 (2) (rd) of the statutes, as created by this act, and all moneys under section 20.395 (6) (j) and (m) of the statutes on June 30, 1977, are transferred to the appropriations under section 20.395 (2) (rj) and (rx), respectively, and all encumbered portions thereof shall be encumbrances on the appropriation to which transferred.

(d) *Fund transfer.* 1. All moneys in the highway fund and transportation aids fund on June 30, 1977, are transferred to the transportation fund created by this act.

2. All moneys in the general fund on June 30, 1977 received from taxes on air carrier companies under chapter 76 of the statutes, from registration of aircraft under section 114.20 of the statutes, from revenue received under section 114.31 (6) of the statutes and from the federal or local units of government for aeronautical purposes, are transferred to the transportation fund.

3. The amounts to be transferred from the transportation fund to the general fund under section 86.35 of the statutes, as affected by this act, shall be \$15,512,849 for fiscal year 1977-78 and \$16,429,898 for fiscal year 1978-79.

(e) *Highway safety coordination transfer.* The unencumbered balances of the appropriations made under section 20.525 (2) of the statutes, as affected by the laws of 1977, are transferred to the proper appropriations made under sections 20.395 (7) of the statutes, as affected by this act, as determined by the department of administration.

**SECTION 1646. Change of dates pertaining to property tax assessment.** (1) Wherever "April 30" appears in the following section of the statutes, "December 31" is substituted: 66.46 (4) (c) 2.

(2) Wherever "May 1" appears in the following sections of the statutes, "January 1" is substituted: 70.111 (10) (b) 3 and 6.

(3) Wherever "May" appears in the following sections of the statutes, "January" is substituted: 66.03 (10), (11) (b) and (13) (aa), 66.058 (3) (c) (intro.), 66.46 (4) (c) 2 and (5) (c), 66.54 (9) (e), 70.01, 70.11 (2), 70.111 (10) (b) 2 and 8, 70.113 (2) (b) (intro.), 70.13 (1), (3), (6) and (7), 70.15 (2), 70.16, 70.21, 70.24, 70.27 (8), 70.35 (2), 70.92 (2), 70.99 (8) and (13) (b), 70.995 (5) and (6), 74.01, 74.43 (1), 75.63 (1), 79.17 (5) and 177.11 (4).

(4) Wherever "May 25" appears in the following sections of the statutes, "February 1" is substituted: 70.111 (10) (b) 3 and 6.

**SECTION 1647. Change of dates relating to property taxation.** (1) Wherever "March" appears in the following section of the statutes, "February" is substituted: 70.423 (1).

(2) Wherever “March 20” appears in the following sections of the statutes, “February 1” is substituted: 77.02 (3) and 77.16 (7).

(3) Wherever “April 30” or “April thirtieth” appears in the following sections of the statutes, “December 31” is substituted: 70.41 (1) and 70.415 (1).

(4) Wherever “May” appears in the following sections of the statutes, “January” is substituted: 70.337 (1) (a) and 120.17 (8) (C).

(5) Wherever “May 10” appears in the following sections of the statutes, “February 1” is substituted: 70.11 (21) (c).

(5m) Wherever “May 25” appears in the following section of the statutes, “February 1” is substituted: 70.995 (12).

(6) Wherever “June” appears in the following section of the statutes, “February” is substituted: 75.32.

(7) Wherever “June” appears in the following section of the statutes, “March” is substituted: 70.11 (21) (e).

(8) Wherever “July” appears in the following sections of the statutes, “April” is substituted: 69.66 (1), 70.07 (1) and (2) and 70.47 (3) (a) and (13) (a).

(9) Wherever “August” appears in the following sections of the statutes, “May” is substituted: 70.337 (2) and 70.53.

(10) Wherever “August” appears in the following section of the statutes, “July” is substituted: 70.113 (3).

(12) Wherever “September 15” appears in the following section of the statutes, “July 1” is substituted: 70.57 (1).

(13) Wherever “October” appears in the following section of the statutes, “July” is substituted: 38.16 (1) and 121.06 (1).

(14) Wherever “October” appears in the following section of the statutes, “August” is substituted: 70.60 (1).

(15) Wherever “October” appears in the following sections of the statutes, “September” is substituted: 70.99 (9m) and 73.05 (4).

(16) Wherever “last Monday in October” appears in the following section of the statutes, “2nd Monday in June” is substituted: 70.07 (6).

(17) Wherever “November” appears in the following section of the statutes, “July” is substituted: 70.575.

(18) Wherever “November” appears in the following sections of the statutes, “September” is substituted: 70.113 (3) and 70.85 (1).

(19) Wherever “November” appears in the following sections of the statutes, “October” is substituted: 70.51 (1) and (1a) and 70.56 (1).

(21) Wherever “December 31” appears in the following section of the statutes, “November 30” is substituted: 69.62.

**SECTION 1648. Term changes, shared revenue account.** (1) Wherever in the following sections of the statutes the term “shared tax” is found, the term “shared revenue” is substituted: 16.96 (2) (dm), 20.395 (1) (qd), 66.03 (5) and 76.38 (12) (b).

(3) Wherever in the following section of the statutes the term “tax” is found, the term “revenue” is substituted: 16.96 (2) (intro.).

**SECTION 1649. Term changes.** Wherever in the following sections of the statutes the term “executive office” is used, the term “office of the governor” is substituted: 13.101 (9), 14.01, 14.011, 14.013 (1), 14.015 (1), 14.017 (1) (intro.), (2), (3) (a)

and (4), 14.019 (1) (intro.) and (3), 14.02, 14.04, 14.07 (1), 14.17, 14.25 (2), 14.46, 15.105 (2), 17.20 (2), 19.01 (4) (b), 20.525 (title) and (1) (a), as renumbered, 20.921 (1) (f), 20.923 (2) (a) 4, (4) (d) 6 and 7 and (10), 39.76 (3) and 140.82 (1) (g).

**SECTION 1650. Name change, fire fighter.** (1) Wherever the term “firemen” appears in the following section of the statutes, the term “fire fighters” is substituted: 102.475 (title).

(2) Wherever the term “fireman” appears in the following section of the statutes, the term “fire fighter” is substituted: 102.475 (1) and (8) (c).

**SECTION 1650m. Department of agriculture name change.** (1) AGRICULTURE. Wherever in the following sections of the statutes the term “agriculture” is used, the term “agriculture, trade and consumer protection” is substituted: 15.347 (2), 20.115 (title), 20.923 (4) (b) 2, (c) 1, (d) 2 and (f) 2 and 26.30 (2).

(2) SECRETARY. Wherever in the following sections of the statutes the term “secretary of agriculture” is used, the term “secretary of agriculture, trade and consumer protection” is substituted: 15.135 (2), 15.137 (3), 15.195, 15.197 (4) (f), 15.915 (1), 93.01 (2), 93.25 (2), 96.01 (1) and 126.01 (2).

(3) BOARD. Wherever in the following sections of the statutes the term “board of agriculture” is used, the term “board of agriculture, trade and consumer protection” is substituted: 15.07 (5) (d) and 126.01 (3).

(4) DEPARTMENT. Wherever in the following sections of the statutes the term “department of agriculture” is used, the term “department of agriculture, trade and consumer protection” is substituted: 13.488 (7) (a), 14.82 (1) (intro.), 15.131 (intro.), 15.135 (2), 15.137, 15.197 (4) (f), 15.347 (8) (d) 2, 20.115 (intro.) and (3) (k), 20.866 (2) (zz), 27.015 (3) and (12), 58.07 (1), 59.871 (1), 60.18 (16), 60.29 (22), 61.72, 66.075 (1), 69.66 (1), 70.423 (1), 70.425 (2), chapter 93 (title), 93.01 (1), 93.09 (6), 93.22 (2), 93.25 (3), 93.31, 94.40 (2), 94.72 (1) (cm), 97.01 (1), 100.055 (3), (4) and (6), 100.13 (1) (b), 100.18 (11) (a) and (b) 1, 101.41, 118.01 (9), 126.01 (1), 126.025, 133.25 (7) (a) and (b), 136.04, 140.77 (2), 146.125, 146.24, 165.065 (2), 174.06 (2) (d), 174.07 (3), 174.11 (1) and (2), 348.15 (5) and 885.01 (4).

**SECTION 1651. Name changes.** (22) Wherever in the following sections of the statutes, the term “department of industry, labor and human relations” is used, the term “department” is substituted: 101.43, 101.47 (2), 104.07 (1), 104.09 and 106.01 (2) and (4) (d).

**SECTION 1652. Term changes.** Wherever in the following sections of the statutes the term “chapter” is found, the term “subchapter” is substituted: 18.01 (intro.) and (2), 18.02 (title) and (intro.), 18.03 (1) and (6), 18.04 (1) (a), 18.05 (1) (b) 1 and 18.08 (5).

**SECTION 1654. Word changes.** (1) HIGHWAY FUND. Wherever the term “state highway fund” or “highway fund” appears in the following sections of the statutes, substitute the term “transportation fund”: 18.08 (5) (c), 20.115 (1) (q), 20.135 (2) (q), 20.155 (1) (u), 20.355 (1) (u), 20.370 (1) (wm), 20.525 (2) (q), 20.765 (2) (u), 25.17 (1) (h), 78.69, 78.84, 84.01 (20), 84.03 (5), 84.09 (3) (c) and (5), 84.30 (17), 110.065, 194.04 (6), 194.18 (13) and (14), 194.36 (10) and (11), 194.51 and 345.08.

(2) HIGHWAY STATE AIDS. Wherever the term “highway state aids” appears in the following section of the statutes, substitute the term “transportation aids”: 66.03 (5).

(3) CONNECTING STREETS. Wherever the term “connecting street” or “connecting streets” appears in the following sections of the statutes, substitute the term “connecting highway” or “connecting highways”: 59.965 (8), 66.616 (1), 80.025,

84.02 (4), 84.03 (3) (a), (9) and (10), 84.135 (5), 84.20, 84.295 (2), 236.12 (2) (a), 340.01 (60), 346.57 (4) (i) and (6), 348.15 (1) (b), 349.07 (1), 349.08 (6) (a), 349.10 (2), 349.13 (1), 349.15 (2), 350.04 (1) and (2) (e).

(5) DIVISION OF AERONAUTICS. Wherever the term “division” or “division of aeronautics” appears in the following sections of the statutes the term “department” is substituted: 114.002 (12), 114.01, 114.09 (1), 114.20 (1), (3), (4), (6), (7), (8), (9), (11) and (12), 114.31 (4), (6) and (7), 114.316 and 114.34 (3).

(6) DIVISION OF HIGHWAYS. (a) Wherever the term “division of highways” appears in the following sections of the statutes, the term “department of transportation” is substituted: 13.81 (6) (b).

(b) Wherever the term “division” or “division of highways” appears in the following sections of the statutes, the term “department” is substituted: 84.02 (4) (c), (5) and (12), 84.04 (2), 84.20 and 346.45 (4).

(7) DIVISION OF MOTOR VEHICLES. (a) Wherever the term “division” or “division of motor vehicles” appears in the following section of the statutes, the term “department” is substituted: 110.06 (3) (b) and (d), 110.065, 110.07 (1) (b), 110.08 (3) and (4), 192.327 (2), 194.03 (4), 194.04 (3) (am) and (b) and (4) (d), 194.09, 194.10, 194.11, 194.17 (1), 194.33, 194.38 (title) and (intro.), 194.41, 194.42, 194.43, 194.44 (1) and (2), 218.01 (1) (m), (1a), (2) (bc), (bd), (be), (c), (i) and (k), (2a), (3) (a) 17 and 22, (bf) 1 and (g), (3a) (a) to (c), (3c), (7b) and (8) (c), 218.11 (1), (2), (3), and (6) (intro.), 218.12 (1) and (2), 218.20, 218.21 (1) (intro.) and (f) and (2), 218.22 (title), (1) and (3) (intro.), 218.23 (1) and (2), 218.25, 218.26, 218.30, 218.31 (1) (intro.) and (e), 218.32 (title), (1) and (3) (intro.), 218.33 (1), 341.04 (1), 341.06 (1) (intro.), 341.08 (1), (2) (c) and (e), (3), (4) and (5), 341.09 (1), (2) and (4), 341.10 (intro.), (1) and (2), 341.11 (1) and (3), 341.12 (1), (2) and (4), 341.14, 341.145 (1), (2) (a) and (3), 341.16 (1) to (3), 341.17 (title), (1), (2), (4) (intro.) and (7), 341.25 (1) (intro.) and (gm) 2, 341.255, 341.26 (2) (da) and (3) (intro.), 341.267 (1), (2) and (4) to (7), 341.27, 341.28 (4) (b) and (c), (5) and (7) (b), 341.29 (2), 341.30 (3), 341.31 (1) (b) 3 and (d) and (2) (a), 341.32 (1), 341.33, 341.335 (1), 341.35 (4), (5) and (6), 341.41 (6) and (8), 341.42 (2), (3) and (6), 341.51 (3) and (4) (intro.), 341.57 (2) and (4), 341.62, 341.63 (3), 342.05 (1) (b), (2) and (4), 342.06 (1) (intro.), (b), (d), (e) and (g), 342.07 (3), 342.08, 342.09 (title), (1), and (2) (intro.) and (d), 342.10 (1) (intro.) and (e), (3), (4) and (5), 342.11 (intro.) and (3), 342.12, 342.13, 342.14 (intro.) and (6), 342.15 (1), (2), (4) and (6), 342.16, 342.17, 342.18, 342.19 (2), 342.20, 342.21 (2), 342.22, 342.25 (1) (intro.), (3) and (4), 342.255 (intro.) and (2), 342.26, 342.281, 342.282 (2), 342.283, 342.285 (1), 342.30, 342.33, 342.34 (title) and (1) (a) to (c), 342.40 (3) (e), 343.01 (2) (d), 343.02, 343.05 (1), 343.06 (intro.), (3), (4) (c), (5) (c) and (9), 343.07 (1) (intro.) and (2), 343.08 (1) (intro.), (a) and (d) and (2), 343.085 (1) and (4), 343.09 (1), (2) and (4), 343.10 (1), (3) and (4), 343.11, 343.12 (2) (intro.) and (h), 343.125 (1) and (4) (intro.) and (b), 343.13, 343.14 (1) and (2) (f), 343.15 (4), 343.16 (1) (a) and (c), (2) and (3) (b), 343.17 (1) and (2), 343.19, 343.20, 343.21 (1) (intro.) and (g), 343.22 (1), 343.23 (title), (1) (intro.) and (c) and (2), 343.26, 343.28, 343.30 (1m), (1n) and (4), 343.305 (7) (a), (8) and (9) (b), 343.31 (1) (e), 343.32 (2) and (5), 343.325 (1) (a) to (c) and (3), 343.33, 343.345 (2), 343.35 (1) and (3), 343.36, 343.38 (1) (intro.), (a) and (c), (3) and (4) (intro.), 343.39 (1) (a) and (2), 343.43 (2), 343.44 (2), 343.46 (3), 343.60 (4) (a), 343.61 (1), 343.63 (intro.), 343.69, 343.70, 343.71 (3), 343.72 (5) and (12), 344.02 (1) to (3), 344.08 (2), 344.09 (2), 344.14 (2) (h), 344.19 (3), 344.20 (2) (a), 344.38, 344.45 (1), 344.51 (1), 345.11 (1m), 345.17, 345.37 (2), (5), (6) and (7), 345.48 (1), (3) and (4), 346.70 (2), (3m) and (4) (a), (b) and

(g), 346.71 (1), 346.73 (2), 347.415 (5), 347.45 (2) (c) 1, 347.48 (2) and (3), 347.76 (1) (c), 348.21 (4), 348.22, 349.19 and 349.25 (4).

(b) Wherever the term “division of motor vehicles” appears in the following sections of the statutes, the term “department of transportation” is substituted: 59.245, 83.016 (2), 121.53 (4), 138.09 (7) (i) 3, 144.42 (3), 176.62 (2) (a), 289.415 (2) and 289.48 (2).

(bm) Wherever the term “division” or “division of motor vehicles” appears in the following sections of the statutes, the term “transportation commission” is substituted: 218.01 (2) (c).

(c) Wherever the term “administrator” or “administrator of the division of motor vehicles” appears in the following sections of the statutes the term “secretary” is substituted: 110.06 (2) and (5), 110.065, 110.07 (3), 110.075 (2), (3) and (5), 194.10, 194.31, 218.01 (2) (k), 341.13 (1) (a), 341.27 (3) (b), 341.29 (1), 341.40 (1) (d), 341.41 (1), (1a), (3), (4) and (6) to (8), 342.17 (4) (c), 343.06 (3), (4) (intro.), (5) (intro.), (8), (10) and (11), 343.07 (3), 343.085 (3) and (4), 343.09 (2) to (4), 343.126 (1) (intro.) and (2), 343.16 (2) and (3) (a), 343.23 (2), 343.25 (intro.), (3), (5) and (6), 343.26, 343.28 (2), 343.30 (1m), (1n) and (2d), 343.305 (9) (b), 343.32 (1) (intro.), (2) and (5), 343.325 (2) to (4), 343.33, 343.34, 343.35 (1) and (3), 343.38 (1) (b), 343.43 (2), 343.60 (4) (a), 343.64 (intro.), 343.65 (intro.) and (2), 343.66 (intro.), 343.67 (intro.), 343.68, 343.69, 344.02 (1) to (3), 344.03, 344.04 (1) and (2), 344.05, 344.08 (1), 344.09 (1), 344.13, 344.14 (1) and (2) (c), (f), (h) and (k), 344.15 (2) (a) and (b), (3) and (4), 344.16, 344.17, 344.18 (1) (b) to (d), (2), (3) (intro.) and (b) and (4), 344.19 (3), 344.20, 344.25, 344.27 (2) and (3), 344.31, 344.32 (1) (intro.) and (a) and (2), 344.34, 344.36 (1) and (2), 344.37, 344.38, 344.39, 344.40, 344.41 (1) (intro.) and (c) and (2), 344.45 (1), 344.46 (1), 345.07, 345.09 (2), 345.11 (3) (intro.), (4), (6) and (7), 345.17, 345.37 (7), 345.47 (1) (b), 345.60 (1), 346.70 (4) (b), (c) (intro.) and 2 and (d), 347.05 (1), 347.25 (2) and 347.76 (3).

(d) Wherever the term “administrator of the division of motor vehicles” appears in the following sections of the statutes, the term “secretary of transportation” is substituted: 121.52 (1) (a) and (b), (2) (c) and (4).

(e) Wherever the term “administrator” or “administrator of the division of motor vehicles”, appears in the following sections of the statutes, the term “department” is substituted: 192.327 (6), 194.24 (2), 194.37 (1), 218.11 (6) (d), 218.22 (3) (d), 218.32 (3) (d), 341.09 (3), 341.14 (2m), 341.17 (1), (3) and (6), 341.267 (7), 341.33 (2), 341.63 (1) (intro.) and (2), 343.10 (1), 343.14 (2), 343.15 (3), 343.24, 343.305 (7) (b) to (d), 343.31 (1) (intro.) and (2), 343.61 (2) and (4), 343.62 (1) and (2), 343.72 (5) and (11), 343.75, 344.21, 347.35 (3) (b), 347.44 (5), 347.47 (3) and (4), 347.485 (1) (a) and (b) and 348.185.

(8) HIGHWAY COMMISSION. (a) Wherever the term “commission”, “highway commission”, “state highway commission” or “commission’s” appears in the following sections of the statutes, the term “department” or “department’s” is substituted: 84.01 (1), (2), (5), (6), (7), (8), (9), (10), (11), (13), (14), (15), (18), (19), (20) and (27), 84.015 (2), 84.02 (3) to (11), 84.03 (1), (3), (5), (6) and (9), 84.04 (1) (c) and (3), 84.06 (1), (5), (7) and (8), 84.07 (1a), (1b), (2) and (4), 84.08, 84.09 (2), (3) (a) to (c), (5) and (5m), 84.103 (4) (intro.) and (c), 84.104, 84.105 (2), (3), (4), (6) and (7), 84.11 (1) (b), (2) (a), (4), (5), (6) and (6a), 84.12 (2) (a), (4), (6), (8) and (9) (b) (intro.), 1, 2 and 4, 84.135 (2), (3) and (4), 84.15 (1) and (2), 84.20, 84.25 (1), (2), (3), (4), (5), (7), (8), (9), (10) and (13), 84.28, 84.29 (2), (3), (4), (5) and (6) (a), 84.295 (2), (4), (4m) (a), (c) and (d), (5), (6), (7) (a) and (10) (b), 84.30 (2) (f), (fm), (i) and (km), (3) (a) to (c), (4) (intro.), (5) (d), (8), (9), (10), (11), (12), (13), (14) and (15), 84.31 (2) (d) and (g), 84.40 (title), (1) (a) and (b), (2) (a) to (d) and (i), and

(3), 84.41 (7), 84.42, 114.12, 194.08, 195.285 (1) and (3), 346.57 (4) (b) and (i), 347.26 (7), 348.08 (1) (c) 2, 348.25 (3), 348.26, 348.27 (1), (2) and (4) to (9), 349.07 (1) and (2), 349.08 (1) to (4) and (6), 349.10 (1) (intro.) and (f), 349.11 (1), (2) (intro.) and (a), (3) (c) and (4) to (9), 349.12, 349.13 (1) and (2) (intro.) and 349.16 (1) (intro.) and (2).

(b) Wherever the term “highway commission” or “state highway commission” appears in the following sections of the statutes, the term “department” is substituted: 84.05, 84.09 (7), 84.13 (intro.) and (2), 84.27, 192.29 (2), 192.48 (2), (3) and (8) as renumbered, 195.28, 195.29 (1) and (5) and 195.291.

(c) Wherever the term “highway commission” appears in the following sections of the statutes, the term “department of transportation” is substituted: 13.48 (3) and (10), 13.81 (6) (b), 16.85 (1), 20.710 (2) (f), 32.18, 32.20, 45.066, 59.635 (7), 59.965 (1) (d), (5) (a), (d) 1, 3, 4 and 6 and (e), (7) and (10), 60.29 (20) (e) 2, 60.81 (5), 61.187 (2), 61.189 (2), 62.075 (5), 62.13 (8), 62.16 (2), 66.018 (5), 66.021 (8) (b), 66.025, 66.026, 66.03 (5), 66.24 (5) (b), 66.30 (3p), 67.04 (5) (L), 67.05 (1), 67.13 (2), (3) and (4), 73.10 (6), 80.02, 81.01 (2), 83.01 (7) (d), 83.015 (3) (d), 83.02 (2), 83.026, 83.027 (1), 83.03 (4), 83.04 (1), 83.08 (4), 83.14 (8), 84.105 (1), 84.29 (1), 86.04 (1) and (2), 86.07 (2), 86.08, 86.14 (1), 86.19 (2) to (4), 86.25 (1), 86.34 (1) and (5), 87.30 (1), 88.87 (2) (a) and (c), 103.50 (4), (5) and (8), 125.08 (2), 182.33 (1), 182.36 (2), 182.48, 236.12 (2) (a), 236.13 (1) (e) and 236.42 (1) (a).

(d) Wherever the term “highway commission” or “commission” appears in the following sections of the statutes, the term “department of transportation” is substituted: 59.965 (8), 61.65 (8), 83.01 (7) (g), 83.025 and 86.16 (1).

(e) Wherever the term “highway commission” appears in the following sections of the statutes, the term “transportation commission” is substituted: 20.923 (4) (d) 15 and (e) 11, 59.965 (5) (f) 3 and 4, 86.16 (5) and 175.05 (4) (b).

(f) Wherever the term “highway commission” appears in the following sections of the statutes, the term “secretary of transportation” is substituted: 83.01 (1) and 84.01 (12).

(g) Wherever the term “state highway commission” appears in the following sections of the statutes, the term “department of transportation” is substituted: 118.08 (2).

(h) Wherever the term “chairman of the highway commission” appears in the following sections of the statutes, the term “secretary of transportation” is substituted: 15.707 (1).

(9) PUBLIC SERVICE COMMISSION. (a) Wherever the term “public service commission” appears in the following sections of the statutes, the term “department of transportation” is substituted: 59.968 (6), 103.37 (4) and 146.07 (2).

(b) Wherever the term “public service commission” or “commission” appears in the following sections of the statutes, the term “department” is substituted: 194.44 (2), 348.05 (2) (h) and 348.07 (2) (b).

(c) Wherever the terms “public service commission and the division of motor vehicles” or “the division of motor vehicles and the public service commission” appear in the following sections of the statutes, the terms “commission and department” is substituted: 194.01 (15) and 194.02.

(d) Wherever the term “public service commission or division of motor vehicles” appears in the following sections of the statutes, the term “transportation commission or department” is substituted: 348.20 (1).

(e) Wherever the term “public service commission” appears in the following sections of the statutes, the term “commission” is substituted: 190.02 (9) (c), 190.03,



190.13, 192.01, 192.265, 192.29 (1) and (4), 192.291, 192.30, 192.324, 192.327 (6), 192.48 (2), (5) and (8), as renumbered, 192.52 (3) to (5), 192.56 (1), 193.41, 194.19 (1), as renumbered, 194.31, 194.37 (1), 195.01 (1) and (3), as renumbered, 195.16, 195.31 and 195.32.

(f) Wherever the term "public service commission" appears in the following sections of the statutes, the term "transportation commission" is substituted: 20.917 (1) (intro.) and (2), 26.20 (3) and (10), 30.33, 59.968 (4), 66.065 (5) and (6), 71.18 (2), 84.05, 88.66 (2), 88.87 (4), 88.88 (2), 194.01 (3), 195.285 (1) and (3), 341.07 (1), 346.45 (3) (d) and 347.43 (4).

(g) Wherever the term "public service commission" appears in the following sections of the statutes, the term "transportation commission or public service commission" is substituted: 35.28, 35.29 (2), 35.86 (4), 66.064, 66.068 (3), 66.07 (2) to (5), 67.04 (2) (g) and (5) (i), 197.10 (1) (h), (2), (3) and (5) and 227.01 (5) (s).

(h) Wherever the term "public service commission" appears in the following sections of the statutes, the term "department of transportation or transportation commission" is substituted: 66.94 (30) (a).

(i) Wherever the term "public service commission" appears in the following sections of the statutes, the term "public service commission, transportation commission or department of transportation" is substituted: 66.06 (2) and 945.06.

(10) OTHER. (a) Wherever the term "electric or steam railroad" or "electric or steam railroads" appears in the following sections of the statutes, the term "railroad" or "railroads" is substituted: 194.01 (4) and 194.18 (5) and (6).

(b) Wherever the term "steam railroad" appears in the following sections of the statutes, the term "railroad" is substituted: 86.12, 182.018 (1) and (3) and 193.30 (1).

(c) Wherever the term "public utility or railroad" or "railroad or public utility" appears in the following sections of the statutes, the term "public utility" is substituted: 195.07 (1) and (2), as renumbered, 196.28, 196.29 (2) and 196.65.

(d) Wherever the term "department of transportation" appears in the following sections of the statutes, the term "department" is substituted: 194.15.

(e) Wherever the term "state highway engineer" appears in the following sections of the statutes, the term "department" is substituted: 86.11.

(f) Wherever the terms "public utility, power district or railroad" appear in the following sections of the statutes, the terms "public utility or power district" are substituted: 196.85 (1) to (3), (4) (a) and (5).

**SECTION 1655. Transitional provisions.** (21) **HISTORICAL SOCIETY.** (a) *Historic preservation negotiating board.* 1. Of the first public members appointed to the historic preservation negotiating board under section 15.705 (1) (c) of the statutes, as created by this act, one shall be appointed for a term to expire on May 1, 1981, and one shall be appointed for a term to expire on May 1, 1983.

2. Of the first members appointed to the historic preservation review board under section 15.705 (2) of the statutes, as created by this act, 5 shall be appointed for one-year terms, 5 shall be appointed for 2-year terms and 5 shall be appointed for 3-year terms.

3. At the expiration of the initial terms specified under subsections (1) and (2), members shall be appointed for the full terms prescribed under section 15.705 (1) (c) or (2) of the statutes, as created by this act, respectively.

(22) **INDUSTRY, LABOR AND HUMAN RELATIONS.** (a) *Review commission.* 1. Any administrative or adjudicatory action or proceeding by or against the department of

industry, labor and human relations or the industry, labor and human relations commission initiated prior to the effective date of this act shall be continued by or against the department or the labor and industry review commission, whichever is applicable, after the effective date of this act.

2. The industry, labor and human relations commissioners, in office on the effective date of this act shall be commissioners of the labor and industry review commission for those terms to which they were appointed by the governor and confirmed by the senate.

Vetoed  
in Part

3. All rules of the industry, labor and human relations commission and all rules of the department of industry, labor and human relations in force on the effective date of this act shall remain in force until modified or rescinded by the department. ~~The commission may modify, rescind or promulgate rules prior to the effective date specified under SECTION 1657 (22) (a) of this act to the extent permitted under this act after such effective date, but such rules may not take effect prior to such effective date.~~

4. Notwithstanding section 15.06 (2) of the statutes, the chairman of the industry, labor and human relations commission shall serve as the chairman of the labor and industry review commission until March 1, 1979.

(c) *Unemployment administration fund; state moneys.* Any unencumbered balances on the effective date of this act in the appropriation under section 20.445 (1) (v), 1975 stats., shall be treated as moneys received under s. 20.445 (1) (v) as affected by this act.

(23) INSURANCE. (a) *Fire department dues.* The amendments of sections 601.93 and 601.95 of the statutes, by this act, shall apply to fire department dues payable for calendar year 1977 and thereafter.

(24) INVESTMENT BOARD. (a) *Investment services.* On the effective date of section 20.536 (1) (h) of the statutes, as repealed and recreated by this act, the investment board shall bill state agencies for investment services in both the 6-month period prior to the effective date of this act and the 6-month period following the effective date of this act. Thereafter, billings shall be in accordance with section 20.536 (1) (h) of the statutes, as repealed and recreated by this act.

(34) NATURAL RESOURCES. (a) *Environmental impact statement charges.* The treatment of section 23.40 (2) of the statutes by this act first applies to fees charged for the preparation of environmental impact statements relating to applications received by the department of natural resources on and after the effective date of this act.

(34m) PUBLIC DEFENDER. (a) *Public defender and board.* 1. The person who is state public defender on the effective date of this act, shall continue in that capacity only until such time as the public defender board created by this act appoints a state public defender. The board may appoint a new state public defender notwithstanding the fact that the former state public defender has not completed his or her term by the effective date of this act.

2. All cases being handled by the former state public defender under prior law shall be transferred to the new office of the state public defender created under this act as soon as possible after the effective date of this act, consistent with the best interests of the clients.

3. After the effective date of this act, all official property and files belonging to the former state public defender under prior law shall become property of the new office of the state public defender, and, as much as possible, existing service contracts, employees, materials and office space shall be utilized by the new office.

4. The initial appointments to the public defender board under section 15.78 of the statutes, as created by this act, shall be staggered so that 3 members each shall serve terms of one, 2 and 3 years, plus a period ending on the July 1 after such term.

(b) *Judiciary and county governments to cooperate with the public defender.* 1. Members of the judiciary and county governments shall extend their unlimited cooperation to the state public defender and the state public defender board during the implementation of the state public defender system from July 1, 1978, to June 30, 1979. Cooperation shall include, but not be limited to, judicial determination of indigency, judicial assignment of counsel and county payment of attorney fees for indigent defense where a representative of the state public defender is not available to determine indigency and assign or provide counsel. Further, during the transition period of July 1, 1978, to June 30, 1979, the state public defender shall, to the extent that appropriations and position authority permit, determine the counties in which the state public defender shall operate during the July 1, 1978, to June 30, 1979, time period. The state public defender shall give priority to providing indigent representation in counties meeting the following criteria:

- a. There is a legal services program currently operating.
- b. There is a relatively small amount spent for indigent defense compared to case disposition data and estimated number of indigents.
- c. There is a request, from one or more judges in a county or the county board, for the state to immediately begin providing indigent representation.
- d. There is a significant, or potentially significant, percentage of indigent cases in the county because of a high crime rate or a state institution.
- e. The county is contiguous to other counties meeting these criteria such that a regional office can be established in a cost-efficient manner consistent with appropriations and position limitations.

2. The state public defender shall determine the relative importance of the criteria under subdivision 1. a to e of this subsection in establishing which counties the state public defender will operate in during the July 1, 1978, to June 30, 1979, time period. In those counties in which the state public defender does not operate during that time period, the state public defender shall permit judicial determination of indigency, judicial appointment of counsel and county payment of legal fees for indigent representation. Attorney fees shall continue to be reimbursed for those counties under section 256.65 of the statutes provided that the case was assigned prior to June 30, 1979. Counties shall continue to pay attorney fees for indigent representation for all cases assigned to local counsel or public defender organizations prior to state assumption of responsibility for indigency determination and appointment of counsel.

(36) PUBLIC SERVICE COMMISSION. (a) *Bifurcation of first payment.* A utility or power district billed for fiscal year 1977-78 by the public service commission under s. 196.85 (2) of the statutes, as amended by this act, may pay one-half of the amount billed by December 1, 1977, and the remainder of the bill by March 1, 1978.

(38) REVENUE. (a) *Fuel tax; taxicabs.* The treatment of section 78.75 of the statutes by this act applies to purchases made on and after the first day of the first month commencing at least 30 days after the effective date of this act.

Partial  
Veto  
Overruled

(c) *Occupational taxes.* 1. The treatment of sections 70.40, 70.415 (3), 70.42 (1) and (3) and 70.421 (1) of the statutes by this act applies to occupational taxes for the year May 1, 1977, to April 30, 1978, and thereafter.

2. Upon the enactment of legislation creating a state fund to provide funds to local units of government for costs associated with social, environmental or economic impacts of metalliferous mineral mining, two-thirds of the state's share of taxes

collected under section 70.40 of the statutes, as created by this act, after the enactment of the fund, shall be deposited in such fund.

(d) *Shared taxes.* The treatment of section 79.03 (3) (e) 2. d of the statutes by this act as it relates to interest income shall apply on and after January 1, 1978.

Vetoed in Part (e) *Real estate transfer fee.* The treatment of sections 77.22 (1) and 77.24 of the statutes by this act shall first apply to instruments of conveyance submitted for recording and to fees collected on and after the first day of the month commencing after publication.

(43) TRANSPORTATION. (a) *Transportation commission members.* The initial members of the transportation commission shall be the members of the highway commission holding office on the date of publication of this act who choose to serve on the transportation commission. Their terms shall be the remainder of the terms they would have served as members of the highway commission.

Vetoed in Part (am) *Independent commission.* It is hereby declared to be the purpose and policy of the legislature to create a transportation commission independent of the department of transportation. The commission's staff shall be employed by it only, and no employe of the department shall be employed by the commission. The commission shall adopt such rules and practices as are necessary to maintain the integrity and separate function of the commission's staff and to avoid involvement of commission's staff in departmental investigations and receipt of any reports, documents or other information from the department without benefit of public notice or hearing.

(b) *Administrator of motor vehicles.* The person holding the position of administrator of the division of motor vehicles on the date of publication of this act shall at his or her option continue to serve in the same or comparable position for the duration of his or her current term. If the administrator chooses to serve in the same or comparable position, he or she shall be assigned by the secretary of transportation to an executive salary group under section 20.923 (4c) of the statutes or at the secretary's option, to a position in the classified service under section 16.11 (1) of the statutes subject to approval of the director of the bureau of personnel.

(ba) *Division administrators.* If the governor approves a reorganization proposal to establish the internal reorganization of the department of transportation under s. 15.02 (4) following enactment of this act, each proposed division administrator position in the department, as reorganized, shall be designated in the unclassified or classified service by the secretary of transportation. Every such designation in the classified service shall be subject to approval by the director of the bureau of personnel. A division administrator position designated in the unclassified service shall be assigned an executive salary group under section 20.923 (4c) of the statutes, as created by this act by the secretary of transportation, and every administrator position so assigned shall be eligible for benefits under ss. 16.30 (1m) and (2) and 20.926. The authority of the secretary of transportation as to each division administrator position under this section shall terminate as soon as the secretary has made the designation, if the designation is in the unclassified service, or as soon as the director of the bureau of personnel has approved the secretary's designation, if the designation is in the classified service.

Vetoed in Part (bc) *Highway safety coordinator.* If the governor approves a reorganization proposal to establish the internal reorganization of the department of transportation under s. 15.02 (4) following enactment of this act, the position of highway safety coordinator as provided under s. 85.07 (2), as created by this act, in the department, as reorganized, shall be designated in the unclassified or classified service by the secretary of transportation. Every such designation in the classified service shall be subject to approval by the director of the bureau of personnel. The highway coordinator position, if designated in the unclassified service, shall be assigned to an executive salary group under s. 20.923 (4) (b) by the secretary of transportation. The

~~authority of the secretary of transportation under this section shall terminate as soon as the secretary has made the designation, if the designation is in the unclassified service, or as soon as the director of the bureau of personnel has approved the secretary's designation, if the designation is in the classified service.~~

Vetoed  
in Part

(c) *Public service commission transfers.* a. All personnel, property and records of the public service commission related to the functions under chapters 190 to 195 of the statutes are transferred to the transportation commission. The secretary of transportation, the chairperson of the public service commission and the secretary of administration, or their designees, shall meet and agree, as soon as practicable after the date of publication, on the personnel, property and records which are to be transferred. Thereafter, but not later than January 1, 1978, the secretary of transportation, the chairperson of the transportation commission and the secretary of administration, or their designees, shall determine the proper allocation of personnel, property and records between the department of transportation and the transportation commission. In case of disagreement the decision of the secretary of administration shall control.

b. All rules adopted by the public service commission under chapters 190 to 195 of the statutes and its rules of procedure in effect on January 1, 1978, shall continue in effect as rules of the department of transportation or transportation commission, whichever is appropriate, until amended or repealed by the department or commission.

(d) *Department rules continued.* All rules promulgated prior to the effective date of this act by the highway commission or any division or administrator of the department of transportation and in effect on the effective date of this act, shall continue in effect as rules of the department of transportation.

(dm) *Ambulance standards.* All rules of the department of health and social services relating to ambulance inspection and specifications for vehicles, medical equipment and supplies remain in force and shall be administered by the department of transportation until modified or rescinded by the department of transportation.

(e) *Distribution of transportation commission decisions.* The table for distribution of state publications, Figure 35.84 (2) of the statutes, is amended to provide for the distribution of decisions of the transportation commission in the same manner and number as decisions of the public service commission are distributed.

(f) *Railroad and motor carrier law revision.* As soon as practicable after the effective date of this act, the transportation commission and department of transportation shall review the statutory provisions under chapters 189 to 193 of the statutes for the purpose of revising the same to reflect changes in conditions and technology and under other chapters affecting railroads and motor carriers for the purpose of proposing minor substantive correctional measures and revisor's corrections. Proposed revisions shall be submitted in bill form to the 1979 session of the legislature.

~~(g) *Property, personnel.* All property, records and personnel of the division of highway safety coordination in the executive office are transferred to the department of transportation.~~

Vetoed  
in Part

(j) *Registration of small trailers.* All trailers and semitrailers required to be registered under section 341.25 (1) (gd) of the statutes may be registered initially for the 3-year period therein prescribed, and the department of transportation may subsequently take such measures as are necessary to stagger such registrations.

(k) *Outstanding special plates.* Special license numbers in effect under section 341.145, 1975 stats., on January 1, 1978 shall remain valid without the payment of any additional fee until the year in which the license plates are due for reissuance. The additional fee under section 341.145 of the statutes, as provided in this act, shall apply to the reissuance of such plates and annually thereafter.

(L) *Implementation of the international registration plan.* The international registration plan adopted under section 341.405 of the statutes, created by this act, shall be implemented for the 1978 registration year or such later registration year as may be designated by the secretary of transportation in order to achieve proper implementation; provided that registrants may apply and pay fees for and the department of transportation may issue registration, base plates and registration cards prior to and in anticipation of the implementation of the international registration plan.

(m) *Highway aids.* In fiscal year 1977-78, the department of transportation shall make the full highway aids final payment due each county and municipality charged to the 1976-77 fiscal year and, in addition, shall make full transportation aids payments prescribed by section 86.30 (4) of the statutes, as created by this act.

(n) *Reducing highway borrowing authorization.* In reducing the borrowing authorization of \$200,000,000 to \$185,000,000 for accelerated highway improvement under sections 20.866 (2) (ur) and 84.51 (2) of the statutes, as affected by this act, the \$15,000,000 reduction shall be effected to reduce bond moneys authorized for Milwaukee county freeways and expressways and shall not reduce bond moneys authorized for any project outside of Milwaukee county.

(o) *27th Street viaduct.* In administering the borrowing authorization of \$15,000,000 for the 27th Street viaduct under sections 20.866 (2) (us) and 84.51 (3) of the statutes, as affected by this act, and in implementing the expenditure of these moneys, the 27th Street viaduct project may be considered a part of the state trunk highway system until project completion.

SECTION 1656. **Cross reference changes.** In the sections of the statutes listed in Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

(3) AGRICULTURE. (a) *State fair park.*

A	B	C
Statute Sections	Old Cross References	New Cross References
20.710 (3)(g)	20.115 (4)(j)	20.115 (5)(j)
20.710 (3)(h)	20.115 (4)(j)	20.115 (5)(j)

(15) EXECUTIVE ADMINISTRATION. (a) *Executive office appropriations.*

A	B	C
Statute Sections	Old Cross References	New Cross References
13.101 (9)	20.525 (1) (b)	20.525 (1) (a)
14.32 (3)	20.525 (1) (b)	20.525 (1) (a)

(18) HEALTH AND SOCIAL SERVICES. (a) *General changes.*

A	B	C
Statute Sections	Old Cross References	New Cross References
46.22 (5m)(c)	20.435 (4) (dh)	20.435 (4) (df)
49.46 (2)(a)(intro.)	49.45 (1)(a)	49.43 (1)
49.47 (6)(a)	49.45 (1)(a)	49.43 (1)
51.42 (8) (i)	46.03 (21)	46.031 (1)

(27) JUSTICE. (a) *Justice appropriation.*

A	B	C
Statute Sections	Old Cross References	New Cross References
79.20 (1)	20.455 (3)(b)	20.455 (2)(d)
133.06 (1) and (3)	20.455 (2)(d)	20.455 (1)(d)
163.71 (1)(a) and (c)	20.455 (2)(d)	20.455 (1)(d)
165.25 (1) and (4)	20.455 (2)(d)	20.455 (1)(d)
251.19	20.455 (2)(d)	20.455 (1)(d)
255.10 (8)	20.455 (2)(d)	20.455 (1)(d)

(37) REGULATION AND LICENSING. (c) *Psychology examining board.*

A	B	C
Statute Sections	Old Cross References	New Cross References
455.05 (1)	455.07 (1)	440.05 (1) or (2)
455.05 (2)	455.07 (1)	440.05 (1) or (2)

(38) REVENUE. (b) *Forest crop law funding.*

A	B	C
Statute Sections	Old Cross References	New Cross References
77.05 (2)	20.370 (1)(b)	20.370 (1)(vn)
77.14	20.370 (1)(a)	20.370 (1)(u)

(c) *Manufacturing property.*

A	B	C
Statute Sections	Old Cross References	New Cross References
70.995 (7) (c) (intro.)	70.995 (8) (c)	70.995 (8) (e)
70.995 (7) (c) 3	70.995 (8) (c)	70.995 (8) (e)

(43) TRANSPORTATION. (a) *Reorganization.*

A	B	C
Statute Sections	Old Cross References	New Cross References
20.725 (9)(b) 1	20.395 (1), (3), (4) and (5)	20.395 (1), (3), (4) and (6)(rd) to (rx), (ws) and (wt)
20.866 (1)(u)	20.395 (1)(ra), (rb), (rc) and (rd)	20.395 (6)(ws) and (wt)
11.40 (1)(a)	ch. 196	ch. 195 or 196
20.923 (9)	195.03 (27)	195.03 (21) and 196.02 (11)
83.01 (6)	83.10 (1)	86.30
84.01 (18)(b) and (c)	20.395 (4)(q)	20.395 (3)
84.03 (3)(b)	83.10 (1)	20.395 (1)(qd)
84.03 (9)(d)	20.395 (4)(q)	20.395 (3)
84.105 (5)	20.395 (4)	20.395 (3) or (4)
84.12 (5)(a)	84.11 (5)(a)	84.11 (5)(a) and (am)
84.20	20.395 (4)(q), (qt), (w) and (y)	20.395 (3)
84.27	20.395 (4)(qc)	20.395 (3)(wd)
84.28	20.395 (4)(qa)	20.395 (3)(wd)
84.31 (8)(b)	20.395 (4)(q)(intro.)	20.395 (3)(sd) and (sx)
86.315 (intro.)	20.395 (1)(qa)	20.395 (1)(ud)
110.07 (3)	ch. 349	ch. 350
110.99 (1)	20.395 (8)(q)	20.395 (6)(qd)
192.29 (1)	196.26	195.04
194.15	195.07	196.44
195.28	196.26	195.04
195.28	20.395 (4)(qd)	20.395 (1)(td)
195.285	196.26	195.04
195.29 (1) and (5)	196.26	195.04
195.31	196.26 to 196.29	195.04 to 195.043
195.32	196.26 to 196.29	195.04 to 195.043
196.44 (1), as re-numbered	chs. 195 to 196	ch. 196
196.44 (3), as re-numbered	chs. 192 to 196	ch. 196
196.745 (3)	195.07 (3)	196.44 (3)
349.13 (1)	84.02 (11)	86.32

**SECTION 1657. Effective dates.** All sections of this act shall take effect on July 1, 1977, or on the day following publication, whichever is later, unless another date is provided in such sections and except as further provided in this section.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION. (a) *Farmland preservation.* The treatment of sections 20.115 (6), 20.835 (2) (dm) and 71.09 (11) and chapter 91 of the statutes by this act shall take effect on October 1, 1977.

(18) HEALTH AND SOCIAL SERVICES. (a) *Collection for 51.42, 51.437 boards.* The treatment of section 46.10 (8m) (c) of the statutes by this act shall take effect January 1, 1978, and shall apply to all collections made on or after that date irrespective of when the services are performed.

(b) *Federal aid programs.* The treatment of section 20.435 (9) (n) 1 and 2 of the statutes by this act shall take effect on July 1, 1978.

(c) *Council on hospital regulation and approval.* The treatment of sections 15.197 (8) and 140.28 of the statutes by this act shall take effect January 1, 1979.

(f) *Public health nurses.* The treatment of section 141.045 (2) and (5) of the statutes by this act takes effect July 1, 1982.

(fm) *Collections for private pay accounts at university hospitals.* The treatment of sections 20.435 (8) (k) and 46.105 of the statutes by this act shall have no effect on the collection of accounts referred to the department of health and social services prior to the effective date of this act. Sections 20.435 (8) (k) and 46.105, 1975 stats., shall apply to the collections of such accounts.

(g) *Nursing home appeals mechanism.* The treatment of section 49.45 (6m) (e) of the statutes by this act shall take effect for rate modifications for care furnished on or after January 1, 1978.

(h) *Collection from legal settlement.* The treatment of section 49.11 of the statutes by this act shall take effect 2 years and one day after its publication. It shall apply to new cases only, and shall not be applicable to cases which, as of the effective date of this act, are pending before the department of health and social services, are on petition for review in circuit court, or are on appeal before the Wisconsin supreme court.

Vetoed  
in Part

~~(22) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) *Review commission.* The treatment of sections 15.197 (11n) (a) 1 and (12), 15.22, 15.221 (2), 15.227 (1) to (4), (5) (a), (b) and (d) and (6), 15.405 (2) (intro.) and (a), 15.94 (2), 15.947 (1), 20.923 (4) (e) 4 and (f) 4, 56.07 (7), 56.21, 59.42 (2) (intro.), 101.01 (1) (b) to (d) and (h), 101.02 (5) (b) to (f), (10), (14) (a) and (b) and (15) (g), 101.03, 101.04, 101.14 (1) (b) and (2) (a), 101.20 (1) (a), 101.211, 101.22 (4) (c), (4m), (4p), (5) and (6), 101.223 (4), 101.25, 102.07 (11), 102.13 (1), 102.17 (1) (b) and (bm) 1, 102.18 (3) and (4), 102.19, 102.23 (1), 102.24, 102.25 (1), 102.26 (1) and (2), 102.31 (5), 102.35 (2), 102.565 (3), 102.60 (2), 102.64 (3), 102.65 (3), 103.37 (4), 104.01 (9), 105.09, 108.02 (2), 108.05 (2) (e) and (f), 108.09 (3) (a), (6) and (7) (a) and (b), 108.10 (2) and (3), 108.14 (2m) and (3m), 108.141 (6) (title) and (a), 111.32 (3m), 111.33, 111.36 (3m), 111.37, 227.05 (2) (e), 227.22 (2), 227.25, 812.18 (2) (a) 3, 949.12, 949.13 and 949.16 of the statutes and of SECTION 1655 (22) (a) 1, 2 and 3 of this act by this act shall take effect on January 1, 1978, or on the first day of the 3rd month commencing after its publication, whichever is later.~~

(24) INVESTMENT BOARD. (a) *Investment board procedures.* The treatment of section 20.536 (1) (h) of the statutes by this act shall take effect on the July 1 or January 1 which next succeeds the publication of this act.

(34) NATURAL RESOURCES. (a) *Municipal water systems.* The repeal of sections 20.370 (2) (d) and 144.22 of the statutes by this act shall take effect on January 1, 1979.

(c) *Boats for hire.* The treatment of section 30.52 (3) (b) of the statutes by this act shall take effect on April 1, 1978.

(f) *Safe drinking water program.* The repeal of section 144.025 (2) (t) of the statutes, as created by this act, and any rules promulgated under section 144.025 (2) (t) of the statutes, as created by this act, shall take effect September 30, 1979.

(g) *Trout stamp program.* The treatment of section 29.145 (4) of the statutes by this act shall take effect January 1, 1978.

(34m) PUBLIC DEFENDER. (a) *Creation.* The treatment of sections 48.25 (6), 51.15 (6), 51.20 (4) and (19) (c), 51.35 (1) (e), 51.45 (12) (c) 2, (13) (b) 2 and (d) and (16) (c), 57.06 (3) and (3m), 256.65 (8) and (9), 967.06, 970.02 (6),



974.06 (3) (b), 977.05 (4) (h) to (i) and (5) and 977.08 (1) and (4) of the statutes shall take effect July 1, 1978.

(35) PUBLIC INSTRUCTION. (a) *State aids for handicapped children.* The treatment of section 115.88 (1) of the statutes by this act shall take effect on July 1, 1978.

(c) *Special educational needs.* The treatment of section 115.92 (4) (b) of the statutes, as created by this act, shall take effect July 1, 1978.

(38) REVENUE. (a) *Assessment date.* 1. The treatment of sections 66.03 (13) (a) and 70.10 of the statutes by this act and SECTION 1646 of this act shall take effect on January 1, 1979.

2. The treatment of section 66.46 (4) (c) 2 and (5) (c) of the statutes by this act takes effect on October 1, 1978.

3. Treatment of section 66.058 (3) (c) of the statutes by this act takes effect January 1, 1980.

(b) *Motor vehicle tax collections.* 2. The treatment of sections 78.68 (4) and 78.70 (title) and (1) of the statutes by this act shall apply to all taxes due or delinquent on or after the effective date.

(c) *2nd class city board of assessors.* The treatment of section 70.075 of the statutes by this act shall take effect January 1, 1978.

(d) *Sales tax on snowmobiles.* The treatment of sections 77.51 (7) (am), 77.53 (17), 77.54 (7) and 77.61 (1) (a) and (c) of the statutes by this act shall take effect on the first day of the first month commencing at least 30 days after publication.

(e) *Delinquent taxes.* The treatment of sections 139.05 (6), 139.07 and 139.32 (7) of the statutes by this act shall take effect on the first day of the first month commencing at least 30 days after publication.

(f) *Corporate deduction for sales and use tax penalties.* The treatment of section 71.23 of the statutes by this act shall apply with respect to the reporting of Wisconsin taxable income for the taxable year 1977 and thereafter.

(g) *Delinquent tax rate.* The treatment of sections 72.23 (1), 72.85 (3) and 72.86 (1) of the statutes by this act shall take effect on the first day of the first month commencing at least 30 days after publication and interest shall be computed on inheritance and gift taxes due prior to the effective date at 8% per year from the due date to the effective date, and 9% per year thereafter until paid.

(h) *Change of dates relating to property taxation.* The treatment of sections 60.20, 70.337 (1) (a), 70.35 (3), 70.41 (2), 70.415 (2), 70.42 (2), 70.421 (2), 70.47 (1) and 70.50 of the statutes and SECTION 1647 of this act takes effect January 1, 1979.

(i) *Declaration of estimated tax.* The treatment of sections 71.21 (12) and (14) (c) (intro.) and 71.22 (9) (intro.) and (10) (c) (intro.) of the statutes by this act shall apply with respect to the determination of declarations of estimated tax for the calendar year 1978 or corresponding fiscal year and thereafter.

(j) *Insurance companies.* The treatment of section 71.01 (4) (g) 2 of the statutes by this act shall be effective with respect to the taxable year 1977 and thereafter.

(k) *Sales tax coverage.* The treatment of section 77.52 (2) (a) 13 of the statutes by this act shall take effect on the first day of the first calendar month commencing at least 30 days after publication.

~~(L) *Amusement device license.* The treatment of section 175.22 of the statutes by this act shall take effect on January 1, 1978.~~

(m) *Accrued tax receipts.* The treatment of section 20.002 (2) of the statutes by this act shall take effect on July 1, 1979.

(n) *Nonresident entertainers.* The treatment of sections 71.02 (1) (e) and (2) (p) and 71.10 (18) of the statutes by this act takes effect on January 1, 1978.

Partial  
Veto  
Overruled

(o) *Manufacturing machinery and equipment.* The treatment of section 70.996 (1) (a) of the statutes and the repeal of section 70.996 (1) (b) of the statutes by this act take effect on April 30, 1978.

(40) SECRETARY OF STATE. (a) *Uniform commercial code.* The treatment of sections 409.402 (3m), 409.403 (1), (5) and (8), 409.404, 409.405 (1) and (2) and 409.406 of the statutes by this act takes effect on January 1, 1978.

(43) TRANSPORTATION. (a) *Public service transfer.* The treatment of sections of the statutes under this act relating to the transfer of transportation regulatory responsibilities from the public service commission to the department of transportation and transportation commission shall take effect on the effective date of this act, provided that in the interim between the effective date of this act and January 1, 1978, the public service commission shall continue to retain and exercise jurisdiction over transportation regulatory functions as if it were the transportation commission under the revised statutes. Commencing on January 1, 1978, jurisdiction over the transferred transportation regulatory responsibilities shall reside with the transportation commission created by and constituted under this act.

(c) *Registration fees and truck weights.* The treatment of the following sections of the statutes by this act as it relates to changing motor vehicle registration fees and truck weights shall take effect on January 1, 1978, and shall apply commencing with the first full registration period for vehicles affected thereby: 341.145 (2) and (3), 341.25 (1) (b), (f), (fm), (g), (gd), (gg), (i) and (j) and (2), 341.26 (1) (intro.) and (3) (a) and (g), 341.51 (1) and (2), 348.15 (2) (b) to (d), (3) (b) (intro.) and 2 and (c) (figure) and (d), 348.20 (3) and 348.27 (7m) and (8).

(d) *Regulatory responsibilities.* The treatment of section 20.155 (1) (g) and (u) of the statutes by this act as it relates to the transfer of transportation regulatory responsibility from the public service commission shall take effect on January 1, 1978.

(e) *Reorganization.* The treatment of the following sections of the statutes by this act, shall take effect on January 1, 1978, provided that any word changes with respect thereto under SECTION 1654 of this act relating to department of transportation reorganization shall take effect on the effective date of this act: 84.30 (18), 84.31 (6) (a), 114.134 (4) (b) and (d), 114.135 (9), 114.20 (9m), 218.01 (2) (bd) 2, (3) (b), (c), (g) and (h), (3c) (c) and (d), (5) (b) and (9), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and (b), 342.26, 343.33, 343.69, 344.02 (1) to (3), 344.03 and 348.25 (9).

(45) UNIVERSITY OF WISCONSIN SYSTEM. (a) *Application fee.* The fee required under section 36.11 (3) (d) of the statutes, as created by this act, shall first apply to applications received after September 1, 1977, for admission to programs which will commence in the 1978-79 academic year.

(48) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. (a) *VTAE district board vacancies.* The changes effected by this act in sections 38.08 and 38.10 of the statutes shall take effect on July 2, 1977, or on the day after publication, whichever is later.

(e) *Cost controls.* The repeal of chapter 39, laws of 1975, section 728 (2) by this act shall take effect on July 1, 1978.

(50) MISCELLANEOUS. (a) *County retirement costs.* The treatment of sections 20.855 (2) (a), 41.05 (9), 41.08 (1) (a) 7 and 41.09 (4) of the statutes by this act shall take effect January 1, 1978.

(b) *County and town fiscal years.* The treatment of sections 59.17 (8), 60.067 and 60.175 (12) of the statutes by this act takes effect on January 1, 1978.

**Figure: 20.005 (1)**

GENERAL FUND CONDITION STATEMENT		
1977-79 BIENNIUM		
<u>General Purpose Revenues</u>	<u>1977-78</u>	<u>1978-79</u>
Estimated Balance July 1	\$ 77,335,800	\$ 105,342,300
Estimated Taxes	1,823,571,000	1,989,583,900
Estimated Departmental Revenues	71,065,500	52,302,300
Federal Revenue Sharing	53,097,000	52,780,600
Estimated Interest on Federal Revenue		
Sharing	<u>908,900</u>	<u>861,100</u>
<b>TOTAL AVAILABLE</b>	<b>\$2,025,978,200</b>	<b>\$2,200,870,200</b>
Appropriations	\$1,941,420,100	\$2,063,085,700
Less: ORAP Balances	-1,384,100	-2,295,100
Less Estimated Lapses	<u>-19,400,100</u>	<u>-20,607,900</u>
<b>NET APPROPRIATIONS</b>	<b>\$1,920,635,900</b>	<b>\$2,040,182,700</b>
Estimated Balance June 30	\$ 105,342,300	\$ 160,687,500*
SUMMARY OF EXPENDITURES — ALL FUNDS		
	<u>1977-78</u>	<u>1978-79</u>
General Purpose Revenues	\$1,920,635,900	\$2,040,182,700
Program Revenues	420,202,300	463,191,800
Federal Revenues	1,150,311,500	1,216,036,800
Segregated Funds Revenues	<u>425,435,800</u>	<u>435,665,100</u>
<b>SUBTOTAL</b>	<b>\$3,916,585,500</b>	<b>\$4,155,076,400</b>
Local Tax Revenues	\$ 794,917,000	\$ 868,296,000
Bond Revenues	<u>473,497,600</u>	<u>15,000,000</u>
<b>GRAND TOTAL</b>	<b>\$5,185,000,100</b>	<b>\$5,038,372,400</b>

\*Available for other legislation, state employe pay plans and federal law changes. In addition, an unappropriated balance of at least 1% of the state's biennial budget is generally maintained. This would represent approximately \$39.6 million in 1977-79 under this act.

Figure: 20.005 (2)

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>COMMERCE</b>			
<b>20.115 Agriculture, trade and consumer protection</b>			
<b>(1) FOOD AND TRADE REGULATION</b>			
(a) General program operations	GPR A	3,820,200	3,811,200
(b) Meat inspection	GPR A	1,210,900	1,187,800
(g) Related services	PR C	18,700	18,700
(i) Pesticide control	PR C	29,100	31,600
(j) Weights and measures	PR C	103,000	111,500
(k) Dairy trade practices	PR C	123,000	129,800
(m) Federal funds	PR-F C	1,492,100	1,553,300
(q) Automobile repair regulation	SEG A	124,300	139,300
		(1) P R O G R A M T O T A L S	
GENERAL PURPOSE REVENUES		5,031,100	4,999,000
PROGRAM REVENUE		1,765,900	1,844,900
FEDERAL	(	1,492,100)	( 1,553,300)
OTHER	(	273,800)	( 291,600)
SEGREGATED FUNDS		124,300	139,300
OTHER	(	124,300)	( 139,300)
TOTAL-ALL SOURCES		6,921,300	6,983,200
<b>(2) ANIMAL AND PLANT HEALTH SERVICES</b>			
(a) General program operations	GPR A	2,541,800	2,519,100
(b) Animal disease indemnities	GPR S	30,000	30,000
(g) Related services	PR C	142,000	162,100
(h) Sale of supplies	PR C	26,000	26,000
(i) Mink research	PR C	3,000	3,000
(m) Federal funds	PR-F C	129,100	136,500
		(2) P R O G R A M T O T A L S	
GENERAL PURPOSE REVENUES		2,571,800	2,549,100
PROGRAM REVENUE		300,100	327,600
FEDERAL	(	129,100)	( 136,500)
OTHER	(	171,000)	( 191,100)
TOTAL-ALL SOURCES		2,871,900	2,876,700
<b>(3) MARKETING SERVICES</b>			
(a) General program operations	GPR A	1,126,300	1,141,800
(b) Fruit and vegetable grading	GPR A	18,200	18,200
(g) Related services	PR C	297,800	320,100
(i) Marketing orders	PR C	40,000	40,000
(j) Grain regulation	PR C	1,121,000	1,212,000
(k) Potato board; assessments	PR C	103,800	105,600
(km) Potato board; gifts and grants	PR C	0	0
(m) Federal funds	PR-F C	52,000	56,800
		(3) P R O G R A M T O T A L S	
GENERAL PURPOSE REVENUES		1,144,500	1,160,000
PROGRAM REVENUE		1,614,600	1,734,500
FEDERAL	(	52,000)	( 56,800)
OTHER	(	1,562,600)	( 1,677,700)
TOTAL-ALL SOURCES		2,759,100	2,894,500
<b>(4) AGRICULTURAL ASSISTANCE</b>			
(a) Aids to agricultural societies	GPR A	28,000	28,000
(b) Aids to county and district fairs	GPR A	368,500	368,500
(c) County and district fair administration	GPR A	26,900	26,900
(e) Aids to world dairy expo., inc.	GPR A	30,000	30,000
		(4) P R O G R A M T O T A L S	
GENERAL PURPOSE REVENUES		453,400	453,400
TOTAL-ALL SOURCES		453,400	453,400
<b>(5) STATE FAIR PARK</b>			
(h) State fair operations	PR C	2,903,200	2,947,500
(i) State fair capital improvement	PR C	200,000	200,000
(j) State fair principal repayment and interest	PR S	287,100	288,200
		(5) P R O G R A M T O T A L S	
PROGRAM REVENUE		3,390,300	3,435,700
OTHER	(	3,390,300)	( 3,435,700)
TOTAL-ALL SOURCES		3,390,300	3,435,700

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>(6) PRESERVATION OF FARMLAND</b>			
(a) General program operations	GPR A	75,000	99,000
(b) Preliminary mapping	GPR A	200,000	200,000
(6) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		275,000	299,000
TOTAL-ALL SOURCES		275,000	299,000
<b>(8) CENTRAL ADMINISTRATIVE SERVICES</b>			
(a) General program operations	GPR A	798,100	792,800
(h) Sale of supplies	PR C	6,000	6,000
(8) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		798,100	792,800
PROGRAM REVENUE		6,000	6,000
OTHER	(	6,000)	( 6,000)
TOTAL-ALL SOURCES		804,100	798,800
20.115 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		10,273,900	10,253,300
PROGRAM REVENUE		7,076,900	7,348,700
FEDERAL	(	1,673,200)	( 1,746,600)
OTHER	(	5,403,700)	( 5,602,100)
SEGREGATED FUNDS		124,300	139,300
OTHER	(	124,300)	( 139,300)
TOTAL-ALL SOURCES		17,475,100	17,741,300
<b>20.124 Banking, office of the commissioner of</b>			
<b>(1) SUPERVISION OF BANKS AND RELATED FINANCIAL AGENCIES</b>			
(a) Losses on public deposits	GPR S	0	0
(g) Agency collections	PR C	1,982,900	2,160,000
(h) Unclaimed funds	PR C	0	0
(u) State deposit fund	SEG S	0	0
20.124 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		0	0
PROGRAM REVENUE		1,982,900	2,160,000
OTHER	(	1,982,900)	( 2,160,000)
SEGREGATED FUNDS		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		1,982,900	2,160,000
<b>20.135 Business development, department of</b>			
<b>(1) PROMOTION OF ECONOMIC DEVELOPMENT</b>			
(a) General program operations	GPR A	756,400	763,200
(b) Economic development advertising	GPR B	92,500	92,500
(g) Gifts and grants	PR C	3,000	3,000
(m) Federal aid	PR-F C	152,200	148,100
(x) SBIC fund	SEG C	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		848,900	855,700
PROGRAM REVENUE		155,200	151,100
FEDERAL	(	152,200)	( 148,100)
OTHER	(	3,000)	( 3,000)
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		1,004,100	1,006,800
<b>(2) TOURISM PROMOTION</b>			
(a) General program operations	GPR A	676,200	646,300
(b) Marketing	GPR B	300,000	300,000
(g) Gifts and grants	PR C	3,000	3,000
(m) Federal aids	PR-F C	0	0
(q) Marketing	SEG A	300,000	300,000
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		976,200	946,300
PROGRAM REVENUE		3,000	3,000
FEDERAL	(	0)	( 0)
OTHER	(	3,000)	( 3,000)
SEGREGATED FUNDS		300,000	300,000
OTHER	(	300,000)	( 300,000)
TOTAL-ALL SOURCES		1,279,200	1,249,300
20.135 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		1,825,100	1,802,000
PROGRAM REVENUE		158,200	154,100
FEDERAL	(	152,200)	( 148,100)
OTHER	(	6,000)	( 6,000)
SEGREGATED FUNDS		300,000	300,000
OTHER	(	300,000)	( 300,000)
TOTAL-ALL SOURCES		2,283,300	2,256,100

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>20.141 Credit unions, office of the commissioner of</b>			
(1) SUPERVISION OF CREDIT UNIONS			
(g) General program operations	PR C	610,600	666,200
20.141 DEPARTMENT	TOTALS	610,600	666,200
PROGRAM REVENUE		610,600	666,200
OTHER	(	610,600)	666,200)
TOTAL-ALL SOURCES		610,600	666,200
<b>20.145 Insurance, office of the commissioner of</b>			
(1) SUPERVISION OF THE INSURANCE INDUSTRY			
(g) General program operations	PR C	1,785,400	1,956,000
(1) PROGRAM	TOTALS	1,785,400	1,956,000
PROGRAM REVENUE		1,785,400	1,956,000
OTHER	(	1,785,400)	1,956,000)
TOTAL-ALL SOURCES		1,785,400	1,956,000
(2) HEALTH CARE LIABILITY			
(u) Administration	SEG A	91,300	89,700
(v) Patients compensation fund, operations and benefits	SEG C	750,000	1,000,000
(w) Benefits-future medical expenses	SEG C	0	0
(2) PROGRAM	TOTALS	841,300	1,089,700
SEGREGATED FUNDS		841,300	1,089,700
OTHER	(	841,300)	1,089,700)
TOTAL-ALL SOURCES		841,300	1,089,700
(3) STATE PROPERTY INSURANCE FUND			
(u) Administration	SEG A	150,000	169,700
(v) Operations and benefits	SEG C	2,700,000	2,920,000
(3) PROGRAM	TOTALS	2,850,000	3,089,700
SEGREGATED FUNDS		2,850,000	3,089,700
OTHER	(	2,850,000)	3,089,700)
TOTAL-ALL SOURCES		2,850,000	3,089,700
(4) STATE LIFE INSURANCE FUND			
(u) Administration	SEG A	106,900	112,400
(v) Operations and benefits	SEG C	784,000	861,500
(4) PROGRAM	TOTALS	890,900	973,900
SEGREGATED FUNDS		890,900	973,900
OTHER	(	890,900)	973,900)
TOTAL-ALL SOURCES		890,900	973,900
(5) WISCONSIN INDEMNITY FUND			
(a) General program operations	GPR S	0	0
(u) Administration	SEG A	1,000	1,000
(v) Operations and benefits	SEG C	5,000	5,000
(5) PROGRAM	TOTALS	6,000	6,000
GENERAL PURPOSE REVENUES		6,000	6,000
SEGREGATED FUNDS		6,000	6,000
OTHER	(	6,000)	6,000)
TOTAL-ALL SOURCES		6,000	6,000
(6) INSURANCE SECURITY FUND			
(u) Insurance security fund receipts	SEG C	413,800	714,600
(v) Temporary worker's compensation insurance fd.	SEG C	0	0
(6) PROGRAM	TOTALS	413,800	714,600
SEGREGATED FUNDS		413,800	714,600
OTHER	(	413,800)	714,600)
TOTAL-ALL SOURCES		413,800	714,600
20.145 DEPARTMENT	TOTALS	0	0
GENERAL PURPOSE REVENUES		0	0
PROGRAM REVENUE		1,785,400	1,956,000
OTHER	(	1,785,400)	1,956,000)
SEGREGATED FUNDS		5,002,000	5,873,900
OTHER	(	5,002,000)	5,873,900)
TOTAL-ALL SOURCES		6,787,400	7,829,900
<b>20.155 Public service commission</b>			
(1) REGULATION OF PUBLIC SERVICES			
(g) Utility regulation	PR C	2,986,100	3,301,100
(m) Federal funds	PR-F C	64,900	64,700
20.155 DEPARTMENT	TOTALS	3,051,000	3,365,800
PROGRAM REVENUE		3,051,000	3,365,800
FEDERAL	(	64,900)	64,700)
OTHER	(	2,986,100)	3,301,100)
TOTAL-ALL SOURCES		3,051,000	3,365,800

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>20.165 Regulation and licensing, department of</b>			
(2) PROFESSIONAL REGULATION			
(g) General program operations	PR C	3,037,800	3,185,800
(h) Scholarship programs	PR C	0	0
(2) P R O G R A M T O T A L S			
PROGRAM REVENUE		3,037,800	3,185,800
OTHER	(	3,037,800)	( 3,185,800)
TOTAL-ALL SOURCES		3,037,800	3,185,800
(3) BINGO CONTROL BOARD			
(a) General program operations	GPR A	174,500	174,800
(3) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		174,500	174,800
TOTAL-ALL SOURCES		174,500	174,800
2 0 . 1 6 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		174,500	174,800
PROGRAM REVENUE		3,037,800	3,185,800
OTHER	(	3,037,800)	( 3,185,800)
TOTAL-ALL SOURCES		3,212,300	3,360,600
<b>20.175 Savings and loan, office of the commissioner of</b>			
(1) SUPERVISION OF SAVINGS AND LOAN ASSOCIATIONS			
(g) General program operations	PR C	454,200	492,400
2 0 . 1 7 5 D E P A R T M E N T T O T A L S			
PROGRAM REVENUE		454,200	492,400
OTHER	(	454,200)	( 492,400)
TOTAL-ALL SOURCES		454,200	492,400
<b>20.185 Securities, office of the commissioner of</b>			
(1) SECURITIES AND FRANCHISE INVESTMENT REGULATION			
(a) General program operations	GPR A	572,000	578,200
(m) Federal aid	PR-F C	0	0
2 0 . 1 8 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		572,000	578,200
PROGRAM REVENUE		0	0
FEDERAL	(	0)	( 0)
TOTAL-ALL SOURCES		572,000	578,200
COMMERCE			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		12,845,500	12,808,300
PROGRAM REVENUE		18,157,000	19,329,000
FEDERAL	(	1,890,300)	( 1,959,400)
OTHER	(	16,266,700)	( 17,369,600)
SERVICE	(	0)	( 0)
BOND REVENUE		0	0
SEGREGATED FUNDS		5,426,300	6,313,200
FEDERAL	(	0)	( 0)
OTHER	(	5,426,300)	( 6,313,200)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		36,428,800	38,450,500

## EDUCATION

<b>20.215 Arts board</b>			
(1) SUPPORT OF ARTS PROJECTS			
(a) General program operations	GPR A	122,900	138,100
(b) State aid for the arts	GPR A	125,000	125,000
(g) Gifts and grants	PR C	41,600	52,100
(m) Federal grants	PR-F C	3,700	0
(o) Federal grants; aids to ind. and organizations	PR-F C	375,500	405,000
2 0 . 2 1 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		247,900	263,100
PROGRAM REVENUE		420,800	457,100
FEDERAL	(	379,200)	( 405,000)
OTHER	(	41,600)	( 52,100)
TOTAL-ALL SOURCES		668,700	720,200

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>20.225 Educational communications board</b>			
(1) INSTRUCTIONAL TECHNOLOGY			
(a) General program operations	GPR A	1,795,500	1,773,200
(b) Utilities and heating	GPR S	260,500	289,500
(c) Principal repayment and interest	GPR S	297,200	338,900
(d) State agency educational TV and radio programming	GPR B	0	0
(e) Aids to local school districts	GPR A	0	0
(f) Programming	GPR A	858,600	858,600
(g) Gifts and grants	PR C	641,400	603,600
(h) Instructional material	PR C	8,300	9,400
(m) Federal grants	PR-F C	0	0
2 0 . 2 2 5 D E P A R T M E N T		T O T A L S	
GENERAL PURPOSE REVENUES		3,211,800	3,260,200
PROGRAM REVENUE		649,700	613,000
FEDERAL	(	0)	0)
OTHER	(	649,700)	613,000)
TOTAL-ALL SOURCES		3,861,500	3,873,200
<b>20.235 Higher educational aids board</b>			
(1) STUDENT SUPPORT ACTIVITIES			
(a) General program operations	GPR A	415,600	223,300
(b) Tuition grants	GPR S	7,036,400	8,044,000
(c) Loan forgiveness for critical manpower occupations	GPR S	70,000	70,000
(e) Minnesota-Wisconsin student reciprocity agreement	GPR S	0	0
(fa) Student loan interest	GPR S	500,000	500,000
(fb) Indian student assistance	GPR S	1,100,000	1,200,000
(fe) Wisconsin higher education grants	GPR B	11,641,100	12,591,100
(ff) Student loan interest, loans sold or conveyed	GPR S	0	0
(g) Student loans	PR C	13,300,000	2,500,000
(ga) Centralized collections, fees	PR C	172,900	258,700
(gm) Medical loan collections	PR C	0	0
(gn) Medical student loans	PR C	0	0
(h) Student interest payments	PR C	1,100,000	1,300,000
(ha) Student interest payments, loans sold or conveyed	PR C	0	0
(hb) Centralized collections, interest and principal	PR-S C	0	5,000,000
(i) Gifts and grants	PR C	0	0
(j) Centralized collections, interest and principal	PR C	1,669,000	5,000,000
(k) Write-off of defaulted student loans	PR C	0	0
(ka) Centralized collection, fees	PR-S C	0	280,200
(m) Federal interest payments	PR-F C	3,200,000	3,200,000
(ma) Federal interest payments, loans sold or conveyed	PR-F C	0	0
(n) Federal aid; state operations	PR-F C	759,800	859,700
(no) Federal aid; aids to ind. and organizations	PR-F C	970,000	970,000
(s) Funding student loans	BR C	75,000,000	0
(u) Student loan repayment	SEG C	5,000,000	5,000,000
(1) P R O G R A M		T O T A L S	
GENERAL PURPOSE REVENUES		20,763,100	22,628,400
PROGRAM REVENUE		21,171,700	19,368,600
FEDERAL	(	4,929,800)	5,029,700)
OTHER	(	16,241,900)	9,058,700)
SERVICE	(	0)	5,280,200)
BOND REVENUE		75,000,000	0
SEGREGATED FUNDS		5,000,000	5,000,000
OTHER	(	5,000,000)	5,000,000)
TOTAL-ALL SOURCES		121,934,800	46,997,000
(2) INSTITUTIONAL SUPPORT ACTIVITIES			
(i) Gifts and grants	PR C	0	0
(m) General program operations	PR-F C	0	0
(n) Federal aid; state operations	PR-F C	0	0
(no) Federal aid; aids to ind. and organizations	PR-F C	0	0
(2) P R O G R A M		T O T A L S	
PROGRAM REVENUE		0	0
TOTAL-ALL SOURCES		0	0



STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>(3) EDUCATIONAL OPPORTUNITY</b>			
ACTIVITIES			
(a) General program operations	GPR A	189,600	189,600
(i) Gifts and grants	PR C	0	0
(kb) Centralized collection, fees	PR-S C	0	0
(m) Federal aid; state operations	PR-F C	154,900	157,100
(mo) Federal aid; aids to ind. and organizations	PR-F C	0	0
		(3) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES		189,600	189,600
PROGRAM REVENUE		154,900	157,100
FEDERAL	(	154,900)	( 157,100)
OTHER	(	0)	( 0)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		344,500	346,700
<b>(4) DENTAL EDUCATION CONTRACT</b>			
(a) General program operations	GPR A	1,650,000	1,650,000
		(4) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES		1,650,000	1,650,000
TOTAL-ALL SOURCES		1,650,000	1,650,000
<b>20.235 DEPARTMENT TOTALS</b>			
GENERAL PURPOSE REVENUES		22,602,700	24,468,000
PROGRAM REVENUE		21,326,600	19,525,700
FEDERAL	(	5,084,700)	( 5,186,800)
OTHER	(	16,241,900)	( 9,058,700)
SERVICE	(	0)	( 5,280,200)
BOND REVENUE		75,000,000	0
SEGREGATED FUNDS		5,000,000	5,000,000
OTHER	(	5,000,000)	( 5,000,000)
TOTAL-ALL SOURCES		123,929,300	48,993,700
<b>20.245 State historical society</b>			
<b>(1) COLLECTION AND PRESERVATION OF HISTORICAL OBJECTS</b>			
(a) General program operations	GPR A	2,381,700	2,381,700
(b) Archeological society quarterly	GPR A	800	800
(bm) Distribution of the history of Wisconsin	GPR C	0	0
(c) Utilities and heat	GPR S	69,500	69,500
(d) Historic sites acquisition and development	GPR B	27,500	27,500
(e) Principal repayment and interest	GPR S	81,800	79,700
(f) Historic sites operations and maintenance	GPR A	162,100	162,100
(fa) Historic preservation	GPR A	12,800	25,500
(fb) Portraits of governors	GPR S	0	0
(g) Fines and collections	PR C	1,046,400	1,140,500
(h) Trust funds	PR C	315,500	322,100
(m) Federal funds	PR-F C	278,200	319,800
		20.245 DEPARTMENT TOTALS	
GENERAL PURPOSE REVENUES		2,736,200	2,746,800
PROGRAM REVENUE		1,640,100	1,782,400
FEDERAL	(	278,200)	( 319,800)
OTHER	(	1,361,900)	( 1,462,600)
TOTAL-ALL SOURCES		4,376,300	4,529,200
<b>20.250 Medical college of Wisconsin</b>			
<b>(1) TRAINING OF HEALTH MANPOWER</b>			
(a) General program operations	GPR A	2,927,500	3,381,200
(b) Family medicine and practice	GPR A	283,100	283,100
(e) Principal repayment and interest	GPR S	748,300	728,800
		20.250 DEPARTMENT TOTALS	
GENERAL PURPOSE REVENUES		3,958,900	4,393,100
TOTAL-ALL SOURCES		3,958,900	4,393,100
<b>20.255 Public instruction, department of</b>			
<b>(1) EQUAL EDUCATIONAL OPPORTUNITIES</b>			
(a) General program operations	GPR A	4,041,300	4,192,200
(bm) Bilingual-bicultural education aids	GPR A	0	1,432,800
(c) Direct aids for handicapped children	GPR S	24,000	24,000
(d) State aids for handicapped children	GPR A	78,624,200	93,642,800
(e) Cystic fibrosis aids	GPR B	15,000	15,000

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(f) General aid	GPR A	543,677,700	582,874,300
Applied receipts-transfer from personal prop. tax relief	GPR A	0	-10,438,300
NET APPROPRIATION		543,677,700	572,436,000
(fa) General aid; federal revenue sharing	GPR S	0	0
(fb) Nonresident tuition payments	GPR A	900,300	997,800
(fc) Cooperative educational service agencies	GPR A	921,200	981,600
(fd) Special educational needs	GPR A	1,225,000	1,225,000
(fe) State school lunch aid	GPR S	3,313,800	3,602,000
(ff) Nutritional improvement for elderly	GPR S	30,000	30,000
(fh) Transportation aids	GPR B	15,112,600	15,319,500
(fj) Transfer from personal property tax relief	LTR S	0	10,438,300
(fm) Preschool educational project	GPR A	200,000	200,000
(fo) Tax increments	GPR S	0	0
(fp) Aid for pupil transfers	GPR S	11,640,200	15,373,200
(fs) Special adjustment aids	GPR A	2,083,400	2,091,400
(h) Gifts, grants and trust funds	PR C	15,900	16,900
(ha) Personnel certification	PR C	418,000	449,600
(hb) Consultants	PR C	0	0
(hz) Gifts, grants and trust funds; aids to ind. and org.	PR C	300	300
(i) Publications	PR C	27,900	27,900
(j) School lunch handling charges	PR C	500,000	500,000
(ka) Service charges	PR-S C	50,800	50,800
(m) Federal aids; state operations	PR-F C	4,535,000	4,420,600
(mn) Federal aids; local assistance	PR-F C	74,757,100	76,858,300
(mo) Federal aids; individuals and organizations	PR-F C	6,241,700	6,441,700
(q) Driver education; state operations	SEG A	93,600	101,600
(r) Driver education; local assistance	SEG A	3,806,300	3,928,200
(s) School library aids	SEG C	2,976,400	3,381,200
	(1) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES		661,808,700	711,563,300
PROGRAM REVENUE		86,546,700	88,766,100
FEDERAL	(	85,533,800)	(87,720,600)
OTHER	(	962,100)	(994,700)
SERVICE	(	50,800)	(50,800)
LOCAL TAX REVENUE		0	10,438,300
SEGREGATED FUNDS		6,876,300	7,411,000
OTHER	(	6,876,300)	(7,411,000)
TOTAL-ALL SOURCES		755,231,700	818,178,700
(2) RESIDENTIAL SCHOOLS			
(a) General program operations	GPR A	4,081,100	4,084,900
(b) Utilities and heating	GPR S	291,000	291,000
(c) Principal repayment and interest	GPR S	449,100	436,300
(g) Activity therapy	PR C	7,700	7,700
(h) Gifts, grants and trust funds	PR C	71,000	71,000
(m) Federal aids; state operations	PR-F C	255,200	260,200
	(2) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES		4,821,200	4,812,200
PROGRAM REVENUE		333,900	338,900
FEDERAL	(	255,200)	(260,200)
OTHER	(	78,700)	(78,700)
TOTAL-ALL SOURCES		5,155,100	5,151,100
(3) LIBRARY SERVICES			
(a) General program operations	GPR A	986,800	992,300
(ab) Library for the blind	GPR A	244,100	259,700
(c) Public library systems planning grants	GPR B	4,000	4,000
(d) Aid to public library systems	GPR A	3,180,300	3,729,900
(h) Gifts, grants and trust funds	PR C	0	0
(m) Federal aids; state operations	PR-F C	187,800	187,800
(mn) Federal aids; local assistance	PR-F C	535,500	535,500
(mo) Federal aids; individuals and organizations	PR-F C	350,000	350,000
	(3) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES		4,415,200	4,985,900
PROGRAM REVENUE		1,073,300	1,073,300
FEDERAL	(	1,073,300)	(1,073,300)
OTHER	(	0)	(0)
TOTAL-ALL SOURCES		5,488,500	6,059,200

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
2 0 . 2 5 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		671,045,100	721,361,400
PROGRAM REVENUE		87,953,900	90,178,300
FEDERAL	(	86,862,300)	( 89,054,100)
OTHER	(	1,040,800)	( 1,073,400)
SERVICE	(	50,800)	( 50,800)
LOCAL TAX REVENUE		0	10,438,300
SEGREGATED FUNDS		6,876,300	7,411,000
OTHER	(	6,876,300)	( 7,411,000)
TOTAL-ALL SOURCES		765,875,300	829,389,000

20.285 University of Wisconsin system

(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE

(a) General program operations	GPR	A	272,128,300	275,099,800
(ab) Student aid	GPR	A	2,353,400	2,902,200
(b) Public patient treatment	GPR	B	2,151,000	2,431,200
(c) Utilities and heating	GPR	S	26,984,500	30,497,600
(d) Principal repayment and interest	GPR	S	28,983,500	29,077,800
(da) Lease rental payments	GPR	S	11,149,000	10,329,500
(db) Self-amortizing facilities principal and interest	GPR	S	0	0
(fa) General medical operations	GPR	A	2,472,200	2,472,200
(fc) Department of family medicine and practice	GPR	A	1,720,100	1,887,900
(g) Physical plant service departments	PR	C	0	0
(ga) Surplus auxiliary funds	PR	C	0	0
(gb) Principal repayment and interest	PR	S	4,273,700	4,272,800
(gc) Lease rental payments	PR	C	8,691,600	8,691,600
(h) Auxiliary enterprises	PR	C	81,242,500	87,795,700
(ha) Stores	PR	C	20,300	20,300
(i) State laboratory of hygiene	PR	C	1,545,000	1,545,000
(im) Academic student fees	PR	C	94,761,100	97,517,800
(iz) General operations receipts	PR	C	11,117,200	12,573,700
(j) Gifts and donations	PR	C	19,200,000	19,200,000
(ja) Gifts; student loans	PR	C	1,300,000	1,300,000
(k) Adult education center operations	PR	C	101,000	101,000
(ka) Sale of real property	PR	C	0	0
(kb) University hospitals	PR	C	40,264,800	45,513,800
(m) Federal aid	PR-F	C	90,673,500	90,393,700
(ma) Federal aid; loans and grants	PR-F	C	32,100,000	32,100,000
(n) Federal indirect cost reimbursement	PR-F	C	14,854,800	14,854,800
(u) Trust fund income	SEG	C	1,500,000	1,500,000
(w) Trust fund operations	SEG	C	0	0
(x) Driver education teachers	SEG	A	63,500	63,500

2 0 . 2 8 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			347,942,000	354,698,200
PROGRAM REVENUE			400,145,500	415,880,200
FEDERAL	(	137,628,300)	( 137,348,500)	
OTHER	(	262,517,200)	( 278,531,700)	
SEGREGATED FUNDS			1,563,500	1,563,500
OTHER	(	1,563,500)	( 1,563,500)	
TOTAL-ALL SOURCES			749,651,000	772,141,900

20.292 Vocational, technical and adult education, board of

(1) EDUCATION FOR CAREER DEVELOPMENT AND COMMUNITY IMPROVEMENT

(a) General program operations	GPR	A	721,800	926,700
(c) Fire schools	GPR	A	38,400	38,500
(d) State aids for vocational, technical & adult educ.	GPR	A	44,676,400	48,239,900
(g) Text material	PR	C	1,000	1,000
(h) Gifts and grants	PR	C	105,400	106,600
(i) Conferences	PR	C	5,900	5,900
(j) Personnel certification	PR	C	49,100	49,100
(k) Gifts and grants	PR	C	20,200	22,200
(m) Federal aid, state operations	PR-F	C	2,630,300	2,603,500
(n) Federal aid, local assistance	PR-F	C	7,622,100	7,919,900
(o) Federal aid, aids to ind. and organizations	PR-F	C	716,700	716,700
(u) Driver education, local assistance	SEG	A	216,300	216,300

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		45,436,600	49,205,100
PROGRAM REVENUE		11,150,700	11,424,900
FEDERAL	(	10,969,100)	11,240,100)
OTHER	(	181,600)	184,800)
SEGREGATED FUNDS		216,300	216,300
OTHER	(	216,300)	216,300)
TOTAL-ALL SOURCES		56,803,600	60,846,300
(2) EDUCATIONAL APPROVAL BOARD			
(a) General program operations	GPR A	42,600	41,500
(g) Proprietary school permits	PR C	11,600	12,200
(m) Federal aid	PR-F C	100,300	105,600
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		42,600	41,500
PROGRAM REVENUE		111,900	117,800
FEDERAL	(	100,300)	105,600)
OTHER	(	11,600)	12,200)
TOTAL-ALL SOURCES		154,500	159,300
20.292 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		45,479,200	49,246,600
PROGRAM REVENUE		11,262,600	11,542,700
FEDERAL	(	11,069,400)	11,345,700)
OTHER	(	193,200)	197,000)
SEGREGATED FUNDS		216,300	216,300
OTHER	(	216,300)	216,300)
TOTAL-ALL SOURCES		56,958,100	61,005,600
EDUCATION			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		1,097,223,800	1,160,437,400
PROGRAM REVENUE		523,399,200	539,979,400
FEDERAL	(	241,302,100)	243,659,900)
OTHER	(	282,046,300)	290,988,500)
SERVICE	(	50,800)	5,331,000)
LOCAL TAX REVENUE		0	10,438,300
BOND REVENUE		75,000,000	0
SEGREGATED FUNDS		13,656,100	14,190,800
FEDERAL	(	0)	0)
OTHER	(	13,656,100)	14,190,800)
SERVICE	(	0)	0)
TOTAL-ALL SOURCES		1,709,279,100	1,725,045,900

ENVIRONMENTAL RESOURCES

20.315 Boundary area commission,  
Minnesota-Wisconsin

(1) BOUNDARY AREA COOPERATION			
(a) General program operations	GPR A	42,500	46,000
(g) Gifts and grants	PR C	0	0
20.315 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		42,500	46,000
PROGRAM REVENUE		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		42,500	46,000

20.325 Great lakes compact commission

(1) DEVELOPMENT OF SEAWAYS AND PORTS			
(a) General program operations	GPR A	20,000	0
20.325 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		20,000	0
TOTAL-ALL SOURCES		20,000	0

20.355 Mississippi river parkway  
planning commission

(1) MISSISSIPPI RIVER PARKWAY PROMOTION			
(a) General program operations	GPR A	2,000	2,000
(u) Supplementary	SEG A	5,500	3,500
20.355 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		2,000	2,000
SEGREGATED FUNDS		5,500	3,500
OTHER	(	5,500)	3,500)
TOTAL-ALL SOURCES		7,500	5,500

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>20.370 Natural resources, department of</b>			
<b>(1) RESOURCE MANAGEMENT</b>			
(c) State park, recreation area and Olympic ice rink opns.	GPR A	1,758,100	1,872,200
(d) Local park aids administration	GPR A	40,000	40,000
(dn) Aids in lieu of taxes	GPR S	449,300	499,800
(do) Aids-fish, wildlife and forest recreation	GPR A	125,000	125,000
(e) Fish and wildlife development and preservation	GPR B	486,800	661,700
(em) Land acquisition and development	GPR B	755,700	320,000
(f) Aids-local parks and public access to waters	GPR A	995,000	995,000
(fa) Bong area development	GPR C	0	0
(fn) Scientific areas preservation	GPR A	125,000	125,000
(fo) Copper Culture Mounds and Thunder Mountain	GPR A	18,000	18,000
(fp) Olympic ice rink repair and maintenance	GPR B	44,000	0
(m) Distribution of national forest income	PR-F C	150,000	150,000
(ma) Federal aid	PR-F C	0	0
(u) General program operations	SEG A	22,597,100	24,463,200
(ua) Home for needy veterans	SEG C	5,000	5,000
(ue) Wildlife damage	SEG A	175,000	175,000
(uh) Contribution to Canadian agencies	SEG C	13,000	13,000
(um) Trout habitat improvement	SEG C	250,000	500,000
(v) Taxes and assessments	SEG S	35,000	35,000
(vc) Aids in lieu of taxes	SEG S	381,100	381,100
(vm) County conservation aids	SEG A	140,000	140,000
(vn) Aids, county forests and forest croplands	SEG S	892,500	892,500
(vo) Legislative awards and judgments	SEG S	0	0
(vr) Aids-county snowmobile trail areas	SEG C	727,000	727,000
(vs) Snowmobile trail areas-state	SEG A	63,100	63,100
(w) Gifts and donations	SEG C	31,000	31,000
(wm) Motorcycle recreation administration.	SEG A	20,600	22,100
(wn) Aids-motorcycle recreation	SEG B	500,000	500,000
(wp) Aids supplement - motorcycle recreation	SEG B	280,000	300,000
(za) Reforestation fund	SEG C	460,000	460,000
(zm) Federal aids	SEG-F C	6,761,700	8,005,700
(zn) Federal aids, local assistance	SEG-F C	1,940,000	2,716,000
(1) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		4,796,900	4,656,700
PROGRAM REVENUE		150,000	150,000
FEDERAL	(	150,000)	( 150,000)
SEGREGATED FUNDS		35,272,100	39,429,700
FEDERAL	(	8,701,700)	( 10,721,700)
OTHER	(	26,570,400)	( 28,708,000)
TOTAL-ALL SOURCES		40,219,000	44,236,400
<b>(2) ENVIRONMENTAL STANDARDS</b>			
(a) General program operations	GPR A	5,495,900	5,759,200
(c) Aids to municipalities prior to bonding	GPR S	64,000	64,000
(d) Aids to municipalities - water systems	GPR B	500,000	0
(em) Aids--inland lake renewal	GPR B	1,150,000	1,150,000
(f) Aids to municipalities- state wastewater grants	GPR B	6,235,000	0
(fm) Aids to municipalities - small projects	GPR B	50,000	50,000
(i) Gifts and grants, aquatic nuisance control	PR C	7,700	7,700
(k) Gifts and grants-water quality	PR C	0	0
(m) Federal aid	PR-F C	2,213,200	2,100,100
(ma) Federal aids-local assistance	PR-F C	0	0
(2) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		13,494,900	7,023,200
PROGRAM REVENUE		2,220,900	2,107,800
FEDERAL	(	2,213,200)	( 2,100,100)
OTHER	(	7,700)	( 7,700)
TOTAL-ALL SOURCES		15,715,800	9,131,000

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>(3) ENFORCEMENT</b>			
(a) General program operations	GPR A	1,125,000	1,123,700
(h) Prospecting and mine reclamation fees	PR C	0	0
(m) Federal aid	PR-F C	0	0
(u) General program operations	SEG A	4,165,600	4,513,200
(vo) Snowmobile enforcement and safety training	SEG A	277,200	298,100
(vp) Aids, snowmobile enforcement	SEG A	100,000	100,000
(w) Gifts and donations	SEG C	0	0
(wd) Boat enforcement and safety training	SEG A	424,700	448,300
(wf) Aids, boat enforcement	SEG A	400,000	400,000
(zm) Federal aids	SEG-F C	130,700	130,700
(zn) Federal aids, local assistance	SEG-F C	0	0
(3) P R O G R A M		<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES		1,125,000	1,123,700
PROGRAM REVENUE		0	0
SEGREGATED FUNDS		5,498,200	5,890,300
FEDERAL	(	130,700)	( 130,700)
OTHER	(	5,367,500)	( 5,759,600)
TOTAL-ALL SOURCES		6,623,200	7,014,000
<b>(5) FIELD SERVICES</b>			
(a) General program operations	GPR A	885,000	906,900
(b) Trust lands and investments	GPR A	131,300	131,300
(e) Youth camps and work projects	GPR A	807,400	774,100
(m) Federal aid-youth programs	PR-F C	25,000	25,000
(ma) Federal aid-flood control	PR-F C	10,000	10,000
(u) General program operations	SEG A	5,854,500	6,416,900
(v) Repair and maintenance	SEG B	703,500	170,000
(w) Gifts and donations	SEG C	1,000	1,000
(x) Wisconsin natural resources	SEG C	276,100	306,100
(zm) Federal aids	SEG-F C	542,300	542,300
(5) P R O G R A M		<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES		1,823,700	1,812,300
PROGRAM REVENUE		35,000	35,000
FEDERAL	(	35,000)	( 35,000)
SEGREGATED FUNDS		7,377,400	7,436,300
FEDERAL	(	542,300)	( 542,300)
OTHER	(	6,835,100)	( 6,894,000)
TOTAL-ALL SOURCES		9,236,100	9,283,600
<b>(6) DEBT SERVICE</b>			
(b) Recreation, principal repayment and interest	GPR S	3,641,800	3,986,000
(d) Water pollution, principal repayment and interest	GPR S	11,060,200	12,371,000
(f) Lease rental payments-Olympic ice rink	GPR S	35,400	35,400
(v) Administrative, principal repayment and interest	SEG S	0	0
(6) P R O G R A M		<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES		14,737,400	16,392,400
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		14,737,400	16,392,400
<b>(7) OUTDOOR RECREATION</b>			
(a) General program operations	GPR A	10,916,600	12,008,300
Allocated to other programs	GPR A	-9,532,500	-9,713,200
NET APPROPRIATION		1,384,100	2,295,100
(7) P R O G R A M		<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES		1,384,100	2,295,100
TOTAL-ALL SOURCES		1,384,100	2,295,100
<b>(8) ADMINISTRATIVE SERVICES</b>			
(a) General program operations	GPR A	1,453,200	1,435,000
(c) Recreation planning, department	GPR A	25,000	25,000
(d) Aids-recreation and natural resources planning	GPR A	27,300	27,300
(da) Recreation & natural resources planning aids admin.	GPR A	17,700	17,700
(m) Federal aid, title III planning	PR-F C	28,400	28,400
(u) General program operations	SEG A	3,902,500	4,168,300
(v) Snowmobile registration	SEG S	76,500	208,100
(w) Boat registration	SEG A	230,400	150,300
(zm) Federal aid	SEG-F C	0	0
(8) P R O G R A M		<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES		1,523,200	1,505,000
PROGRAM REVENUE		28,400	28,400
FEDERAL	(	28,400)	( 28,400)

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
SEGREGATED FUNDS		4,209,400	4,526,700
FEDERAL	(	0)	0)
OTHER	(	4,209,400)	4,526,700)
TOTAL-ALL SOURCES		5,761,000	6,060,100
2 0 . 3 7 0 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		38,885,200	34,808,400
PROGRAM REVENUE		2,434,300	2,321,200
FEDERAL	(	2,426,600)	2,313,500)
OTHER	(	7,700)	7,700)
SEGREGATED FUNDS		52,357,100	57,283,000
FEDERAL	(	9,374,700)	11,394,700)
OTHER	(	42,982,400)	45,888,300)
TOTAL-ALL SOURCES		93,676,600	94,412,600
<b>20.395 Transportation, department of</b>			
(1) AIDS			
(qd) Transportation aids, state funds	SEG A	97,000,000	101,000,000
(qe) Transportation aids, hold harmless	SEG S	5,679,300	5,068,200
(rd) Connecting highways, state funds	SEG A	394,000	394,000
(re) Connecting highways, supplement	SEG A	5,776,000	6,176,000
(sd) Transit, state funds	SEG A	3,241,200	3,241,200
(se) Transit supplement	SEG A	4,898,000	6,118,900
(sj) Transit, local funds	SEG C	0	0
(sx) Transit, federal funds	SEG-F C	0	0
(td) Railroad crossings, state funds	SEG B	1,250,000	1,250,000
(te) Railroad crossing repairs, state funds	SEG A	250,000	250,000
(ud) Miscellaneous highway aids, state funds	SEG A	580,000	580,000
	(1) P R O G R A M T O T A L S		
SEGREGATED FUNDS		119,068,500	124,078,300
FEDERAL	(	0)	0)
OTHER	(	119,068,500)	124,078,300)
TOTAL-ALL SOURCES		119,068,500	124,078,300
(2) AVIATION			
(qd) General program operations, state funds	SEG A	928,800	1,009,800
(rd) Airport development, state fds.	SEG C	537,200	537,200
(rj) Airport development, local funds	SEG C	1,450,000	1,450,000
(rx) Airport development, federal funds	SEG-F C	6,000,000	6,000,000
	(2) P R O G R A M T O T A L S		
SEGREGATED FUNDS		8,916,000	8,997,000
FEDERAL	(	6,000,000)	6,000,000)
OTHER	(	2,916,000)	2,997,000)
TOTAL-ALL SOURCES		8,916,000	8,997,000
(3) STATE HIGHWAYS			
(qc) State trunk highway allotment to counties	SEG S	8,050,000	8,050,000
(qd) General program operations, state funds	SEG A	3,155,500	3,495,700
(qx) General program operations, federal funds	SEG-F C	35,000	35,000
(rd) Major highway development, state funds	SEG C	7,926,200	5,950,100
(rj) Major highway development, local funds	SEG C	302,400	390,000
(rx) Major highway development, federal funds	SEG-F C	61,549,900	50,498,800
(sd) Improvement of existing hwys., state funds	SEG C	9,645,900	9,341,300
(sj) Improvement of existing hwys., local funds	SEG C	20,000	450,000
(sx) Improvement of existing hwys., federal funds	SEG-F C	33,539,000	36,079,000
(td) Improvement of exist. bridges, state funds	SEG C	1,669,400	1,766,700
(tj) Improvement of existing bridges, local funds	SEG C	30,000	100,000
(tx) Improvement of existing bridges, federal funds	SEG-F C	7,628,600	7,939,400

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STATUTE AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(ud) Maintenance and repair, state funds	SEG B	13,214,400	14,519,100
(uj) Maintenance and repair, local funds	SEG C	0	0
(ux) Maintenance and repair, federal funds	SEG-F C	0	0
(vd) Snow removal & general upkeep, state funds	SEG B	44,176,200	47,074,500
(vx) Snow removal & general upkeep, federal funds	SEG-F C	318,400	346,700
(wd) State facilities roads, state funds	SEG B	1,000,000	1,000,000
(wj) State facilities roads, local funds	SEG C	500,000	500,000
(wx) State facilities roads, federal funds	SEG-F C	0	0
(3) P R O G R A M	T O T A L S		
SEGREGATED FUNDS		192,760,900	187,536,300
FEDERAL	(	103,070,900)	( 94,898,900)
OTHER	(	89,690,000)	( 92,637,400)
TOTAL-ALL SOURCES		192,760,900	187,536,300
(4) LOCAL HIGHWAYS AND BRIDGES			
(qd) Improvement and maintenance, state funds	SEG C	7,681,300	2,331,700
(qj) Improvement and maintenance, local funds	SEG C	15,838,000	19,115,000
(qx) Improvement and maintenance, federal funds	SEG-F C	47,997,000	44,472,000
(4) P R O G R A M	T O T A L S		
SEGREGATED FUNDS		71,516,300	65,918,700
FEDERAL	(	47,997,000)	( 44,472,000)
OTHER	(	23,519,300)	( 21,446,700)
TOTAL-ALL SOURCES		71,516,300	65,918,700
(5) TRANSPORTATION SYSTEMS			
(qd) Elderly & handicapped & rail transportation, state funds	SEG A	1,500,000	1,700,000
(qj) Elderly & handicapped & rail transportation, local fds.	SEG C	0	0
(qx) Elderly & handicapped & rail transportation, fed. funds	SEG-F C	2,000,000	2,000,000
(rd) Transit planning and technical assistance, state funds	SEG C	30,000	30,000
(rj) Transit planning and technical assistance, local funds	SEG C	0	0
(rx) Transit planning and technical assistance, federal funds	SEG-F C	120,000	120,000
(5) P R O G R A M	T O T A L S		
SEGREGATED FUNDS		3,650,000	3,850,000
FEDERAL	(	2,120,000)	( 2,120,000)
OTHER	(	1,530,000)	( 1,730,000)
TOTAL-ALL SOURCES		3,650,000	3,850,000
(6) GENERAL TRANSPORTATION OPERATIONS			
(ad) Ambulance inspection, state funds	GPR A	43,200	43,200
(qa) Motor vehicle financial responsibility	SEG C	0	0
(qd) General program operations, state funds	SEG A	9,189,600	9,689,200
(qx) General program operations, federal funds	SEG-F C	0	0
(rd) Planning, state funds	SEG A	1,879,400	1,893,300
(rj) Planning, local funds	SEG C	193,200	208,300
(rx) Planning, federal funds	SEG-F C	2,865,900	3,161,400
(sd) Vehicle registration & driver licensing, state funds	SEG A	21,695,600	23,117,200
(sx) Vehicle registration & driver licensing, federal funds	SEG-F C	50,800	28,300
(td) Vehicle inspection & traffic enforcement, state funds	SEG A	15,054,800	16,375,900
(tx) Vehicle inspection & traffic enforcement, federal funds	SEG-F C	213,100	213,100
(ud) Data processing, state funds	SEG A	2,615,000	0
(up) Data processing operations, service funds	SEG-S C	5,364,000	3,365,800
(vd) Auto pool acquisitions, state funds	SEG A	9,000	17,300
(vp) Auto pool operations, service funds	SEG-S C	4,124,000	4,169,600



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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(wd) Other department services, acquisitions, state funds	SEG A	20,500	0
(wp) Other department services, operations, service funds	SEG-S C	260,900	277,000
(ws) Principal repay. & int.-trans. facilities, state funds	SEG S	21,334,300	21,731,900
(wt) Principal repay. & interest, buildings, state funds	SEG S	267,800	262,600
(6) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		43,200	43,200
SEGREGATED FUNDS		85,137,900	84,510,900
FEDERAL	(	3,129,800)	( 3,402,800)
OTHER	(	72,259,200)	( 73,295,700)
SERVICE	(	9,748,900)	( 7,812,400)
TOTAL-ALL SOURCES		85,181,100	84,554,100
(7) HIGHWAY SAFETY COORDINATION			
(qd) General program operations, state funds	SEG A	196,500	239,500
(qx) State operations, federal funds	SEG-F C	500,500	520,700
(qy) Hwy. safety promotion & local traf. safety rep., fed. aid	SEG-F C	0	0
(rx) State agencies, federal aid	SEG-F C	750,000	700,000
(ry) Local assistance, federal funds	SEG-F C	1,004,000	1,322,000
(7) PROGRAM TOTALS			
SEGREGATED FUNDS		2,451,000	2,782,200
FEDERAL	(	2,254,500)	( 2,542,700)
OTHER	(	196,500)	( 239,500)
TOTAL-ALL SOURCES		2,451,000	2,782,200
(8) TRANSPORTATION COMMISSION			
(qd) General program operations	SEG A	0	0
(rd) Transportation regulation	SEG A	1,209,300	1,313,000
(8) PROGRAM TOTALS			
SEGREGATED FUNDS		1,209,300	1,313,000
OTHER	(	1,209,300)	( 1,313,000)
TOTAL-ALL SOURCES		1,209,300	1,313,000
20.395 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		43,200	43,200
SEGREGATED FUNDS		484,709,900	478,986,400
FEDERAL	(	164,572,200)	( 153,436,400)
OTHER	(	310,388,800)	( 317,737,600)
SERVICE	(	9,748,900)	( 7,812,400)
TOTAL-ALL SOURCES		484,753,100	479,029,600
20.398 Wisconsin solid waste recycling authority			
(1) SOLIC WASTE RECYCLING			
(a) General program operations	GPR C	0	0
20.398 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0
ENVIRONMENTAL RESOURCES FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		38,992,900	34,899,600
PROGRAM REVENUE		2,434,300	2,321,200
FEDERAL	(	2,426,600)	( 2,313,500)
OTHER	(	7,700)	( 7,700)
SERVICE	(	0)	( 0)
BOND REVENUE		0	0
SEGREGATED FUNDS		537,072,500	536,272,900
FEDERAL	(	173,946,900)	( 164,831,100)
OTHER	(	353,376,700)	( 363,629,400)
SERVICE	(	9,748,900)	( 7,812,400)
TOTAL-ALL SOURCES		578,499,700	573,493,700

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1977-78

1978-79

**HUMAN RELATIONS AND RESOURCES**

**20.425 Employment relations commission**

(1) PROMOTION OF PEACE IN LABOR RELATIONS

(a) General program operations	GPR	A	875,600	876,800
(g) Publications	PR	C	4,000	4,000
20.425 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			875,600	876,800
PROGRAM REVENUE			4,000	4,000
OTHER	(		4,000)	( 4,000)
TOTAL-ALL SOURCES			879,600	880,800

**20.430 Board on aging**

(1) IDENTIFICATION OF THE NEEDS

OF THE ELDERLY

(a) General program operations	GPR	A	46,400	46,400
(g) Gifts and grants	PR	C	0	0
20.430 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			46,400	46,400
PROGRAM REVENUE			0	0
OTHER	(		0)	( 0)
TOTAL-ALL SOURCES			46,400	46,400

**20.435 Health and social services,  
department of**

(1) PUBLIC HEALTH SERVICES

(a) General program operations	GPR	A	6,264,100	3,872,900
(c) Aids to tuberculosis sanatoria	GPR	A	330,000	300,000
(e) Kidney disease aids	GPR	S	500,000	500,000
(f) Aids for vision testing	GPR	S	41,000	41,000
(fm) Home health	GPR	B	162,000	20,000
(gm) Licensing activities	PR	C	2,110,600	2,199,200
(hm) Internal services	PR-S	C	487,200	487,200
(i) Gifts and grants	PR	C	114,200	114,200
(j) Fees for accreditations	PR	C	0	0
(kk) Radiation protection act	PR	C	161,700	172,500
(kz) Reimbursement for medical supplies	PR	C	11,600	11,600
(p) Federal aid for public health	PR-F	C	5,922,800	8,458,900
(pb) Other federal grants	PR-F	C	4,168,000	4,168,000
(pc) Mental retardation facilities construction, federal aid	PR-F	C	29,800	29,800
(pd) Mental health center construction, federal aid	PR-F	C	200,000	200,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			7,297,100	4,733,900
PROGRAM REVENUE			13,205,900	15,841,400
FEDERAL	(		10,320,600)	( 12,856,700)
OTHER	(		2,398,100)	( 2,497,500)
SERVICE	(		487,200)	( 487,200)
TOTAL-ALL SOURCES			20,503,000	20,575,300

(2) MENTAL HEALTH SERVICES

(a) General program operations	GPR	A	73,605,900	25,336,800
Allocated to applied receipts	GPR	A	-49,032,100	0
NET APPROPRIATION			24,573,800	25,336,800
(aa) Institutional repair and maintenance	GPR	A	876,100	357,300
(b) Community mental health services	GPR	A	71,429,100	75,971,300
(d) Aids to county institutions	GPR	S	2,220,700	1,580,700
(e) Aids for interest on county construction loans	GPR	S	641,100	572,600
(ee) Principal repayment and interest	GPR	S	1,821,200	1,847,400
(ef) Lease rental payments	GPR	S	1,338,400	1,335,600
(f) Utilities and heating	GPR	S	3,147,300	1,424,900
(g) Farm operations	PR-S	C	253,800	253,800
(gm) Institutional operations and charges	PR-S	C	213,900	58,116,200
(h) Activity therapy	PR	C	42,100	42,100
(i) Gifts and grants	PR	C	0	0
(j) Medical assistance revenue	PR-S	C	49,032,100	0
(jm) Alcoholic treatment facility inspection fees	PR	C	0	0

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(js) Alcoholism prevention programs	PR C	0	116,000
(k) Contracts for primary psychiatric care	PR-S C	275,600	275,600
(m) Federal aid projects	PR-F C	5,566,800	5,566,800
(n) Federal aid programs	PR-F C	776,500	776,400
(o) Federal purchase of services	PR-F C	12,265,000	12,265,000
(2) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		106,047,700	108,426,600
PROGRAM REVENUE		68,425,800	77,411,900
FEDERAL	(	18,608,300)	( 18,608,200)
OTHER	(	42,100)	( 158,100)
SERVICE	(	49,775,400)	( 58,645,600)
TOTAL-ALL SOURCES		174,473,500	185,838,500
(3) CORRECTIONAL SERVICES			
(a) General program operations	GPR A	54,432,300	62,003,500
(aa) Institutional repair and maintenance	GPR A	497,200	547,200
(c) Reimburse. claims of counties containing state inst.	GPR S	30,000	30,000
(d) Purchased services for offenders	GPR A	2,156,800	2,471,500
(e) Principal repayment and interest	GPR S	1,174,300	1,284,300
(ee) Lease rental payments	GPR S	923,800	923,800
(f) Utilities and heating	GPR S	2,996,400	3,274,100
(g) Farm operations	PR-S C	741,300	741,300
(gm) Institutional charges	PR C	0	0
(h) Activity therapy	PR C	14,600	14,600
(i) Gifts and grants	PR C	0	0
(j) Prison industries	PR-S C	2,716,800	2,716,800
(jm) Central generating station	PR-S C	643,900	746,900
(k) Girls school benevolent fund	PR C	1,000	1,000
(km) Absconding probationers	PR C	106,000	156,000
(kr) Sale of land	PR C	0	0
(m) Federal aid projects	PR-F C	2,922,200	2,615,400
(n) Federal aid programs	PR-F C	0	0
(3) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		62,210,800	70,534,400
PROGRAM REVENUE		7,145,800	6,992,000
FEDERAL	(	2,922,200)	( 2,615,400)
OTHER	(	121,600)	( 171,600)
SERVICE	(	4,102,000)	( 4,205,000)
TOTAL-ALL SOURCES		69,356,600	77,526,400
(4) FAMILY SERVICES			
(a) General program operations	GPR A	10,857,800	5,300,900
(aa) Institutional repair and maintenance	GPR A	0	0
(b) Foster care	GPR A	9,579,700	9,310,000
(c) Social security aids; medical	GPR S	234,743,300	260,203,300
(d) Social security aids; grants and administration	GPR S	126,015,800	139,078,000
(da) Nursing home appeals mechanism	GPR A	660,000	660,000
(db) Work training	GPR A	400,000	400,000
(dc) Emergency assistance program	GPR A	100,000	100,000
(de) Income maintenance administration	GPR A	9,910,900	10,637,100
(df) County social services	GPR A	35,194,700	42,634,200
(dj) Shelter care reimbursement	GPR A	0	633,100
(dl) Emergency fuel and utilities assistance	GPR A	600,000	600,000
(e) Other public assistance aids	GPR S	3,291,400	3,535,900
(ed) State supplement to federal SSI program	GPR A	21,167,000	21,167,000
(eh) Aids for interest on county construction loans	GPR S	1,824,700	1,630,000
(em) Public welfare administration improvement	GPR S	0	0
(f) Utilities and heating	GPR S	0	0
(gm) Institutional charges	PR-S C	0	0
(i) Gifts and grants	PR C	50,100	26,700
(jc) Services for children outside departmental custody	PR-S C	0	0
(k) Professional training	PR-S C	0	0
(kk) Child support collections	PR C	17,500,000	20,000,000
(m) Federal aid projects	PR-F C	472,400	574,700
(n) Federal aid programs	PR-F C	2,689,800	8,079,200
(o) Social security federal aids; medical	PR-F C	326,420,900	365,371,700

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(p) Social security federal aids; grants and administration	PR-F C	240,000,400	263,405,300
(ps) Nursing home appeals mechanism	PR-F C	990,000	990,000
(4) P R O G R A M T O T A L S		544,345,300	495,889,500
GENERAL PURPOSE REVENUES		588,123,600	658,447,600
PROGRAM REVENUE		( 570,573,500) (	( 638,420,900) (
FEDERAL		( 17,550,100) (	( 20,026,700) (
OTHER		( 0) (	( 0) (
SERVICE			
TOTAL-ALL SOURCES		1,042,468,900	1,154,337,100
(5) VOCATIONAL REHABILITATION SERVICES			
(a) General program operations	GPR A	859,700	754,700
(aa) Institutional repair and maintenance	GPR A	4,100	4,100
(b) Disability determinations	GPR S	9,000	9,000
(c) Wisconsin service bureau for the deaf	GPR A	68,100	51,100
(d) Workshop for the blind	GPR A	211,400	211,400
(e) General program operations-matching funds	GPR A	4,208,000	4,290,400
(f) Utilities and heating	GPR S	23,100	24,900
(i) Gifts and grants	PR C	83,600	83,600
(jj) Workshop for the blind	PR C	528,400	529,800
(m) Federal aid projects	PR-F C	469,700	469,700
(n) Federal aid programs	PR-F C	20,243,800	20,903,600
(pm) Federal reimbursement	PR-F C	3,668,300	3,910,900
(5) P R O G R A M T O T A L S		5,383,400	5,345,600
GENERAL PURPOSE REVENUES		24,993,800	25,897,600
PROGRAM REVENUE		( 24,381,800) (	( 25,284,200) (
FEDERAL		( 612,000) (	( 613,400) (
OTHER			
SERVICE			
TOTAL-ALL SOURCES		30,377,200	31,243,200
(6) SERVICES TO THE AGED			
(a) General program operations	GPR A	197,600	197,600
(b) Nutrition supplement	GPR A	0	305,500
(c) Senior center supplement	GPR B	1,000,000	1,000,000
(i) Gifts and grants for the aging	PR C	1,600	1,600
(m) Federal aid projects	PR-F C	92,800	92,800
(n) Federal aid programs	PR-F C	7,333,500	7,333,500
(6) P R O G R A M T O T A L S		1,197,600	1,503,100
GENERAL PURPOSE REVENUES		7,427,900	7,427,900
PROGRAM REVENUE		( 7,426,300) (	( 7,426,300) (
FEDERAL		( 1,600) (	( 1,600) (
OTHER			
SERVICE			
TOTAL-ALL SOURCES		8,625,500	8,931,000
(8) GENERAL ADMINISTRATION			
(a) General program operations	GPR A	9,778,500	9,259,200
(c) Welfare reform study	GPR B	75,000	25,000
(d) Medical assistance management improvement	GPR B	100,000	120,000
(f) Utilities and heating	GPR S	7,700	8,300
(g) Administrative and support services	PR-S C	415,800	409,100
(h) Health facility review fees	PR C	103,700	248,200
(i) Gifts and grants	PR C	0	0
(j) Central warehouse	PR-S C	980,100	988,500
(kk) Auto pool operations	PR-S C	288,500	302,900
(m) Federal aid projects	PR-F C	1,213,000	1,620,400
(n) Federal aid programs	PR-F C	702,100	1,431,500
(p) Federal aid - local assistance	PR-F C	0	0
(pb) Federal aid, welfare reform study	PR-F C	0	0
(pm) Federal aids, medical asst. mgt. improvement	PR-F B	140,000	160,000
(8) P R O G R A M T O T A L S		9,961,200	9,412,500
GENERAL PURPOSE REVENUES		3,843,200	5,160,600
PROGRAM REVENUE		( 2,055,100) (	( 3,211,900) (
FEDERAL		( 103,700) (	( 248,200) (
OTHER		( 1,684,400) (	( 1,700,500) (
SERVICE			
TOTAL-ALL SOURCES		13,804,400	14,573,100
2 0 4 3 5 D E P A R T M E N T T O T A L S		646,443,100	695,845,600
GENERAL PURPOSE REVENUES		713,166,000	797,179,000
PROGRAM REVENUE		( 636,287,800) (	( 708,423,600) (
FEDERAL		( 20,829,200) (	( 23,717,100) (
OTHER		( 56,049,000) (	( 65,038,300) (
SERVICE			
TOTAL-ALL SOURCES		1,359,609,100	1,493,024,600

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>20.440 Health facilities authority</b>			
(1) CONSTRUCTION OF HEALTH FACILITIES			
(a) General program operations	GPR C	70,500	0
20.440 DEPARTMENT	TOTALS	70,500	0
GENERAL PURPOSE REVENUES		70,500	0
TOTAL-ALL SOURCES		70,500	0
<b>20.445 Industry, labor and human relations, department of</b>			
(1) INDUSTRY, LABOR AND HUMAN RELATIONS			
(a) General program operations	GPR A	4,594,600	4,676,400
(aa) Law enforce., corr.off., fire fight.& rescue squad mbrs.	GPR S	0	0
(b) Awards for the victims of crimes	GPR S	273,000	273,000
(c) Work incentive program administration	GPR A	617,000	622,000
(d) Work incentive program, aids	GPR A	393,000	388,000
(f) Death & disability benefit pay; public insurrections	GPR S	0	0
(g) Gifts and grants	PR C	4,000	4,000
(h) Housing standard fees	PR C	0	0
(j) Safety and building operations	PR C	2,745,200	2,818,400
(m) Federal funds	PR-F C	988,800	946,400
(o) Federal funds, occupational safety	PR-F C	0	0
(s) Self-insured employers liability fund	SEG C	0	0
(t) Work injury supplemental benefit fund	SEG C	1,250,800	1,250,800
(u) Unemployment administration fund; federal moneys	SEG-F C	30,510,700	30,509,700
(v) Unemployment administration fund; state moneys	SEG C	0	0
(w) Unemployment admin fund; work incentive program	SEG-F C	5,552,500	5,597,300
(x) Employment security building projects	SEG-F C	0	0
(y) Employment security - work incentive	SEG-F C	4,364,300	4,909,100
(1) PROGRAM	TOTALS	5,877,600	5,959,400
GENERAL PURPOSE REVENUES		3,738,000	3,768,800
PROGRAM REVENUE	(	988,800)	( 946,400)
FEDERAL	(	2,749,200)	( 2,822,400)
OTHER		41,678,300	42,266,900
SEGREGATED FUNDS	(	40,427,500)	( 41,016,100)
FEDERAL	(	1,250,800)	( 1,250,800)
OTHER		51,293,900	51,995,100
TOTAL-ALL SOURCES			
(2) REVIEW COMMISSION			
(a) General program operations, review commission	GPR A	55,900	55,900
(m) Federal funds	PR-F C	18,300	18,300
(u) Unemployment admin.; federal moneys for review comm.	SEG-F C	364,700	361,700
(2) PROGRAM	TOTALS	55,900	55,900
GENERAL PURPOSE REVENUES		18,300	18,300
PROGRAM REVENUE	(	18,300)	( 18,300)
FEDERAL	(	364,700)	( 361,700)
OTHER		438,900	435,900
SEGREGATED FUNDS	(		
FEDERAL	(		
OTHER			
TOTAL-ALL SOURCES			
20.445 DEPARTMENT	TOTALS	5,933,500	6,015,300
GENERAL PURPOSE REVENUES		3,756,300	3,787,100
PROGRAM REVENUE	(	1,007,100)	( 964,700)
FEDERAL	(	2,749,200)	( 2,822,400)
OTHER		42,043,000	42,628,600
SEGREGATED FUNDS	(	40,792,200)	( 41,377,800)
FEDERAL	(	1,250,800)	( 1,250,800)
OTHER		51,732,800	52,431,000
TOTAL-ALL SOURCES			
<b>20.455 Justice, department of</b>			
(1) LEGAL SERVICES			
(a) General program operations	GPR A	3,466,600	3,497,700
(b) Special counsel	GPR S	100,000	100,000
(d) Legal expenses	GPR S	350,000	350,000
(m) Federal aid	PR-F C	40,000	40,000

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		3,916,600	3,947,700
PROGRAM REVENUE		40,000	40,000
FEDERAL	(	40,000)	40,000)
TOTAL-ALL SOURCES		3,956,600	3,987,700
(2) LAW ENFORCEMENT SERVICES			
(a) General program operations	GPR A	4,408,300	4,773,100
(b) Training aids	GPR A	724,700	0
(d) Aid to counties for law enforcement	GPR A	15,000	15,000
(h) Terminal charges	PR C	420,200	420,200
(i) Law enforcement training fund, receipts	PR C	0	0
(j) Law enforcement training fund, local assistance	PR C	763,300	1,562,900
(ja) Law enforcement training fund, state operations	PR C	293,400	313,500
(k) Medicaid fraud investigation program	PR-S A	204,700	204,700
(m) Federal aid, state operations	PR-F C	299,000	0
(n) Federal aid, local assistance	PR-F C	150,000	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		5,148,000	4,788,100
PROGRAM REVENUE		2,130,600	2,501,300
FEDERAL	(	449,000)	0)
OTHER	(	1,476,900)	2,296,600)
SERVICE	(	204,700)	204,700)
TOTAL-ALL SOURCES		7,278,600	7,289,400
(3) ADMINISTRATIVE SERVICES			
(a) General program operations	GPR A	519,000	519,000
(m) Federal aid	PR-F C	0	0
(3) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		519,000	519,000
PROGRAM REVENUE		0	0
TOTAL-ALL SOURCES		519,000	519,000
20.455 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		9,583,600	9,254,800
PROGRAM REVENUE		2,170,600	2,541,300
FEDERAL	(	489,000)	40,000)
OTHER	(	1,476,900)	2,296,600)
SERVICE	(	204,700)	204,700)
TOTAL-ALL SOURCES		11,754,200	11,796,100
20.465 Military affairs, department of			
(1) NATIONAL GUARD OPERATIONS			
(a) General program operations	GPR A	1,395,300	1,397,900
(b) Repair and maintenance	GPR B	148,900	148,800
(c) Public emergencies	GPR S	102,800	102,800
(d) Principal repayment and interest	GPR S	27,500	29,800
(e) State service flags	GPR A	400	400
(f) Fuel and utilities	GPR S	447,200	447,200
(g) Military property	PR C	15,000	15,000
(m) Federal aid	PR-F C	1,735,000	1,738,100
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		2,122,100	2,126,900
PROGRAM REVENUE		1,750,000	1,753,100
FEDERAL	(	1,735,000)	1,738,100)
OTHER	(	15,000)	15,000)
TOTAL-ALL SOURCES		3,872,100	3,880,000
(2) GUARD MEMBERS' BENEFITS			
(a) Tuition grants	GPR B	104,500	209,200
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		104,500	209,200
TOTAL-ALL SOURCES		104,500	209,200
20.465 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		2,226,600	2,336,100
PROGRAM REVENUE		1,750,000	1,753,100
FEDERAL	(	1,735,000)	1,738,100)
OTHER	(	15,000)	15,000)
TOTAL-ALL SOURCES		3,976,600	4,089,200
20.485 Veterans affairs, department of			
(1) HOME FOR VETERANS			
(a) General program operations	GPR A	7,006,900	6,893,200
Allocated to applied receipts	GPR A	-5,247,900	-5,430,600
NET APPROPRIATION		1,759,000	1,462,600
(c) Fuel and utilities	GPR S	294,500	294,500

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(d) Cemetery maintenance and beautification	GPR A	2,000	2,000
(e) Lease rental payments	GPR S	25,000	22,200
(f) Principal repayment and interest	GPR S	188,400	181,800
(g) Home exchange	PR C	74,700	75,200
(h) Gifts and bequests	PR C	102,100	104,000
(i) Prepaid care	PR C	0	0
(j) Applied program revenue	PR-S C	5,247,900	5,430,600
(m) Federal aid	PR-F C	3,000	3,000
(u) Construction	SEG S	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		2,268,900	1,963,100
PROGRAM REVENUE		5,427,700	5,612,800
FEDERAL	(	3,000)	( 3,000)
OTHER	(	176,800)	( 179,200)
SERVICE	(	5,247,900)	( 5,430,600)
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		7,696,600	7,575,900
(2) LOANS AND AIDS TO VETERANS			
(a) National guard tuition grants administration	GPR B	2,000	2,000
(b) Interest loss	GPR S	1,230,000	1,230,000
(d) General fund loan to veterans trust fund	GPR C	0	0
(e) Vietnam veteran educational grants	GPR S	1,231,300	985,000
(f) General fund supplement to veterans trust fund	GPR B	0	0
(m) Federal aid projects	PR-F C	0	0
(u) Administration of loans and aids to veterans	SEG A	1,553,700	1,461,500
(um) Veterans loans, aids and treatment	SEG S	2,458,000	2,490,400
(up) Veterans economic assistance loans	SEG C	0	0
(ux) Transfer to investment board-economic assistance	SEG S	0	0
(v) Operation of memorial hall	SEG A	31,300	32,300
(vm) Veterans memorial council	SEG A	300	300
(vn) United Spanish war veterans	SEG A	1,000	1,000
(w) Payments to vet. organizations for claims service	SEG S	41,000	41,000
(x) Veterans loans	SEG C	0	0
(xm) Transfer to investment board	SEG S	0	0
(y) Veterans housing loans and expense	SEG S	0	0
(z) Gifts	SEG C	0	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		2,463,300	2,217,000
PROGRAM REVENUE		0	0
SEGREGATED FUNDS		4,085,300	4,026,500
OTHER	(	4,085,300)	( 4,026,500)
TOTAL-ALL SOURCES		6,548,600	6,243,500
(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS			
(a) General program operations	GPR B	0	0
(b) Self insurance	GPR S	0	0
(c) Capital reserve fund deficiency	GPR C	0	0
(e) General program deficiency	GPR S	0	0
(q) General program reimbursement	SEG S	0	0
(r) Self-insurance	SEG S	923,600	508,400
(s) General program operations	SEG B	699,100	635,100
(t) Principal repayment and interest	SEG S	30,407,000	30,502,200
(3) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
SEGREGATED FUNDS		32,029,700	31,645,700
OTHER	(	32,029,700)	( 31,645,700)
TOTAL-ALL SOURCES		32,029,700	31,645,700
20485 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		4,732,200	4,180,100
PROGRAM REVENUE		5,427,700	5,612,800
FEDERAL	(	3,000)	( 3,000)
OTHER	(	176,800)	( 179,200)
SERVICE	(	5,247,900)	( 5,430,600)

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
SEGREGATED FUNDS		36,115,000	35,672,200
OTHER	(	36,115,000)	( 35,672,200)
TOTAL-ALL SOURCES		46,274,900	45,465,100

HUMAN RELATIONS AND RESOURCES  
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		669,911,500	718,555,100
PROGRAM REVENUE		726,274,600	810,877,300
FEDERAL	(	639,521,900)	( 711,169,400)
OTHER	(	25,251,100)	( 29,034,300)
SERVICE	(	61,501,600)	( 70,673,600)
BOND REVENUE		0	0
SEGREGATED FUNDS		78,158,000	78,300,800
FEDERAL	(	40,792,200)	( 41,377,800)
OTHER	(	37,365,800)	( 36,923,000)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		1,474,344,100	1,607,733,200

GENERAL EXECUTIVE

20.505 Administration, department of

(1) ADMINISTRATIVE SUPERVISION

AND MANAGEMENT SERVICES

(a) General program operations	GPR	A	12,192,600	12,194,800
(d) Utilities and heating	GPR	S	2,124,100	2,124,100
(i) Merchandise and services	PR	C	956,900	1,004,600
(k) Gifts and donations	PR	C	0	0
(l) Services to state agencies	PR-S	C	19,807,800	21,955,600
(m) Federal grants and contracts	PR-F	C	1,346,400	1,771,400
(n) Federal aid; local assistance	PR-F	C	195,000	195,000

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		14,316,700	14,318,900
PROGRAM REVENUE		22,306,100	24,926,600
FEDERAL	(	1,541,400)	( 1,966,400)
OTHER	(	956,900)	( 1,004,600)
SERVICE	(	19,807,800)	( 21,955,600)
TOTAL-ALL SOURCES		36,622,800	39,245,500

(2) MANAGEMENT IMPROVEMENT

AND CONSULTANTS

(a) Management improvement studies and projects	GPR	B	225,000	225,000
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(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		225,000	225,000
TOTAL-ALL SOURCES		225,000	225,000

(3) ADJUDICATION OF CLAIMS

(a) Claims board	GPR	S	30,000	30,000
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(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		30,000	30,000
TOTAL-ALL SOURCES		30,000	30,000

(4) TAX APPEAL ADJUDICATION

(a) Adjudication of tax appeals	GPR	A	227,800	243,400
(b) Adjudication of equalization appeals	GPR	S	500	500

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		228,300	243,900
TOTAL-ALL SOURCES		228,300	243,900

(5) SPECIAL AND EXECUTIVE COMMITTEES

(a) General program operations	GPR	B	100,000	125,000
(b) Commission on the status of women	GPR	A	52,500	52,500
(cc) Wisconsin citizens environmental council	GPR	A	33,500	33,500
(g) Gifts and grants	PR	C	0	0
(m) Federal aid	PR-F	C	0	0

(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		186,000	211,000
PROGRAM REVENUE		0	0
TOTAL-ALL SOURCES		186,000	211,000

(7) PERSONNEL BOARD

(a) General program operations	GPR	A	116,300	116,300
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(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		116,300	116,300
TOTAL-ALL SOURCES		116,300	116,300



STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
20.505 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		15,102,300	15,145,100
PROGRAM REVENUE		22,306,100	24,926,600
FEDERAL	(	1,541,400)	1,966,400)
OTHER	(	956,900)	1,004,600)
SERVICE	(	19,807,800)	21,955,600)
TOTAL-ALL SOURCES		37,408,400	40,071,700
<b>20.510 Elections board</b>			
(1) ADMINISTRATION OF ELECTION AND CAMPAIGN FINANCE LAWS			
(a) General program operations	GPR B	244,000	253,300
20.510 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		244,000	253,300
TOTAL-ALL SOURCES		244,000	253,300
<b>20.515 Employe trust funds, department of</b>			
(1) EMPLOYE BENEFIT PLANS			
(a) Benefit payments	GPR S	9,135,000	8,678,000
(c) Contingencies	GPR S	0	0
(w) Administration	SEG C	3,905,700	4,112,500
20.515 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		9,135,000	8,678,000
SEGREGATED FUNDS		3,905,700	4,112,500
OTHER	(	3,905,700)	4,112,500)
TOTAL-ALL SOURCES		13,040,700	12,790,500
<b>20.521 Ethics board</b>			
(1) CODE OF ETHICS			
(a) General program operations	GPR A	72,700	72,700
(b) Investigations	GPR S	0	0
(g) Gifts and grants	PR C	0	0
20.521 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		72,700	72,700
PROGRAM REVENUE		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		72,700	72,700
<b>20.525 Office of the governor</b>			
(1) EXECUTIVE ADMINISTRATION			
(a) General program operations	GPR S	669,800	679,000
(b) Contingent fund	GPR S	0	0
(c) Governors' conference dues	GPR S	30,100	30,100
(d) Disability board	GPR S	0	0
(m) Federal aid	PR-F C	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		699,900	709,100
PROGRAM REVENUE		0	0
TOTAL-ALL SOURCES		699,900	709,100
(2) EXECUTIVE RESIDENCE			
(a) General program operations	GPR S	39,700	39,700
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		39,700	39,700
TOTAL-ALL SOURCES		39,700	39,700
20.525 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		739,600	748,800
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		739,600	748,800
<b>20.530 Executive councils</b>			
(2) COUNCIL ON CRIMINAL JUSTICE			
(a) General program operations	GPR A	98,200	97,600
(b) Planning & admin. project aid, local assistance	GPR A	0	0
(c) Law enforcement improvement project aid, local asst.	GPR A	160,500	160,500
(d) Law enforce. improve. project aid, state operations	GPR A	71,400	71,400
(e) Law enforce. improve. project aids, aids to organizations	GPR A	122,000	122,000
(h) Gifts and grants	PR C	0	0
(m) Federal aid, plan. & admin., state operations	PR-F C	902,400	902,400
(n) Federal aid, plan. & admin., local assistance	PR-F C	497,200	497,200

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(o) Federal aid, law enforcement improve., state operations	PR-F C	2,061,500	2,061,500
(p) Federal aid, law enforcement improvement, local assist.	PR-F C	2,888,200	2,888,200
(pa) Federal aid, law enforcement improvement, aids to org.	PR-F C	2,329,300	2,329,300
(pb) Fed.aid,juv.justice delinq. & prevention, local asst.	PR-F C	887,400	887,400
(2) P R O G R A M	T O T A L S		451,500
GENERAL PURPOSE REVENUES		452,100	
PROGRAM REVENUE		9,566,000	9,566,000
FEDERAL	(	9,566,000)	( 9,566,000)
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		10,018,100	10,017,500
(3) MANPOWER PLANNING COUNCIL			
(a) General program operations	GPR A	0	0
(m) Federal grants and contracts	PR-F C	11,339,200	11,339,200
(n) Federal aids, local assistance	PR-F C	21,133,300	21,133,300
(3) P R O G R A M	T O T A L S		0
GENERAL PURPOSE REVENUES		0	0
PROGRAM REVENUE		32,472,500	32,472,500
FEDERAL	(	32,472,500)	( 32,472,500)
TOTAL-ALL SOURCES		32,472,500	32,472,500
20.530 D E P A R T M E N T	T O T A L S		451,500
GENERAL PURPOSE REVENUES		452,100	
PROGRAM REVENUE		42,038,500	42,038,500
FEDERAL	(	42,038,500)	( 42,038,500)
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		42,490,600	42,490,000
20.536 Investment board			
(1) INVESTMENT OF FUNDS			
(h) General program operations	PR A	1,072,800	1,222,400
20.536 D E P A R T M E N T	T O T A L S		1,222,400
PROGRAM REVENUE		1,072,800	1,222,400
OTHER	(	1,072,800)	( 1,222,400)
TOTAL-ALL SOURCES		1,072,800	1,222,400
20.545 Local affairs and development, department of			
(1) ASSISTANCE TO WISCONSIN LOCALITIES			
(a) General program operations	GPR A	1,088,400	1,036,300
(b) Community development grants	GPR B	117,500	117,500
(c) Agricultural land preservation	GPR A	200,000	200,000
(d) Expansion of community action agencies	GPR B	100,000	0
(f) Planning aids	GPR B	372,900	372,900
(g) Plat review	PR C	23,100	23,600
(i) Local government contributions	PR C	743,800	768,200
(j) Program services	PR C	21,200	21,800
(k) Management services	PR C	145,200	149,100
(m) Federal aid, state operations	PR-F C	269,700	273,900
(n) Federal aid, local assistance	PR-F C	430,800	430,800
(o) Federal aid, individuals and organizations	PR-F C	0	0
(1) P R O G R A M	T O T A L S		1,726,700
GENERAL PURPOSE REVENUES		1,878,800	1,726,700
PROGRAM REVENUE		1,633,800	1,667,400
FEDERAL	(	700,500)	( 704,700)
OTHER	(	933,300)	( 962,700)
TOTAL-ALL SOURCES		3,512,600	3,394,100
(2) HOUSING ASSISTANCE			
(a) General program operations	GPR A	323,100	328,200
(b) Housing development fund	GPR B	150,000	150,000
(c) Housing loans	GPR B	0	0
(e) Winterization matching funds	GPR B	200,000	0
(g) Program services	PR C	15,000	11,200
(j) Housing loans	PR C	20,000	20,000
(m) Federal aid, state operations	PR-F C	113,100	113,700
(n) Federal aid, local assistance	PR-F C	0	0
(o) Federal aid, individuals and organizations	PR-F C	2,920,000	2,920,000
(2) P R O G R A M	T O T A L S		478,200
GENERAL PURPOSE REVENUES		673,100	478,200
PROGRAM REVENUE		3,068,100	3,064,900
FEDERAL	(	3,033,100)	( 3,033,700)
OTHER	(	35,000)	( 31,200)
TOTAL-ALL SOURCES		3,741,200	3,543,100

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>(3) EMERGENCY GOVERNMENT SERVICES</b>			
(a) General program operations	GPR A	239,800	258,800
(c) Disaster recovery aid	GPR B	5,500	0
(m) Federal aid, state operations	PR-F C	393,100	332,000
(n) Federal aid, local assistance	PR-F C	2,219,000	2,219,000
(o) Federal aid, individuals and organizations	PR-F C	20,000	20,000
(q) Emergency police services	SEG A	23,400	23,400
(3) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		245,300	258,800
PROGRAM REVENUE		2,632,100	2,571,000
FEDERAL	(	2,632,100)	( 2,571,000)
SEGREGATED FUNDS		23,400	23,400
OTHER	(	23,400)	( 23,400)
TOTAL-ALL SOURCES		2,900,800	2,853,200
<b>(4) EXECUTIVE AND ADMINISTRATIVE SERVICES</b>			
(a) General program operations	GPR A	548,500	553,600
(g) Program services	PR C	17,300	17,300
(m) Federal aid, state operations	PR-F C	7,400	7,400
(4) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		548,500	553,600
PROGRAM REVENUE		24,700	24,700
FEDERAL	(	7,400)	( 7,400)
OTHER	(	17,300)	( 17,300)
TOTAL-ALL SOURCES		573,200	578,300
2 0 . 5 4 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		3,345,700	3,017,300
PROGRAM REVENUE		7,358,700	7,328,000
FEDERAL	(	6,373,100)	( 6,316,800)
OTHER	(	985,600)	( 1,011,200)
SEGREGATED FUNDS		23,400	23,400
OTHER	(	23,400)	( 23,400)
TOTAL-ALL SOURCES		10,727,800	10,368,700
<b>20.550 Public defender board</b>			
<b>(1) LEGAL ASSISTANCE</b>			
(a) General program operations	GPR A	772,600	3,831,600
(m) Federal aid	PR-F C	0	0
2 0 . 5 5 0 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		772,600	3,831,600
PROGRAM REVENUE		0	0
FEDERAL	(	0)	( 0)
TOTAL-ALL SOURCES		772,600	3,831,600
<b>20.566 Revenue, department of</b>			
<b>(1) COLLECTION OF STATE TAXES</b>			
(a) General program operations	GPR A	13,764,200	13,950,300
(b) Inheritance tax valuation	GPR B	50,000	50,000
(g) Administration of local sales tax	PR C	0	0
(i) Gifts and grants	PR C	0	0
(m) Federal aid	PR-F C	0	0
(u) Motor fuel tax administration	SEG A	533,900	550,900
(1) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		13,814,200	14,000,300
PROGRAM REVENUE		0	0
SEGREGATED FUNDS		533,900	550,900
OTHER	(	533,900)	( 550,900)
TOTAL-ALL SOURCES		14,348,100	14,551,200
<b>(2) STATE AND LOCAL FINANCE</b>			
(a) General program operations	GPR A	4,035,800	4,072,800
(d) County assessment aid	GPR S	358,500	368,900
(g) Auditing of local units of government	PR C	1,861,000	1,924,500
(h) Reassessment and review	PR C	242,600	247,600
(i) Gifts and grants	PR C	0	0
(m) Federal aids	PR-F C	0	0
(2) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		4,394,300	4,441,700
PROGRAM REVENUE		2,103,600	2,172,100
FEDERAL	(	0)	( 0)
OTHER	(	2,103,600)	( 2,172,100)
TOTAL-ALL SOURCES		6,497,900	6,613,800
<b>(3) ADMINISTRATIVE SERVICES</b>			
(a) General program operations	GPR A	6,555,700	6,600,300
(b) Minnesota income tax reciprocity	GPR S	10,000	10,000

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(g) Services	PR A	30,000	30,000
(i) Gifts and grants	PR C	0	0
(m) Federal aid	PR-F C	0	0
(3) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		6,565,700	6,610,300
PROGRAM REVENUE		30,000	30,000
FEDERAL	(	0)	0)
OTHER	(	30,000)	30,000)
TOTAL-ALL SOURCES		6,595,700	6,640,300
20.566 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		24,774,200	25,052,300
PROGRAM REVENUE		2,133,600	2,202,100
FEDERAL	(	0)	0)
OTHER	(	2,133,600)	2,202,100)
SEGREGATED FUNDS		533,900	550,900
OTHER	(	533,900)	550,900)
TOTAL-ALL SOURCES		27,441,700	27,805,300

20.575 Secretary of state

(1) MANAGING AND OPERATING PROGRAM

RESPONSIBILITIES

(a) General program operations	GPR A	423,100	396,400
(g) Program fees	PR C	44,400	43,700
(ka) Agency collections	PR-S C	9,100	9,100
20.575 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		423,100	396,400
PROGRAM REVENUE		53,500	52,800
OTHER	(	44,400)	43,700)
SERVICE	(	9,100)	9,100)
TOTAL-ALL SOURCES		476,600	449,200

20.585 Treasurer, state

(1) CUSTODIAN OF STATE FUNDS

(a) General program operations	GPR A	234,300	241,300
(b) Insurance	GPR S	0	0
(g) Processing services	PR C	0	0
(i) State vehicle and aircraft receipts	PR C	0	0
20.585 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		234,300	241,300
PROGRAM REVENUE		0	0
OTHER	(	0)	0)
TOTAL-ALL SOURCES		234,300	241,300

20.590 Upper great lakes regional commission

(1) DEVELOPMENT OF UPPER GREAT

LAKES REGION

(a) General program operations	GPR A	71,200	71,200
(g) Gifts and grants	PR C	0	0
(m) Federal aid	PR-F C	135,000	135,000
20.590 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		71,200	71,200
PROGRAM REVENUE		135,000	135,000
FEDERAL	(	135,000)	135,000)
OTHER	(	0)	0)
TOTAL-ALL SOURCES		206,200	206,200

GENERAL EXECUTIVE  
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		55,366,800	57,959,500
PROGRAM REVENUE		75,098,200	77,905,400
FEDERAL	(	50,088,000)	50,456,700)
OTHER	(	5,193,300)	5,484,000)
SERVICE	(	19,816,900)	21,964,700)
BOND REVENUE		0	0
SEGREGATED FUNDS		4,463,000	4,686,800
FEDERAL	(	0)	0)
OTHER	(	4,463,000)	4,686,800)
SERVICE	(	0)	0)
TOTAL-ALL SOURCES		134,928,000	140,551,700

JUDICIAL

20.625 Circuit and county courts

(1) COURT OPERATIONS				
(a) Circuit courts	GPR	S	3,458,400	3,458,400
(b) County courts	GPR	S	5,567,200	5,562,500
(m) Federal aid	PR-F	C	0	0
	(1) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			9,025,600	9,020,900
PROGRAM REVENUE			0	0
TOTAL-ALL SOURCES			9,025,600	9,020,900
(2) AID TO COUNTIES FOR CRIMINAL TRIALS OF INDIGENTS				
(a) General program operations	GPR	S	150,000	150,000
	(2) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			150,000	150,000
TOTAL-ALL SOURCES			150,000	150,000
(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES				
(a) General program operations	GPR	S	3,000	3,000
	(3) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			3,000	3,000
TOTAL-ALL SOURCES			3,000	3,000
	2 0 . 6 2 5 D E P A R T M E N T	T O T A L S		
GENERAL PURPOSE REVENUES			9,178,600	9,173,900
PROGRAM REVENUE			0	0
FEDERAL	(	0)	(	0)
TOTAL-ALL SOURCES			9,178,600	9,173,900

20.645 Judicial council

(1) ADVISORY SERVICES TO THE COURTS AND LEGISLATURE				
(a) General program operations	GPR	A	78,700	78,700
(m) Federal aid	PR-F	C	0	0
	2 0 . 6 4 5 D E P A R T M E N T	T O T A L S		
GENERAL PURPOSE REVENUES			78,700	78,700
PROGRAM REVENUE			0	0
FEDERAL	(	0)	(	0)
TOTAL-ALL SOURCES			78,700	78,700

20.680 Supreme court

(1) SUPREME COURT PROCEEDINGS				
(a) General program operations	GPR	S	1,143,700	1,134,200
(m) Federal aid	PR-F	C	23,500	0
	(1) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			1,143,700	1,134,200
PROGRAM REVENUE			23,500	0
FEDERAL	(	23,500)	(	0)
TOTAL-ALL SOURCES			1,167,200	1,134,200
(2) ADMINISTRATOR OF COURTS				
(a) General program operations	GPR	S	534,700	558,800
(m) Federal aid	PR-F	C	274,000	223,900
(q) Patients compensation panels	SEG	C	288,700	288,700
	(2) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			534,700	558,800
PROGRAM REVENUE			274,000	223,900
FEDERAL	(	274,000)	(	223,900)
SEGREGATED FUNDS			288,700	288,700
OTHER	(	288,700)	(	288,700)
TOTAL-ALL SOURCES			1,097,400	1,071,400
(4) BAR COMMISSIONERS				
(a) Examination	GPR	A	6,900	0
(b) Enforcement	GPR	S	31,200	25,000
	(4) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			38,100	25,000
TOTAL-ALL SOURCES			38,100	25,000
(5) LAW LIBRARY				
(a) General program operations	GPR	A	172,100	146,600
	(5) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			172,100	146,600
TOTAL-ALL SOURCES			172,100	146,600
	2 0 . 6 8 0 D E P A R T M E N T	T O T A L S		
GENERAL PURPOSE REVENUES			1,888,600	1,864,600
PROGRAM REVENUE			297,500	223,900
FEDERAL	(	297,500)	(	223,900)

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
SEGREGATED FUNDS		288,700	288,700
OTHER	(	288,700)	( 288,700)
TOTAL-ALL SOURCES		2,474,800	2,377,200
JUDICIAL			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		11,145,900	11,117,200
PROGRAM REVENUE		297,500	223,900
FEDERAL	(	297,500)	( 223,900)
OTHER	(	0)	( 0)
SERVICE	(	0)	( 0)
BOND REVENUE		0	0
SEGREGATED FUNDS		288,700	288,700
FEDERAL	(	0)	( 0)
OTHER	(	288,700)	( 288,700)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		11,732,100	11,629,800

LEGISLATIVE

20.710 Building commission

(1) STATE OFFICE BUILDINGS			
(a) Principal repayment & interest	GPR S	0	0
(g) Agency collections	PR-S C	0	0
(h) Lease rental payments	PR-S S	1,704,300	1,704,300
(i) Principal repayment and interest	PR-S S	1,376,600	1,404,600
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
PROGRAM REVENUE		3,080,900	3,108,900
SERVICE	(	3,080,900)	( 3,108,900)
TOTAL-ALL SOURCES		3,080,900	3,108,900
(2) BUILDING TRUST FUND			
(f) Construction program	GPR B	14,142,500	8,402,400
(u) Aids for buildings	SEG C	0	0
(x) Building trust fund	SEG C	0	0
(y) Planning and design	SEG C	0	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		14,142,500	8,402,400
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		14,142,500	8,402,400
(3) STATE BUILDING PROGRAM			
(a) Principal repayment & interest	GPR S	385,000	3,722,400
(b) Principal repayment & interest	GPR S	107,700	104,800
(c) Lease rental payments	GPR S	0	0
(g) Principal repayment & interest	PR-S S	6,861,000	19,052,000
(h) Principal repayment & interest	PR-S S	0	0
(w) Bonding services	SEG S	0	0
(3) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		492,700	3,827,200
PROGRAM REVENUE		6,861,000	19,052,000
SERVICE	(	6,861,000)	( 19,052,000)
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		7,353,700	22,879,200
20.710 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		14,635,200	12,229,600
PROGRAM REVENUE		9,941,900	22,160,900
SERVICE	(	9,941,900)	( 22,160,900)
SEGREGATED FUNDS		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		24,577,100	34,390,500

20.725 Joint committee on finance

(1) GENERAL FUND SUPPLEMENTS			
(a) General program supplementation	GPR B	380,000	380,000
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		380,000	380,000
TOTAL-ALL SOURCES		380,000	380,000
(2) SEGREGATED FUNDS			
(u) General program supplementation	SEG S	0	0
(2) PROGRAM TOTALS			
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		0	0

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(3) SCHOOLS IN FINANCIAL DISTRESS			
(a) General purpose revenue	GPR S	0	0
(3) PROGRAM TOTALS		0	0
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0
20.725 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		380,000	380,000
SEGREGATED FUNDS		0	0
OTHER ( )		0	0
TOTAL-ALL SOURCES		380,000	380,000
<b>20.765 Legislature</b>			
(1) ENACTMENT OF STATE LAWS			
(a) General program operations	GPR S	9,319,900	9,342,300
(b) Contingent expenses	GPR B	5,000	5,000
(d) Processing legislative documents	GPR S	1,336,000	1,612,000
(1) PROGRAM TOTALS		10,660,900	10,959,300
GENERAL PURPOSE REVENUES		10,660,900	10,959,300
TOTAL-ALL SOURCES		10,660,900	10,959,300
(2) SPECIAL STUDY GROUPS			
(a) Joint survey comm. on retirement systems	GPR A	80,900	80,900
(b) Commission on uniform state laws	GPR A	12,200	12,200
(c) Interstate cooperation comm.	GPR B	28,400	28,200
(ca) Interstate cooperation comm.; contingent expenditures	GPR B	500	500
(cb) Membership in national associations	GPR S	66,700	69,800
(f) Insurance laws study comm.	GPR C	0	0
(i) Gifts and grants: insurance laws study committee	PR C	0	0
(u) Highway problems study comm.	SEG B	24,100	23,900
(2) PROGRAM TOTALS		188,700	191,600
GENERAL PURPOSE REVENUES		188,700	191,600
PROGRAM REVENUE		0	0
SEGREGATED FUNDS		24,100	23,900
OTHER ( )		24,100	23,900
TOTAL-ALL SOURCES		212,800	215,500
(3) LEGISLATIVE SERVICE AGENCIES			
(a) Revisor of statutes bureau	GPR A	141,100	146,100
(b) Legislative reference bureau	GPR B	644,400	660,400
(c) Legislative audit bureau	GPR A	1,173,100	1,300,300
(d) Legislative fiscal bureau	GPR B	655,300	656,000
(e) Legislative council	GPR B	548,600	575,000
(ec) Council contingent expenses	GPR B	500	500
(f) Joint committee on legislative organization	GPR C	0	0
(g) Gifts and grants to service agencies	PR C	0	0
(m) Federal aid	PR-F C	25,000	27,100
(3) PROGRAM TOTALS		3,163,000	3,338,300
GENERAL PURPOSE REVENUES		3,163,000	3,338,300
PROGRAM REVENUE		25,000	27,100
FEDERAL ( )		25,000	27,100
OTHER ( )		0	0
TOTAL-ALL SOURCES		3,188,000	3,365,400
(4) OFFICE OF THE LIEUTENANT GOVERNOR			
(a) General program operations	GPR S	148,100	150,600
(b) Nursing home ombudsman	GPR A	195,300	194,600
(d) Council for consumer affairs	GPR A	53,000	53,000
(ka) Contracts with other state agencies	PR-S C	38,500	39,800
(m) Federal aid	PR-F C	21,000	18,000
(4) PROGRAM TOTALS		396,400	398,200
GENERAL PURPOSE REVENUES		396,400	398,200
PROGRAM REVENUE		59,500	57,800
FEDERAL ( )		21,000	18,000
SERVICE ( )		38,500	39,800
TOTAL-ALL SOURCES		455,900	456,000
20.765 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		14,409,000	14,887,400
PROGRAM REVENUE		84,500	84,900
FEDERAL ( )		46,000	45,100
OTHER ( )		0	0
SERVICE ( )		38,500	39,800

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
SEGREGATED FUNDS		24,100	23,900
OTHER	(	24,100)	( 23,900)
TOTAL-ALL SOURCES		14,517,600	14,996,200

LEGISLATIVE FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		29,424,200	27,497,000
PROGRAM REVENUE		10,026,400	22,245,800
FEDERAL	(	46,000)	( 45,100)
OTHER	(	0)	( 0)
SERVICE	(	9,980,400)	( 22,200,700)
BOND REVENUE		0	0
SEGREGATED FUNDS		24,100	23,900
FEDERAL	(	0)	( 0)
OTHER	(	24,100)	( 23,900)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		39,474,700	49,766,700

GENERAL APPROPRIATIONS

20.835 Shared taxes, revenue and tax relief

(1) SHARED TAX ACCT., SHARED REV. ACCT., & MINIMUM PAYMENTS

(b) Minimum payments	LTR	S	0	0
(bb) Minimum payments supplement-municipalities	LTR	S	5,927,000	0
(bc) Minimum payments supplement-counties	LTR	S	2,670,000	0
(g) Shared tax account	LTR	S	0	0
(h) Shared revenue account	LTR	S	278,900,000	338,900,000
Transfer from personal property tax relief	LTR	S	0	10,438,300
NET APPROPRIATION			278,900,000	349,338,300
(j) Minimum shared revenue to counties	LTR	S	6,193,000	0
(k) Corrections of shared revenue payments	LTR	S	0	0

(1) PROGRAM TOTALS

LOCAL TAX REVENUE	293,690,000	349,338,300
TOTAL-ALL SOURCES	293,690,000	349,338,300

(2) TAX RELIEF

(a) General property tax relief	LTR	A	210,471,000	210,471,000
(b) Personal property tax relief	LTR	A	180,877,000	195,347,000
Transfer to shared revenue account	LTR	A	0	-10,438,300
Transfer to elementary and high school aid	LTR	S	0	-10,438,300
NET APPROPRIATION			180,877,000	174,470,400
(c) Homestead tax credit	LTR	S	80,900,000	86,800,000
(d) Improvements tax relief	LTR	S	0	2,000,000
(dm) Farm property tax credit	LTR	S	610,000	1,830,000
(ds) Manufacturing machinery and equipment reimbursement	LTR	S	25,136,000	29,500,000

(2) PROGRAM TOTALS

LOCAL TAX REVENUE	497,994,000	505,071,400
TOTAL-ALL SOURCES	497,994,000	505,071,400

(3) LOCAL SALES TAX

(g) Distributions	LTR	S	0	0
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(3) PROGRAM TOTALS

LOCAL TAX REVENUE	0	0
TOTAL-ALL SOURCES	0	0

(4) MISCELLANEOUS SHARED TAXES

(b) Fire dept dues; distributions	LTR	S	2,535,000	2,730,000
(c) Terminal tax distribution	LTR	S	540,000	560,000
(d) Low-grade iron ore; distributions	LTR	S	158,000	158,000

(4) PROGRAM TOTALS

LOCAL TAX REVENUE	3,233,000	3,448,000
TOTAL-ALL SOURCES	3,233,000	3,448,000

20.835 DEPARTMENT TOTALS

LOCAL TAX REVENUE	794,917,000	857,857,700
TOTAL-ALL SOURCES	794,917,000	857,857,700

Partial  
Veto  
Overruled



STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
<b>20.855 Miscellaneous appropriations</b>			
(2) LOCAL ASSISTANCE PAYMENTS			
(a) Counties retirement costs	GPR S	350,000	0
(d) Family court commissioners' salary supplements	GPR S	211,500	211,500
(e) Soil and water conservation district aids	GPR A	369,600	464,600
(f) Agricultural nonpoint source water pollution grants	GPR B	265,000	0
(2) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		1,196,100	676,100
TOTAL-ALL SOURCES		1,196,100	676,100
(3) PAYMENTS FOR MUNICIPAL SERVICES			
(a) Payments to municipalities	GPR A	4,197,000	4,448,800
(3) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		4,197,000	4,448,800
TOTAL-ALL SOURCES		4,197,000	4,448,800
(4) INTEREST ON OVERPAYMENT OF TAXES			
(a) Interest payments	GPR S	4,000	4,000
(4) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		4,000	4,000
TOTAL-ALL SOURCES		4,000	4,000
(6) PUBLIC EMPLOYMENT PROGRAMS			
(n) Federal aid, state operations	PR-F C	0	0
(6) PROGRAM TOTALS			
PROGRAM REVENUE		0	0
TOTAL-ALL SOURCES		0	0
(7) MINNESOTA INCOME TAX RECIPROCITY			
(a) Payments to Minnesota	GPR S	5,916,000	5,916,000
(7) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		5,916,000	5,916,000
TOTAL-ALL SOURCES		5,916,000	5,916,000
(8) PAYMENTS TO LOCAL UNITS OF GOVERNMENT			
(a) Interest on prorated payments	GPR S	0	0
(8) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0
(9) WISCONSIN HOUSING FINANCE AUTHORITY			
(a) Capital reserve fund deficiency	GPR C	0	0
(9) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0
20.855 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		11,313,100	11,044,900
PROGRAM REVENUE		0	0
FEDERAL	(	0)	0)
TOTAL-ALL SOURCES		11,313,100	11,044,900
<b>20.865 Program supplements</b>			
(1) EMPLOYE COMPENSATION AND SUPPORT			
(a) Judgments	GPR S	0	0
(b) Incentive awards	GPR S	0	0
(c) Pay plan adjustments	GPR S	0	0
(ci) University system faculty and academic pay adjustments	GPR S	0	0
(cm) Collective bargaining agreements	GPR S	0	0
(d) Employer fringe benefit costs	GPR S	6,562,600	8,185,600
(e) Additional bi-weekly pay period	GPR S	0	9,423,400
(f) Insurance premiums	GPR S	1,454,300	1,628,800
(fm) Risk management	GPR S	838,000	900,000
(fo) Inflation and records center charges	GPR A	3,372,700	5,788,000
(lo) Inflation and records center charges	PR A	87,500	137,700
(vo) Inflation and records center charges	SEG A	1,086,200	1,796,900
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		12,227,600	25,925,800
PROGRAM REVENUE		87,500	137,700
OTHER	(	87,500)	137,700)
SEGREGATED FUNDS		1,086,200	1,796,900
OTHER	(	1,086,200)	1,796,900)
TOTAL-ALL SOURCES		13,401,300	27,860,400

Partial  
Veto  
Overruled

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STATUTE, AGENCY AND PURPOSE		SOURCE TYPE		1977-78	1978-79
<b>(2) CONTRACTUAL SERVICES</b>					
(a)	Office building rentals	GPR	S	1,399,600	1,399,600
(b)	Parking rental costs; GEF 1	GPR	A	45,000	45,000
(c)	Uncollectible shortages	GPR	S	0	0
(d)	State deposit fund	GPR	S	0	0
(e)	Maintenance of capitol and executive mansion	GPR	A	974,200	1,046,300
(2) P R O G R A M T O T A L S				2,418,800	2,490,900
GENERAL PURPOSE REVENUES				2,418,800	2,490,900
TOTAL-ALL SOURCES				2,418,800	2,490,900
<b>(3) TAXES, ASSESSMENTS AND SPECIAL CHARGES</b>					
(a)	Taxes	GPR	S	0	0
(b)	Assessments	GPR	B	550,000	350,000
(3) P R O G R A M T O T A L S				550,000	350,000
GENERAL PURPOSE REVENUES				550,000	350,000
TOTAL-ALL SOURCES				550,000	350,000
<b>20.865 DEPARTMENT TOTALS</b>					
GENERAL PURPOSE REVENUES				15,196,400	28,766,700
PROGRAM REVENUE				87,500	137,700
OTHER				( 87,500) (	137,700)
SEGREGATED FUNDS				1,086,200	1,796,900
OTHER				( 1,086,200) (	1,796,900)
TOTAL-ALL SOURCES				16,370,100	30,701,300
<b>20.866 Public debt</b>					
<b>(1) BOND SECURITY AND REDEMPTION FUND</b>					
(u)	Principal repayment & interest Allocated from agency appropriations	BR	S	113,388,500	129,319,700
				-113,388,500	-129,319,700
NET APPROPRIATION				0	0
(1) P R O G R A M T O T A L S				0	0
BOND REVENUE				0	0
TOTAL-ALL SOURCES				0	0
<b>(2) CAPITAL IMPROVEMENT AUTHORIZATIONS</b>					
(s)	University of Wisconsin; academic facilities	BR	C	46,678,600	0
(t)	University of Wisconsin; self-amortizing facilities	BR	C	3,120,000	0
<i>Partial Veto Overruled</i>	<u>(tm) Nat. res. water pollution abate. and sewage collection fac.</u>	BR	C	<u>6,850,000</u>	<u>0</u>
(tp)	Natural resources; recreation facilities	BR	C	3,800,000	0
(tu)	Nat. res.; self-amortizing admin. facilities	BR	C	1,200,000	0
(u)	Transportation; administrative facilities	BR	C	0	0
(ug)	Transportation; accelerated bridge improvements	BR	C	0	0
(ur)	Transportation; accelerated highway improvements	BR	C	0	0
(us)	Transportation; connecting highway improvements	BR	C	0	15,000,000
(ut)	Transportation; federally aided highway facilities	BR	C	0	0
(v)	Health and social services; mental health facilities	BR	C	3,237,800	0
(w)	Health and social services; correctional facilities	BR	C	34,794,500	0
(x)	Building commission; previous lease rental authority	BR	C	0	0
(xa)	Bldg. comm.; refunding corp. tax supported debt	BR	C	0	0
(xb)	Bldg. comm.; refunding corp. self amortizing debt	BR	C	0	0
(xc)	Bldg. comm.; refunding tax supp. gen. obligation debt	BR	C	0	0
(xd)	Bldg. comm.; refund. self-amort. general obligation debt	BR	C	0	0
(y)	Bldg comm; housing state departments and agencies	BR	C	22,725,000	0
(z)	Building commission; other public purposes	BR	C	0	0
(zb)	Medical college of Wis, inc; basic science educ fac	BR	C	0	0
(zd)	Educational communications facilities	BR	C	0	0
(zf)	Historical society, historic sites	BR	C	480,000	0

STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1977-78	1978-79
(zh) Public instruction; schools for deaf and blind	BR C	0	0
(zj) Military affairs, armories and military facilities	BR C	611,700	0
(zm) Veterans affairs, Wisconsin veterans home	BR C	0	0
(zn) Veterans affairs self-amortizing mortgage loans	BR C	275,000,000	0
(zz) Agriculture; self-amortizing facilities	BR C	0	0
(2) PROGRAM TOTALS			
BOND REVENUE		398,497,600	15,000,000
TOTAL-ALL SOURCES		398,497,600	15,000,000
20.866 DEPARTMENT TOTALS			
BOND REVENUE		398,497,600	15,000,000
TOTAL-ALL SOURCES		398,497,600	15,000,000
GENERAL APPROPRIATIONS			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		26,509,500	39,811,600
PROGRAM REVENUE		87,500	137,700
FEDERAL	(	0)	(
OTHER	(	87,500)	(
SERVICE	(	0)	(
LOCAL TAX REVENUE		794,917,000	857,857,700
BOND REVENUE		398,497,600	15,000,000
SEGREGATED FUNDS		1,086,200	1,796,900
FEDERAL	(	0)	(
OTHER	(	1,086,200)	(
SERVICE	(	0)	(
TOTAL-ALL SOURCES		1,221,097,800	914,603,900